

functional offices should be involved in identifying and ensuring correction of systemic deficiencies relating to their respective functions.

Agency managers and staff should be encouraged to identify and report deficiencies, as this reflects positively on the agency's commitment to recognizing and addressing management problems. Failing to report a known deficiency would reflect adversely on the agency.

Role of Senior Management Council. Many agencies have found that a senior management council is a useful forum for assessing and monitoring deficiencies in management controls. The membership of such councils generally includes both line and staff management; consideration should be given to involving the IG. Such councils generally recommend to the agency head which deficiencies are deemed to be material to the agency as a whole, and should therefore be included in the annual FMFIA report to the President and the Congress. (Such a council need not be exclusively devoted to management control issues.) This process will help identify deficiencies that although minor individually, may constitute a material weakness in the aggregate. Such a council may also be useful in determining when sufficient action has been taken to declare that a deficiency has been corrected.

IV. Correcting Management Control Deficiencies

Agency managers are responsible for taking timely and effective action to correct deficiencies identified by the variety of sources discussed in Section III. Correcting deficiencies is an integral part of management accountability and must be considered a priority by the agency.

The extent to which corrective actions are tracked by the agency should be commensurate with the severity of the deficiency. Corrective action plans should be developed for all material weaknesses, and progress against plans should be periodically assessed and reported to agency management. Management should track progress to ensure timely and effective results. For deficiencies that are not included in the FMFIA report, corrective action plans should be developed and tracked internally at the appropriate level.

A determination that a deficiency has been corrected should be made only when sufficient corrective actions have been taken and the desired results achieved. This determination should be in writing, and along with other appropriate documentation, should be available for review by appropriate

officials. (See also role of senior management council in Section III.)

As managers consider IG and GAO audit reports in identifying and correcting management control deficiencies, they must be mindful of the statutory requirements for audit followup included in the IG Act, as amended. Under this law, management has a responsibility to complete action, in a timely manner, on audit recommendations on which agreement with the IG has been reached. 5 U.S.C. Appendix 3. (Management must make a decision regarding IG audit recommendations within a six month period and implementation of management's decision should be completed within one year to the extent practicable.) Agency managers and the IG share responsibility for ensuring that IG Act requirements are met.

V. Reporting on Management Controls

Reporting Pursuant to Section 2. 31 U.S.C. 3512(d)(2) (commonly referred to as Section 2 of the FMFIA) requires that annually by December 31, the head of each executive agency submit to the President and the Congress (i) a statement on whether there is reasonable assurance that the agency's controls are achieving their intended objectives; and (ii) a report on material weaknesses in the agency's controls. OMB may provide guidance on the composition of the annual report.

- **Statement of Assurance.** The statement on reasonable assurance represents the agency head's informed judgment as to the overall adequacy and effectiveness of management controls within the agency. The statement must take one of the following forms: statement of assurance; qualified statement of assurance, considering the exceptions explicitly noted; or statement of no assurance.

In deciding on the type of assurance to provide, the agency head should consider information from the sources described in Section III of this Circular, with input from senior program and administrative officials and the IG. The agency head must describe the analytical basis for the type of assurance being provided, and the extent to which agency activities were assessed. The statement of assurance must be signed by the agency head.

- **Report on Material Weaknesses.** The FMFIA report should include agency plans to correct the material weaknesses and progress against those plans.

Reporting Pursuant to Section 4. 31 U.S.C. 3512 (d)(2)(B) (commonly referred to as Section 4 of the FMFIA) requires an annual statement on

whether the agency's financial management systems conform with government-wide requirements. These financial systems requirements are presented in OMB Circular No. A-127, "Financial Management Systems," section 7. If the agency does not conform with financial systems requirements, the statement should discuss the agency's plans for bringing its systems into compliance.

If the agency head judges a deficiency in financial management systems and/or operations to be material when weighed against other agency deficiencies, the issue should be included in the annual FMFIA report in the same manner as other material weaknesses.

Distribution of FMFIA Report. The assurance statements and information related to both Sections 2 and 4 should be provided in a single FMFIA report. Copies of the report should be transmitted to the President; the Director of OMB; the President of the Senate; the Speaker of the House of Representatives; and the Chairpersons and Ranking Members of the Senate Committee on Governmental Affairs, the House Committee on Government Operations, and the relevant authorizing and appropriations committees and subcommittees. In addition, 10 copies of the report should be provided to OMB's Management Integrity Branch.

Government Corporations. Section 306 of the Chief Financial Officers Act established a reporting requirement related to management controls for corporations covered by the Government Corporation and Control Act. 31 U.S.C. 9106. These corporations must submit an annual management report to the Congress not later than 180 days after the end of the corporation's fiscal year. This report must include, among other items, a statement on control systems by the head of the management of the corporation consistent with the requirements of the FMFIA.

The corporation is required to provide the President, the Director of OMB, and the Comptroller General a copy of the management report when it is submitted to Congress.

[FR Doc. 95-6024 Filed 3-10-95; 8:45 am]

BILLING CODE 3110-01-P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: This gives notice of positions placed or revoked under Schedules A and B, and placed under Schedule C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

FOR FURTHER INFORMATION CONTACT: Patricia Paige, (202) 606-0830.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management published its last monthly notice updating appointing authorities established or revoked under the Excepted Service provisions of 5 CFR 213 on December 28, 1994 (59 FR 66980). Individual authorities established or revoked under Schedules A and B and established under Schedule C between December 1, 1994, and January 31, 1995, appear in the listing below. Also appearing below is a Schedule A authority that was revoked effective September 1, 1994. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30, will also be published.

Schedule A

No Schedule A authorities were established or revoked between December 1, 1994, and January 31, 1995.

The following exception was revoked:

Department of the Interior

National Park Service. Temporary intermittent and seasonal Park Ranger and support positions with employment up to 180 working days a year. Revoked effective September 1, 1994. These positions are now a part of the competitive service.

Schedule B

No Schedule B authorities were established or revoked between December 1, 1994, and January 31, 1995.

Schedule C

Administrative Conference of the United States

Special Assistant to the Chairman, Administrative Conference of the United States. Effective December 14, 1994.

Commission on Civil Rights

Special Assistant to the Staff Director, Office of the Staff Director. Effective January 24, 1995.

Deputy General Counsel to the General Counsel, Office of the General Counsel. Effective January 24, 1995.

Corporation for National and Community Service

Director, Higher Education and Youth Communication to the Director, Public Affairs. Effective December 19, 1994.

Director of Constituency Relations to the Director of Public Liaison. Effective December 19, 1994.

Deputy Director to the Director, Domestic Volunteer Service Programs. Effective December 19, 1994.

Public Affairs Officer to the Chief External Affairs Officer. Effective January 25, 1995.

Department of Agriculture

Deputy Director, Special Projects to the Director, Office of Communications. Effective December 2, 1994.

Special Assistant to the Director, Office of Public Affairs. Effective December 13, 1994.

Confidential Assistant to the Administrator, Farmers Home Administration. Effective December 13, 1994.

Confidential Assistant to the Assistant Secretary for Science and Education. Effective January 12, 1995.

Special Assistant to the Deputy Assistant Secretary. Effective January 17, 1995.

Confidential Assistant to the Administrator, Rural Business and Cooperative Development Service. Effective January 26, 1995.

Department of Commerce

Special Assistant to the Assistant Secretary for Legislative and Intergovernmental Affairs. Effective December 7, 1994.

Confidential Assistant to the Deputy Assistant Secretary for International Economic Development. Effective December 7, 1994.

Deputy Director to the Director, Office of Public, Congressional and Intergovernmental Affairs. Effective December 12, 1994.

Special Assistant to the Director, Office of White House Liaison. Effective December 19, 1994.

Special Assistant to the Director, Bureau of Census. Effective January 10, 1995.

Assistant Director for Operations to the Director for Strategic Planning. Effective January 17, 1995.

Special Assistant to the Deputy Chief of Staff. Effective January 26, 1995.

Confidential Assistant to the Deputy Chief of Staff. Effective January 26, 1995.

Special Advisor to the Director, Oceanic and Atmospheric Administrator. Effective January 26, 1995.

Director of Intergovernmental Affairs to the Assistant Secretary for Legislative and Intergovernmental Affairs. Effective January 26, 1995.

Department of Defense

Staff Assistant to the Deputy Assistant Secretary of Defense (Inter-American Affairs). Effective December 12, 1994.

Defense Fellow to the Assistant Secretary of Defense for International Security Affairs. Effective December 14, 1994.

Intergovernmental Affairs Specialist to the Under Secretary of Defense (Personnel and Readiness). Effective December 21, 1994.

Confidential Assistant to the Assistant Secretary of Defense, Force Management Policy. Effective December 21, 1994.

Personal and Confidential Assistant to the Principal Deputy Assistant Secretary of Defense (Special Operation and Low Intensity Conflict). Effective December 23, 1994.

Program Analyst to the Deputy Under Secretary (Environmental Secretary). Effective January 26, 1995.

Department of Education

Special Assistant to the Assistant Secretary, Office of Elementary and Secondary Education. Effective December 19, 1994.

Confidential Assistant to the Director, Office of Intergovernmental and Constituent Affairs. Effective December 23, 1994.

Confidential Assistant to the Special Assistant to the Secretary. Effective December 23, 1994.

Special Assistant to the Director, White House Initiative on Hispanic Education Staff. Effective December 23, 1994.

Special Assistant to the Under Secretary for Policy, Planning and Administration. Effective December 23, 1994.

Special Assistant to the Senior Advisor on Education. Effective December 30, 1994.

Special Assistant to the Commissioner, Rehabilitation Service Administration. Effective January 10, 1995.

Department of Energy

Staff Assistant to the Assistant Secretary for Human Resources and Administration. Effective January 10, 1995.

Staff Assistant to the Principal Deputy Assistant Secretary for Human Resources and Administration. Effective January 10, 1995.

Special Assistant for Communications to the Director, Office of Energy Research. Effective January 10, 1995.

Staff Assistant to the Assistant Secretary for Environmental Management. Effective January 26, 1995.

Special Liaison (Federal Power Marketing Administration) to the

Assistant Secretary for Energy Efficiency and Renewable Energy. Effective January 26, 1995.

Department of Health and Human Services

Executive Assistant to the Assistant Secretary for Legislation. Effective December 23, 1994.

Special Assistant to the Surgeon General, Public Health Service. Effective December 23, 1994.

Executive Assistant for Legislative Affairs to the Assistant Secretary for Health. Effective January 24, 1995.

Special Assistant to the Deputy Secretary. Effective January 26, 1995.

Confidential Assistant (Scheduling) to the Director of Scheduling. Effective January 26, 1995.

Department of Housing and Urban Development

Executive Assistant to the Assistant Secretary for Community Planning and Development. Effective December 13, 1994.

Director, Hospital Mortgage Insurance Staff to the Assistant Secretary for Housing-Federal Housing Commissioner. Effective January 10, 1995.

Special Assistant to the Deputy Assistant Secretary for Distressed and Troubled Housing Recovery. Effective January 10, 1995.

Special Assistant to the Secretary's Representative. Effective January 17, 1995.

Department of the Interior

Special Assistant to the Deputy Director, External Affairs, U.S. Fish and Wildlife Service. Effective December 20, 1994.

Special Assistant (Advance) to the Deputy Chief of Staff. Effective January 10, 1995.

Deputy Scheduler to the Deputy Chief of Staff. Effective January 26, 1995.

Department of Justice

Counsel to the Deputy Attorney General. Effective December 13, 1994.

Department of Labor

Director of Scheduling and Advance to the Chief of Staff. Effective December 1, 1994.

Special Assistant to the Secretary. Effective December 14, 1994.

Project Director to the Assistant Secretary for Public Affairs. Effective December 19, 1994.

Chief of Staff to the Assistant Secretary for Public Affairs. Effective December 19, 1994.

Chief Technical Advisor to the Assistant Secretary for Mine Safety and Health. Effective December 23, 1994.

Special Assistant to the Director, Women's Bureau. Effective December 23, 1994.

Special Assistant to the Assistant Secretary for Occupational Safety and Health Administration. Effective January 10, 1995.

Director of Communications and Public Information to the Assistant Secretary for Employment and Training. Effective January 17, 1995.

Special Assistant to the Assistant Secretary for Policy. Effective January 18, 1995.

Special Assistant to the Assistant Secretary for Administration and Management. Effective January 20, 1995.

Legislative Office to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective January 22, 1995.

Staff assistant to the Deputy Under Secretary for International Labor Affairs. Effective January 26, 1995.

Department of State

Secretary to the Assistant Secretary, Consular Affairs. Effective December 23, 1994.

Policy Analyst to the Deputy Assistant Secretary for Environment and Development. Effective December 23, 1994.

Secretary (Steno) to the United States Ambassador and U.S. Representative to the United Nations. Effective January 25, 1995.

Department of Transportation

Special Assistant to the Assistant Secretary for Governmental Affairs. Effective December 13, 1994.

Special Assistant to the Director of External Communications. Effective December 23, 1994.

Special Assistant to the Deputy Secretary of Transportation. Effective January 26, 1995.

Congressional Liaison Officer to the Director, Office of Congressional Affairs. Effective January 26, 1995.

Department of the Treasury

Confidential Assistant to the Secretary of the Treasury. Effective December 8, 1994.

Environmental Protection Agency

Counsel to the Assistant Administrator for Policy, Planning and Evaluation. Effective December 13, 1994.

Equal Employment Opportunity Commission

Media Contact Specialist to the Director, Office of Communications and Legislative Affairs. Effective January 10, 1995.

Media Contact Specialist to the Director, Office of Communications and Legislative Affairs. Effective January 26, 1995.

Export-Import Bank of the United States

Personal and Confidential Assistant to the Vice Chairman. Effective December 28, 1994.

Administrative Assistant to the Board of Directors and the Chairman. Effective December 28, 1994.

Federal Communications Commission

Special Assistant to the Director, Office of Public Affairs. Effective January 24, 1995.

Special Assistant to the Chief, Common Carrier Bureau. Effective January 24, 1995.

Federal Maritime Commission

Counsel to the Commissioner. Effective January 24, 1995.

National Aeronautics and Space Administration

Public Affairs Specialist to the Associate Administrator for Public Affairs. Effective January 10, 1995.

Office of Management and Budget

Confidential Assistant to the Associate Director, Health and Personnel, to the Associate Director, Health and Personnel. Effective January 10, 1995.

Confidential Assistant to the Associate Director, Natural Resources, Energy and Science. Effective January 10, 1995.

Office of National Drug Control Policy

Legislative Analyst to the Director, Office of Public Affairs and Legislative Affairs. Effective January 10, 1995.

Office of Personnel Management

Special Assistant to the Director of the Office of Communications. Effective January 5, 1995.

Coordinator, Interagency Affairs to the Director of Agency Initiatives. Effective January 6, 1995.

Official Residence of the Vice President

Special Assistant to the Special Assistant to the Vice President and Chief of Staff to Mrs. Gore. Effective December 14, 1994.

President's Commission on White House Fellowships

Education Director to the Director, President's Commission on White House Fellowships. Effective December 13, 1994.

Small Business Administration

Special Assistant to the Associate Deputy Administrator for Economic Development. Effective January 26, 1995.

U.S. Arms Control and Disarmament Agency

Secretary (Office Automation) to the Assistant Director, Intelligence, Verification and Information Support Bureau. Effective December 23, 1994.

United States Information Agency

Director, Office of Thematic Programs to the Associate Director, Bureau of Information. Effective December 19, 1994.

Senior Assistant to the Director, United States Information Agency. Effective December 19, 1994.

Senior Advisor to the Associate Director, Bureau of Information. Effective January 10, 1995.

Special Assistant to the Director, Office of Congressional and Intergovernmental Affairs. Effective January 12, 1995.

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954-1958 Comp., P.218
Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 95-6026 Filed 3-10-95; 8:45 am]

BILLING CODE 6325-01-M

Federal Employees Health Benefits Program; Invitation for Applications and Benefits Change Proposals

AGENCY: Office of Personnel Management.

ACTION: Notice of the acceptance of applications from new comprehensive medical plans (HMO's) for participation in the Federal Employees Health Benefits (FEHB) Program, and benefits change proposals from plans currently participating in the FEHB Program, for contract year 1996.

SUMMARY: Notice is hereby given that the Office of Personnel Management (OPM) will consider new applications from HMO's for the FEHB Program contract year beginning January 1, 1996. OPM will also consider benefits change proposals from plans currently in the FEHB Program.

SUPPLEMENTARY INFORMATION: Section 890.203 of title 5, Code of Federal Regulations, authorizes OPM to invite applications from HMO's to participate in the FEHB Program, and to consider changes in rates and benefits for health benefits plans currently participating in the Program, when it determines that it

is in the best interests of enrollees and the Program to do so. By this notice, OPM is officially announcing its decision to consider applications from new HMO's, and benefits change proposals from participating plans, for contract year 1996.

OPM is extending the deadline for the submission of the completed application from January 31 to March 31, 1995. Plans must submit evidence demonstrating they meet all requirements for approval by March 31, 1995. However, that date would be extended, if OPM requests additional information, to 30 days from the date of OPM's request. All rate and benefits submissions are due by May 31, 1995.

Office of Personnel Management.

James B. King,

Director.

[FR Doc. 95-6116 Filed 3-10-95; 8:45 am]

BILLING CODE 6325-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**Public Hearings on Establishment of a Tariff-Rate Quota on Imported Tobacco**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of public hearings.

SUMMARY: Pursuant to section 125(f) of the Trade Act of 1974, the Office of the United States Trade Representative has scheduled a public hearing on the potential establishment of a tariff-rate quota on certain imported tobaccos.

DATES: The public hearing will be held on Tuesday, April 4, 1995.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning public hearings and/or public comments, contact Carolyn Frank, Executive Secretary, Trade Policy Staff Committee (TPSC) (202-395-9557). All other questions should be directed to Thomas Hushek, Senior Economist for Agricultural Affairs (202-395-6127).

SUPPLEMENTARY INFORMATION: On June 28, 1994, the United States notified the Secretariat of the General Agreement on Tariffs and Trade 1947 (GATT 1947) of its proposal to modify certain concessions with respect to tobacco, in accordance with the provisions and procedures of Article XXVIII, paragraph 5 of the GATT 1947. (This notification was provided again on February 27, 1995 to the Secretariat of the World Trade Organization, in accordance with Article XXVIII of the GATT 1994). In July 1994, the United States entered into negotiations and consultations pursuant to Article XXVIII with qualifying GATT

contracting parties (initial negotiating rights holders and principal and substantial suppliers).

Pursuant to Article XXVIII, the United States proposes to establish a tariff-rate quota on nine current tariff categories of the Harmonized Tariff Schedule of the United States (HTSUS) (2401.10.60, 2401.20.30, 2401.20.80, 2401.30.30, 2401.30.60, 2401.30.90, 2403.10.00, 2403.91.40, and 2403.99.00) to cover flue-cured, burley and other light air-cured tobaccos that are imported to be used in the manufacture of cigarettes for domestic consumption. The in-quota tariff rates would be equal to the Uruguay Round concession rates. The over-quota tariff rates would be as high as 350 percent *ad valorem*.

Other tobaccos, including oriental and cigar type tobaccos, would not be subject to the quantitative limitations of the tariff-rate quota. Imported flue-cured, burley and other light air-cured tobaccos used to manufacture products other than cigarettes would also not be subject to the tariff-rate quota.

Imported flue-cured, burley and other light air-cured tobaccos used to manufacture exported cigarettes would be eligible for manufacturing duty-drawback on an identity-preserved basis. Under section 422 of the Uruguay Round Agreements Act, upon proclamation of the tariff-rate quota, section 1106(a) of the Omnibus Budget and Reconciliation Act of 1993 (7 U.S.C. 1314i), which concerns domestic marketing assessments for imported tobacco, would not be in effect for any calendar year other than 1994.

Section 125(c) of the Trade Act of 1974 (19 U.S.C. 2135) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to that Act, section 350 of the Tariff Act 1930 or section 201 of the Trade Expansion Act of 1962, withdraws or modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States. As amended by section 421 of the Uruguay Round Agreements Act, section 125(c) authorizes the President to proclaim increased duties on the nine tariff categories of tobacco of up to 350% above the rates existing on January 1, 1975.

Before taking any action under section 125 to increase duties, the President is required by section 125(f) to provide for public hearings at which time interested