5–17–96
Vol. 61 No. 97
Pages 24875–25134

federal register

Friday
May 17, 1996

Briefings on How To Use the Federal Register
For information on briefings in Chicago, IL 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 seal of the National Archives and Records Administration authenticates this issue of the Federal Register as the official serial publication established under the Federal Register Act. 44 U.S.C. 1507 provides that the contents of the Federal Register shall be judicially noticed.

The Federal Register is published in paper, 24x microfiche and as an online database through *GPO Access*, a service of the U.S. Government Printing Office. The online database is updated by 6 a.m. each day the Federal Register is published. The database includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward. Free public access is available on a Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs/, by using local WAIS client software, or by telnet to swais.access.gpo.gov, then login as guest, (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access*, contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov; by faxing to (202) 512–1262; or by calling (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday–Friday, except for Federal holidays.

The annual subscription price for the Federal Register paper edition is $494, or $544 for a combined Federal Register, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the Federal Register including the Federal Register Index and LSA is $433. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is $8.00 for each issue, or $8.00 for each group of pages as actually bound; or $1.50 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 25% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA or MasterCard. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954.

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

How To Cite This Publication: Use the volume number and the page number. Example: 61 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC	
Subscriptions:	
Paper or fiche	202–512–1800
Assistance with public subscriptions	512–1806
General online information	202–512–1530
Single copies/back copies:	
Paper or fiche	512–1800
Assistance with public single copies	512–1803
FEDERAL AGENCIES	
Subscriptions:	
Paper or fiche	523–5243
Assistance with Federal agency subscriptions	523–5243

For other telephone numbers, see the Reader Aids section at the end of this issue.

FEDERAL REGISTER WORKSHOP

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: Sponsored by the Office of the Federal Register.

WHAT: Free public briefings (approximately 3 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.

CHICAGO, IL

WHEN: June 11, 1996 at 9:00 am

WHERE: Metcalfe Federal Building, Conference Room 328, 77 West Jackson, Chicago, Illinois 60604

RESERVATIONS: 1–800–688–9889

WASHINGTON, DC

[Two Sessions]

WHEN: June 18, 1996 at 9:00 am, and June 25, 1996 at 9:00 am

WHERE: Office of the Federal Register Conference Room, 800 North Capitol Street, NW., Washington, DC (3 blocks north of Union Station Metro)

RESERVATIONS: 202–523–4538

Printed on recycled paper containing 100% post consumer waste

Contents

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

Actuaries, Joint Board for Enrollment
See Joint Board for Enrollment of Actuaries

Agricultural Marketing Service
RULES
Onions grown in—
Texas, 24877–24878

Agriculture Department
See Agricultural Marketing Service
See Commodity Credit Corporation
See Forest Service
See Grain Inspection, Packers and Stockyards Administration

Army Department
See Engineers Corps

Blind or Severely Disabled, Committee for Purchase From People Who Are
See Committee for Purchase From People Who Are Blind or Severely Disabled

Children and Families Administration
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24940

Coast Guard
RULES
Ports and waterways safety:
Long Beach Harbor, CA; safety zone, 24892–24893

Commerce Department
See National Oceanic and Atmospheric Administration

Committee for Purchase From People Who Are Blind or Severely Disabled
NOTICES
Procurement list; additions and deletions, 24920–24921

Committee for the Implementation of Textile Agreements
NOTICES
Cotton, wool, and man-made textiles:
China, 24919–24920

Commodity Credit Corporation
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24914
Feed grain donations:
Three Affiliated Tribes of Fort Berthold Indian Reservation, ND, 24914–24915

Corporation for National and Community Service
NOTICES
Hearings, 24919

Customs Service
RULES
Articles conditionally free, subject to a reduced rate, etc.:
Steel products; voluntary restraint arrangements, 24887–24888
Merchandise; special classes:
Prohibited/restricted merchandise; foreign assets control enforcement, 24888–24889

Defense Department
See Engineers Corps

Drug Enforcement Administration
NOTICES
Applications, hearings, determinations, etc.:
Ganes Chemicals, Inc., 24957–24959

Education Department
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24921–24923

Employment and Training Administration
NOTICES
Adjustment assistance:
Exxon Co., U.S.A., 24961
Whirlpool Corp. et al., 24962
Adjustment assistance and NAFTA transitional adjustment assistance:
EMI Co. et al., 24959–24961
NAFTA transitional adjustment assistance:
Pacific Power, 24962–24963

Energy Department
See Energy Efficiency and Renewable Energy Office
See Energy Information Administration
See Federal Energy Regulatory Commission
NOTICES
Environmental statements; availability, etc.:
Foreign research reactor spent nuclear fuel; nuclear weapons nonproliferation policy, 25092–25103
Powerplant and industrial fuel use; new electric powerplant coal capability:
Self-certification filings—
Mid-Georgia Cogen, L.P., 24923

Energy Efficiency and Renewable Energy Office
NOTICES
Grants and cooperative agreements; availability, etc.:
National industrial competitiveness through energy, environment and economics (NICE3) program, 24923–24924

Energy Information Administration
NOTICES
Agency information collection activities:
Submission for OMB review; comment request, 24924

Engineers Corps
NOTICES
Base realignment and closure:
Surplus Federal property—
Charles E. Kelly Support Facility, Irwin Support Annex, Manor, PA, 24921

Environmental Protection Agency
RULES
Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
Allyl isothiocyanate, 24893–24894
Superfund program:
National oil and hazardous substances contingency plan—
National priorities list update, 24894–24895
PROPOSED RULES
Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
Tau-fluvalinate, 24911–24913
NOTICES
Agency information collection activities:
Submission for OMB review; comment request, 24930–24933
Environmental statements; availability, etc.:
Agency statements—
Comment availability, 24933–24934
Weekly receipts, 24933
Grants, State and local assistance:
Grantee performance evaluation reports—
Alabama et al., 24934
Pesticide programs:
Dupont Agricultural Products of Delaware—
Genetically engineered microbial pesticide; small-scale field testing, 24934–24935
Pesticide registration, cancellation, etc.:
Metam-sodium, 24935–24936
Woodstream Corp., 24936–24937

Executive Office of the President
See Presidential Documents
See Trade Representative, Office of United States

Farm Credit Administration
PROPOSED RULES
Farm credit system:
Loan policies and operations—
Funding and discount relationship between FCS banks and other financing institutions, 24907–24909

Federal Aviation Administration
RULES
Airworthiness directives:
Jetstream, 24883–24887
New Piper Aircraft, Inc., 24878–24881

Federal Communications Commission
RULES
Common carrier services:
Telecommunications Act of 1996; implementation—
Telecommunications or customer premises equipment standards; dispute resolution, 24897–24904

Federal Emergency Management Agency
NOTICES
Meetings:
Federal Radiological Preparedness Coordinating Committee, 24937–24938
Radiological emergency; State plans:
New York, 24938

Federal Energy Regulatory Commission
NOTICES
Electric rate and corporate regulation filings:
TRAKYA ELEKTRIK URETIM VE TICARET A.S. et al., 24925–24928
Natural gas certificate filings:
Transcontinental Gas Pipe Line Corp. et al., 24928–24930
Applications, hearings, determinations, etc.:
Granite State Gas Transmission, Inc., 24925
Syracuse Power Co. et al., 24925

Federal Highway Administration
NOTICES
Meetings:
Civil rights programs; efficiency, quality, and effectiveness; roundtable discussions, 25010

Federal Reserve System
NOTICES
Banks and bank holding companies:
Change in bank control, 24938
Formations, acquisitions, and mergers, 24938–24939
Permissible nonbanking activities, 24939
Meetings; Sunshine Act, 24939

Federal Transit Administration
RULES
Capital leases, 25088–25090
NOTICES
Transfer of federally assisted land or facility:
York Road, Dulaney Valley Road, Joppa Road and Allegheny Avenue, Towson, MD, 25011

Food and Drug Administration
PROPOSED RULES
Animal drugs, feeds, and related products:
Extralabel drug use in animals, 25106–25118

Forest Service
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24915–24916

Grain Inspection, Packers and Stockyards Administration
NOTICES
Livestock care and handling guidelines; comment request, 24916–24917

Health and Human Services Department
See Children and Families Administration
See Food and Drug Administration
See Health Care Financing Administration
NOTICES
Organization, functions, and authority delegations:
Health Resources and Services Administration, 24939–24940

Health Care Financing Administration
NOTICES
Medicare and Medicaid:
Organ procurement organizations (OPOs) in designated areas; hospitals requesting waivers; list, 24941–24946

Housing and Urban Development Department
RULES
Community facilities:
Opportunities for youth; Youthbuild program; administrative costs, 25124–25125
NOTICES
Agency information collection activities:
Submission for OMB review; comment request, 24946–24947

Grants and cooperative agreements; availability, etc.:
Facilities to assist homeless—
Excess and surplus Federal property, 24947

Interior Department
See Land Management Bureau
See National Park Service

International Trade Commission
NOTICES
Import investigations:
Broom corn brooms, 24952
Engineered process gas turbo-compressor systems from—
Japan, 24952–24953
Tomatoes and peppers, fresh or chilled, 24953

Joint Board for Enrollment of Actuaries
NOTICES
Committees; establishment, renewal, termination, etc.:
Actuarial Examinations Advisory Committee, 24953–24954
Meetings:
Actuarial Examinations Advisory Committee, 24954–24955

Justice Department
See Drug Enforcement Administration
See Prisons Bureau
RULES
Bankruptcy Reform Act; internal procedural guidelines establishment, 24889–24892
NOTICES
Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996; Title III provisions; summary, 24955–24957

Labor Department
See Employment and Training Administration

Land Management Bureau
NOTICES
Closure of public lands:
Oregon, 24947
Environmental statements; availability, etc.:
Ward Valley, CA; land transfer to California for low-level radioactive waste disposal facility development, 24951–24952
Meetings:
Resource advisory councils—
Southeastern Oregon, 24947–24948
Opening of public lands:
Oregon, 24948
Public land orders:
Oregon; correction, 24948
Realty actions; sales, leases, etc.:
Colorado, 24948–24949
Recreation management restrictions, etc.:
Colorado public lands; underage possession of alcoholic beverages, handguns, and drug paraphernalia, prohibition; supplementary rules establishment, 24949
Dalton Highway Recreation Area, AK; supplemental rules establishment, 24949
Withdrawal and reservation of lands:
Idaho; correction, 25016

Maritime Administration
RULES
Cargo preference—U.S. flag vessels:
Available U.S. flag commercial vessels, 24895–24897

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
Bering Sea and Aleutian Islands groundfish, 24905–24906
NOTICES
Meetings:
Gulf of Mexico Fishery Management Council, 24918
Pacific Fishery Management Council, 24918–24919
Permits:
Marine mammals, 24919

National Park Service
NOTICES
Concession contract negotiations:
Sequoia National Park, CA; pack and saddle animal services and facilities, 24950
Native American human remains and associated funerary objects:
Hood Museum of Art, NH; inventory from Lake Winnepesauke, NH, 24950
Peabody Museum of Archaeology and Ethnology, MA; inventory from Straits of Juan de Fuca, WA, 24950–24951

National Science Foundation
NOTICES
Meetings:
Computer and Information Science and Engineering Advisory Committee, 24963
Design, Manufacturing and Industrial Innovation Special Emphasis Panel, 24963
Engineering Education and Centers Special Emphasis Panel, 24963
Human Resource Development Special Emphasis Panel, 24963–24964
Networking and Communications Research and Infrastructure Special Emphasis Panel, 24964
Small Business Industrial Innovation Advisory Committee, 24964

Nuclear Regulatory Commission
NOTICES
Applications, hearings, determinations, etc.:
Georgia Institute of Technology; correction, 25016
Pathfinder Mines Corp., 24964
Rochester Gas & Electric Corp., 24965–24967
Saxton Nuclear Experimental Corp., 24964–24965

Office of United States Trade Representative
See Trade Representative, Office of United States

Personnel Management Office
NOTICES
Senior Executive Service:
Career reserved positions; 1995 list, 25018–25086

Presidential Documents
PROCLAMATIONS
Special observances:
Defense Transportation Day, National, and National Transportation Week (Proc. 6896), 25129–25130
EXECUTIVE ORDERS
Committees; establishment, renewal, termination, etc.:
National Carriers' Conference Committee of the National Railway Labor Conference; labor dispute (EO 13003), 25131–25133

ADMINISTRATIVE ORDERS
Mojave National Preserve; suspension of Subsection 119(a) Department of the Interior and Related Agencies Appropriations Act, 1996 (Memorandum of April 26, 1996), 24875

Prisons Bureau
RULES
Inmate control, custody, care, etc.:
Acts of violence and terrorism prevention, 25120–25121
Drug abuse treatment programs and early release consideration, 25121–25122

Public Health Service
See Food and Drug Administration

Research and Special Programs Administration
RULES
Hazardous materials:
Intrastate shippers and carriers; regulations compliance, 24904–24905

Securities and Exchange Commission
NOTICES
Self-regulatory organizations; proposed rule changes:
American Stock Exchange, Inc., 24976–24979
Chicago Board Options Exchange, Inc., 24979–24988
Chicago Stock Exchange, Inc., 24988–24989
MBS Clearing Corp., 24989–24990
Municipal Securities Rulemaking Board, 24990–24993
National Securities Clearing Corp., 24993–24995
Options Clearing Corp., 24995–24996
Applications, hearings, determinations, etc.:
Blue Chip Value Fund, Inc., 24967–24968
Emerging Markets Growth Fund, Inc., et al., 24968–24970
John Hancock Mutual Life Insurance Co. et al., 24970–24974
SAFECO Life Insurance Co. et al., 24974–24976

Social Security Administration
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24996

State Department
NOTICES
Agency information collection activities:
Proposed collection; comment request, 24996–24997
Environmental statements; availability, etc.:
Portal Pipe Line Company; pipeline to Canadian border, 24997–24998
Meetings:
Historical Diplomatic Documentation Advisory Committee, 24998
Shrimp trawl fishing; turtle protection guidelines; certification, 24998–24999

Surface Transportation Board
NOTICES
Railroad operation, acquisition, construction, etc.:
Northwestern Pacific Railroad Authority, 25011–25012
Ormet Railroad Corp., 25012
Owensville Terminal Co., Inc., 25012
Railroad services abandonment:
CSX Transportation, Inc., 25012–25013

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

Trade Representative, Office of United States
NOTICES
Intellectual property rights protection, countries denying; policies and practices:
China, 25000–25010
World Trade Organization:
Albania et al.; accessions, 24999–25000

Transportation Department
See Coast Guard
See Federal Aviation Administration
See Federal Highway Administration
See Federal Transit Administration
See Maritime Administration
See Research and Special Programs Administration
See Surface Transportation Board
NOTICES
Aviation proceedings:
Agreements filed; weekly receipts, 25010
Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 25010

Treasury Department
See Customs Service
NOTICES
Agency information collection activities:
Submission for OMB review; comment request, 25013–25015

Veterans Affairs Department
PROPOSED RULES
Adjudication, pensions, compensation, dependency, etc.:
Marriage dissolution; birth of child; death of family member; evidence of dependents and age requirements, 24910–24911

Separate Parts In This Issue

Part II
Office of Personnel Management, 25018–25086

Part III
Department of Transportation, Federal Transit Administration, 25088–25090

Part IV
Department of Energy, 25092–25103

Part V
Health and Human Services Department, Food and Drug Administration, 25106–25118

Part VI
Department of Justice, Bureau of Prisons, 25120–25122

Part VII
Housing and Urban Development Department, 25124–25125

Part VIII
The President, 25128–25133

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

Electronic Bulletin Board

Free Electronic Bulletin Board service for Public Law numbers, Federal Register finding aids, and a list of documents on public inspection is available on 202–275–1538 or 275–0920.

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
Proclamations:
6896.....25129
Executive Orders:
13003.....25131
Administrative Orders:
Memorandums:
April 26, 1996.....24875

7 CFR
959.....24877

12 CFR
Proposed Rules:
614.....24907

14 CFR
39 (4 documents).....24878, 24881, 24883, 24884

19 CFR
10.....24887
12.....24888
145.....24888
161.....24888

21 CFR
Proposed Rules:
530.....25106

24 CFR
585.....25124

28 CFR
58.....24889
501.....25120
550.....25120

33 CFR
165.....24892

38 CFR
Proposed Rules:
3.....24910

40 CFR
180.....24893
300.....24894
Proposed Rules:
180.....24911
186.....24911

46 CFR
381.....24895

47 CFR
64.....24897

49 CFR
171.....24904
173.....24904
180.....24904
639.....25088

50 CFR
675 (3 documents).....24905

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

Presidential Documents

Title 3—

The President

Memorandum of April 26, 1996

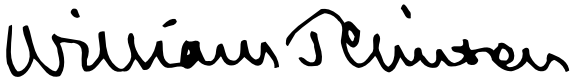
Suspension of Subsection 119(a) of the Department of the Interior and Related Agencies Appropriations Act, 1996, (''Act'') as set forth in Section 101(c) of Title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019) Regarding the Mojave National Preserve

Memorandum for the Secretary of the Interior

By the authority vested in me by subsection 119(b) of the Department of the Interior and Related Agencies Appropriations Act, 1996, (''Act'') as set forth in section 101(c) of title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019), and section 301 of title 3, United States Code, I hereby suspend subsection 119(a) of the Act because I have determined that such suspension is appropriate based upon the public interest in sound environmental management, sustainable resource use, protection of national or locally-affected interests, and protection of cultural, biological, or historic resources.

This suspension shall take effect immediately and shall continue until subsection 119(a) expires.

You are authorized and directed to report this suspension to the Congress and to publish this memorandum in the Federal Register.



THE WHITE HOUSE,
Washington, April 26, 1996.

[FR Doc. 96–12571
Filed 5–16–96; 8:45 am]
Billing code 4310–70–M

Rules and Regulations

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

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

Agricultural Marketing Service

7 CFR Part 959

[Docket No. FV95–959–3FR]

Onions Grown in South Texas; Change in Regulatory Period

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule changes the end of the regulatory period for onions grown in South Texas under Marketing Order 959 from June 15 to June 4 of each year. Terminating the handling regulation on June 4 will relieve restrictions on handlers who ship late season onions and help them become more competitive with handlers from non-marketing order areas without diminishing South Texas marketing order objectives. A corresponding change in the dates for the import regulation also will be made in a second document. This final rule also includes a conforming change recognizing that the onions previously defined as ''Extra large'' are now defined as ''Colossal'' under the U.S. grade standards for onions.

EFFECTIVE DATE: June 4, 1996.

FOR FURTHER INFORMATION CONTACT: Belinda G. Garza, Marketing Order Administration Branch, F&V, AMS, USDA, 1313 E. Hackberry, McAllen, TX 78501; telephone: 210–682–2833; FAX 210–682–5942; or Robert F. Matthews, Marketing Specialist, Marketing Order Administration Branch, F&V, AMS, USDA, room 2523–S, P.O. Box 96456, Washington, DC 20090–6456; telephone: 202–690–0464; FAX 202–720–5698.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Agreement No. 143 and Marketing Order No. 959 (7 CFR part 959), as amended, regulating the handling of onions grown in South Texas, hereinafter referred to as the ''order.'' This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have retroactive effect. This final rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary will rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on 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 Act, 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.

There are 35 handlers of South Texas onions who are subject to regulation under the marketing order and 89 producers in the regulated area. Small agricultural service firms, which includes handlers, have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than $5,000,000, and small agricultural producers are defined as those having annual receipts of less than $500,000. The majority of handlers and producers of South Texas onions may be classified as small entities.

At a public meeting on November 8, 1994, the South Texas Onion Committee (committee) unanimously recommended, under the authority of § 959.52(c) of the order, changing the termination date of the regulatory period for all varieties of regulated onions from June 15 to June 4. Currently, order regulations are in effect from March 1 through June 15 each year. The early and mid-season crop is produced in the Lower Rio Grande Valley (District 1), which generally accounts for about 80 percent of the total. The remaining crop, generally 20 percent, is produced in the Laredo-Winter Garden area of South Texas (District 2). These are the last regulated shipments to leave the production area each season.

In April 1994, based on a committee recommendation, the regulatory period was extended from May 20 to June 15 (59 FR 17265; April 12, 1994). At that time, the committee believed that the application of quality control requirements over a longer time was necessary to enhance the South Texas onion industry's market research and promotion efforts, and protect its quality image. The committee also believed that District 2 handlers should pay assessments on more of their shipments for the research and promotion programs that benefit the entire industry.

After one season's experience, District 2 growers and handlers requested the committee to reconsider the regulatory extension. Shipments made from District 2 compete with onions produced in West Texas and other areas of the United States not regulated under Federal marketing orders. Onion prices are usually quite low during this period and unregulated areas have a competitive advantage over District 2 because inspection costs for quality control purposes and administrative assessments are not incurred by shippers from these areas. Ending regulations on June 4, rather than June

15, will relieve restrictions on District 2 shippers and help them become more competitive with shippers from these production areas without diminishing program objectives.

Section 8e provides that whenever certain specified commodities, including onions, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality, and maturity requirements as those in effect for the domestically produced commodity, subject to concurrence by the United States Trade Representative. The Act further provides that when two or more marketing orders covering the same commodity are concurrently in effect, imports will be subject to the requirements established for the commodity grown in the area with which the imported commodity is in most direct competition. Because this rule changes the regulatory period under the South Texas onion marketing order, corresponding changes will be needed in the onion import regulations. Such changes are addressed in a separate onion import rule.

The proposed rule concerning this action was published in the February 20, 1996, Federal Register (61 FR 6328), with a 30-day comment period ending March 21, 1996. One comment was received in opposition to the proposed rule from a packer. The commenter stated that both South Texas and Idaho-Eastern Oregon successfully compete with onion producing areas that are not regulated. He further stated that he believed that the order was necessary to improve quality and thus make the production area a stronger competitor in the onion industry. The committee contends that this competition tends to bring about low prices to the late producing areas, and sometimes the addition of an administrative assessment and inspection fee may leave the shipper of late season South Texas onions at a competitive disadvantage. Thus, the committee believes that removing inspection and assessment requirements for a very short period will help shippers of late onions meet the competition from production areas outside of South Texas without diminishing program objectives.

After thoroughly analyzing the comment received and other available information, the Department has concluded that ending the regulatory period on June 4, rather than June 15, as recommended by the committee will reduce the regulatory burden on late season shippers and help them compete more effectively with shippers from unregulated areas in the United States without adversely affecting the overall objectives of the marketing order. As mentioned earlier, onion prices are usually quite low late in the season and unregulated areas have a competitive advantage over the late season shippers from South Texas because inspection costs for quality control purposes and administrative assessments are not incurred by shippers from many of these areas.

This final rule also changes the name of the largest size classification of onions under the handling regulation (7 CFR 959.322(b)(5)) from ''Extra large'' to ''Colossal'' to bring that designation into conformity with the designation used in the U.S. Standards for Grades of Bermuda-Granex-Grano Type Onions (7 CFR 51.3195–51.3209), and the U.S. Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types) (7 CFR 51.2830–51.2854). The standards were revised effective October 10, 1995 (60 FR 46976). One of the revisions was the addition of a new size classification called ''Colossal'' for onions 3¾ inches or larger in diameter. A conforming change failed to be made in the handling regulations and onions of this size continued to be referred to as ''Extra large'' in paragraph (b)(5) of section 959.322. Hence, this term should be changed to ''Colossal'' to bring the handling regulation into conformity with the standards. The committee recommended this minor conforming change.

In accordance with section 8e of the Act, the United States Trade Representative has concurred with the issuance of this final rule.

Based on the above, the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the commenter, committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C 553, it is further found that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register because: (1) This regulation relaxes restrictions on South Texas onion handlers by ending regulations on June 4 of each season rather than June 15 of each season; (2) the shipping season for South Texas onions has already begun and the committee would like this action effective for this season; (3) changing the ending date of the handling regulation was discussed at a public meeting, and all interested persons had an opportunity to provide input; and (4) there are no additional regulatory burdens imposed by this rule which require special preparations of handlers.

List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 959 is hereby amended as follows:

PART 959—ONIONS GROWN IN SOUTH TEXAS

1. The authority citation for 7 CFR part 959 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. In § 959.322, the introductory text and paragraph (b)(5) are revised to read as follows:

§ 959.322 Handling regulation.

During the period beginning March 1 and ending June 4, no handler shall handle any onions unless they comply with paragraphs (a) through (d), or (e), or (f) of this section. In addition, no handler may package or load onions on Sunday during the period March 1 through May 20.

* * * * *

(b) * * *

(5) ''Colossal''—3¾ inches or larger in diameter.

* * * * *

Dated: May 14, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–12434 Filed 5–16–96; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–CE–62–AD; Amendment 39–9621; AD 96–10–14]

RIN 2120–AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) PA31, PA31P, and PA31T Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 88–05–05, which currently requires the following on certain The New Piper Aircraft, Inc. (Piper) PA31, PA31P, and PA31T series airplanes: repetitively inspecting both

the left and right main landing gear (MLG) forward sidebrace, and replacing any cracked MLG forward sidebrace. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. This action retains the current repetitive inspection and necessary replacement requirements contained in AD 88–05–05, and requires incorporating both a left and right MLG forward sidebrace of improved design as terminating action for the repetitive inspection requirement. The actions specified in this AD are intended to prevent the MLG from retracting because of a cracked MLG forward side brace, which, if not detected and corrected, could result in gear collapse and loss of control of the airplane during landing operations.

DATES: Effective June 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90–CE–62–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7362; facsimile (404) 305–7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper PA31, PA31P, and PA31T series airplanes was published in the Federal Register on December 7, 1995 (60 FR 62776). The action proposed to supersede AD 88–05–05 with a new AD that would (1) retain the requirement of repetitively inspecting both the left and right MLG forward sidebrace for cracks, and replacing any cracked MLG forward sidebrace; and (2) require replacing both the left and right MLG forward sidebrace with a part of improved design, part number (P/N) 85165–02 (left) and 85165–03 (right) or P/N 85166–02 (left) and 85166–03 (right), as applicable, as terminating action for the repetitive inspection requirement. Accomplishment of the proposed inspections would be in accordance with Piper Service Bulletin No. 845A, dated October 9, 1987. The improved MLG forward sidebrace installations would be accomplished in accordance with the applicable maintenance manual.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 2,384 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 8 workhours per airplane to accomplish the required replacement, and that the average labor rate is approximately $60 an hour. Parts cost approximately $1,000 per airplane (2 MLG forward sidebraces per airplane at approximately $500 per sidebrace). Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $3,528,320 or $1,480 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required replacement.

Piper has informed the FAA that parts have been distributed to owners/operators to equip 2,123 of the affected airplanes (4,246 MLG forward sidebraces of improved design). Assuming that each set of parts has been installed on an affected airplane, the cost impact of the required replacement upon U.S. owners/operators of the affected airplanes is reduced by $3,142,040 from $3,528,320 to $386,280.

The FAA's Aging Commuter Class Aircraft Policy

This AD is part of the FAA's aging commuter class airplane policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 261 affected airplanes (2,384 affected airplanes − 2,123 airplanes with a set of parts distributed) that will be affected by this AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

This AD allows 1,200 hours time-in-service (TIS) after the effective date of the AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation will have to accomplish the required replacement within 7 to 12 months after the AD becomes effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this allows 6 to 12 years before the required replacement will be mandatory.

The FAA established the 1,200 hours TIS replacement compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the difficulty level of the inspection, and how critical the situation would be if cracks occurred in the subject area despite accomplishment of the repetitive inspections.

Usually, the FAA establishes the mandatory design modification compliance time on AD's affecting aging commuter-class airplanes upon the accumulation of a certain number of hours TIS on the airplane. For this action, the FAA is mandating the replacement for all operators ''within the next 1,200 hours TIS after the effective date of this AD.'' The total TIS levels of the airplane fleet vary from under 1,000 hours TIS to over 5,000 hours TIS, and annual accumulation rates vary from 50 hours TIS to over 1,000 hours TIS. Establishing a long-term set compliance time of hours TIS accumulated on Piper PA31, PA31P, and PA31T series airplanes (such as 5,000 hours TIS) imposes an undue burden on the manufacturer of having to maintain a supply of replacement parts for the entire fleet when many airplanes in the fleet may never reach this compliance time.

Instead, the FAA believes that Piper should maintain parts for several years; in this case about 12 years to allow low-usage airplanes time to accumulate the 1,200 hours TIS after the effective date of the AD. The FAA has determined that the compliance time of this AD provides the level of safety required for commuter air service while still minimizing the impact on the private airplane owners of Piper PA31, PA31P, and PA31T series airplanes.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (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, positive or negative, 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 Rules 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, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 88–05–05, Amendment 39–5861, and by adding a new AD to read as follows:

96–10–14 The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Amendment 39–9621; Docket No. 90–CE–62–AD. Supersedes AD 88–05–05, Amendment 39–5861.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have left and right main landing gear (MLG) forward sidebraces of improved design installed, part numbers (P/N) 85165–02 (left) and 85165–03 (right) or P/N 85166–02 (left) and 85166–03 (right).

Models	Serial Nos.
PA31, PA31–300, and PA31–325.	31–2 through 31–8312019.
PA31–350	31–5001 through 31–8553002.
PA31P	31P–2 through 31P–7730012.
PA31P–350	31P–8414001 through 31P–8414050.
PA31T	31T–7400002 through 31T–8120104.
PA31T1	31T–7804001 through 31T–8304003 and 31T–1104004 through 31T–1104017.
PA31T2	31T–8166001 through 31T–8166076 and 31T–1166001 through 31T–1166008.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

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

To prevent the MLG from retracting because of a cracked MLG forward side brace, which, if not detected and corrected, could result in gear collapse and loss of control of the airplane during landing operations, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 88–05–05), and thereafter at intervals not to exceed 100 hours TIS until the modification required by paragraph (d) of this AD is incorporated, inspect (using dye penetrant methods) both the left and right MLG sidebraces for cracks. Accomplish the inspections in accordance with the INSTRUCTIONS section of Piper Service Bulletin No. 845A, dated October 9, 1987.

(b) The initial dye penetrant inspection type must be utilized for all future repetitive inspections. Dye penetrant inspection types consist of Type I: fluorescent; Type II: non-fluorescent or visible dye; and Type III: dual sensitivity.

(c) If cracks are found during any of the inspections required in paragraph (a) of this AD, prior to further flight, replace the cracked MLG sidebrace with a part of improved design, P/N 85165–02 (left) or 85165–03 (right) or P/N 85166–02 (left) or 85166–03 (right), as applicable. Accomplish this replacement in accordance with the applicable maintenance manual.

(d) Within the next 1,200 hours TIS after the effective date of this AD, unless already accomplished as required by paragraph (c) of this AD, replace both the left and right MLG side braces with parts of improved design, P/N 85165–02 (left) and 85165–03 (right) or P/N 85166–02 (left) and 85166–03 (right), as applicable. Accomplish these replacements in accordance with the applicable maintenance manual.

(e) Installing both the left and right MLG side braces with parts of improved design, P/N 85165–02 (left) and 85165–03 (right) or P/N 85166–02 (left) and 85166–03 (right), as applicable, as required by paragraph (d) of this AD is considered terminating action for the repetitive inspection requirement of this AD.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(g) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

Note 3: Alternative methods of compliance approved in accordance with AD 88–05–05 (superseded by this AD) are not considered approved for this AD.

(h) The inspection required by this AD shall be done in accordance with Piper Service Bulletin No. 845A, dated October 9, 1987. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(i) This amendment (39–9621) supersedes AD 88–05–05, Amendment 39–5861.

(j) This amendment (39–9621) becomes effective on June 27, 1996.

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–12390 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 90–CE–63–AD; Amendment 39–9622; AD 96–10–15]

RIN 2120–AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) Models PA31, PA31–300, PA31–325, and PA31–350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 80–14–06, which currently requires the following on The New Piper Aircraft, Inc. (Piper) Models PA31, PA31–300, PA31–325, and PA31–350 airplanes: repetitively inspecting the outboard flap tracks, wing rib flanges, and the rear spar web at Wing Station (WS) 147.5 on each wing, and modifying the area at WS 147.5 on both wings if any cracks are found as terminating action for the repetitive inspection requirement. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. This action retains the repetitive inspection requirement of AD 80–14–06, and requires modifying the area at WS 147.5 on both wings as terminating action for the repetitive inspection requirement. The actions specified in this AD are intended to prevent structural failure under certain load conditions caused by cracked areas at WS 147.5, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Effective June 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90–CE–63–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7362; facsimile (404) 305–7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Models PA31, PA31–300, PA31–325, and PA31–350 airplanes was published in the Federal Register on December 7, 1995 (60 FR 62779). The action proposed to supersede AD 80–14–06 with a new AD that would (1) retain the requirement of repetitively inspecting the outboard flap track, wing rib flanges, and the rear spar web at WS 147.5 for cracks, and, if any cracks are found, modifying the area at WS 147.5 by incorporating Piper Kit 763 986 as terminating action for the repetitive inspection requirement; and (2) require incorporating Piper Kit 763 986 at a specified hours TIS time-period for airplanes where no cracks were found during the inspections as terminating action for the repetitive inspection requirement. Accomplishment of the modification would be in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 2,906 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 30 workhours per airplane to accomplish the required modification, and that the average labor rate is approximately $60 an hour. Parts cost approximately $468 per airplane. Based on these figures, the total cost impact of the required modification on U.S. operators is estimated to be $6,590,808 or $2,268 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required modification.

Piper has informed the FAA that parts have been distributed to enough owners/operators to equip 234 of the affected airplanes. Assuming that each set of parts has been installed on an affected airplane, the cost impact of this AD upon U.S. owners operators of the affected airplanes is reduced by $530,712 from $6,590,808 to $6,060,096.

The FAA's Aging Commuter Class Aircraft Policy

This AD is part of the FAA's aging commuter class airplane policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 2,672 affected airplanes (2,906 airplanes—234 sets of parts distributed) that will be affected by this AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

This AD allows 1,000 hours time-in-service (TIS) after the effective date of the AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation will have to accomplish the required modification within 6 to 10 months after this AD becomes effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this allows 5 to 10 years before the required modification is mandatory.

The FAA established the 1,000 hours TIS modification compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the

difficulty level of the inspection, and how critical the situation would be if cracks occurred in the subject area despite accomplishment of the repetitive inspections.

Usually, the FAA establishes the mandatory design modification compliance time on AD's affecting aging commuter-class airplanes upon the accumulation of a certain number of hours TIS on the airplane. For this action, the FAA is mandating the modification for all operators ''within the next 1,000 hours TIS after the effective date of this AD.'' The total TIS levels of the airplane fleet vary from under 1,000 hours TIS to over 5,000 hours TIS, and annual accumulation rates vary from 50 hours TIS to over 1,000 hours TIS. Establishing a long-term set compliance time of hours TIS accumulated on a Piper Model PA31, PA31–300, PA31–325, or PA31–350 airplane (such as 5,000 hours TIS) imposes an undue burden on the manufacturer of having to maintain a supply of replacement parts for the entire fleet when many airplanes in the fleet may never reach this compliance time.

Instead, the FAA believes that Piper should maintain parts for several years; in this case about 10 years to allow low-usage airplanes time to accumulate the ''1,000 hours TIS after the effective date of the AD.'' The FAA has determined that the compliance time of this AD provides the level of safety required for commuter air service while still minimizing the impact on the private airplane owners of Piper Models PA31, PA31–300, PA31–325, and PA31–350 airplanes.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (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, positive or negative, 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 Rules 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, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 80–14–06, Amendment 39–3805, and by adding a new AD to read as follows:

96–10–15 The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Amendment 39–9622; Docket No. 90–CE–63–AD. Supersedes AD 80–14–06, Amendment 39–3805.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have Piper Kit 763 986 incorporated in the area of Wing Station (WS) 147.5:

Models	Serial Nos.
PA31 and PA31–300.	31–2 through 31–8012010.
PA31–325	31–7512006 through 31–8012010.
PA31–350	31–5001 through 31–8052025.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (f) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

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

To prevent structural failure under certain load conditions caused by cracked areas at WS 147.5, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 80–14–06), and thereafter at intervals not to exceed 100 hours TIS until the modification required by paragraph (b) or (c) of this AD is incorporated, inspect the outboard flap tracks, wing rib flanges, and the rear spar web on both wings in the area of WS 147.5 by accomplishing the following:

(1) Lower the flaps to 40 degrees.

(2) Inspect the attachment of the flap track rib to the rear spar on the inboard and outboard sides of the flap track using 10-power magnification.

(3) Remove the rectangular access plate from the bottom wing skin. The rectangular access plate is located forward of the wing spar at WS 153.

(4) Inspect the WS 147.5 rib attachment angle using 10-power magnification.

Note 2: The 100-hour TIS repetitive inspection interval was established to coincide with regularly scheduled maintenance.

(b) If cracks are found during any of the inspections required in paragraph (a) of this AD, prior to further flight, incorporate Piper Kit 763 986 in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

(c) Within the next 1,000 hours TIS after the effective date of this AD, unless already accomplished as required by paragraph (b) of this AD, incorporate Piper Kit 763 986 in the area of WS 147.5. Accomplish this action in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

(d) Incorporating Piper Kit 763 986 as required by paragraphs (b) and (c) of this AD is considered terminating action for the repetitive inspection requirement of this AD.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

Note 4: Alternative methods of compliance approved in accordance with AD 80–14–06 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

(g) The modification required by this AD shall be done in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment (39–9622) supersedes AD 80–14–06, Amendment 39–3805.

(i) This amendment (39–9622) becomes effective on June 27, 1996.

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–12389 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–13–U

---

14 CFR Part 39

[Docket No. 95–CE–18–AD; Amendment 39–9626; AD 96–11–01]

RIN 2120–AA64

Airworthiness Directives; Jetstream Aircraft Limited; Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Jetstream Aircraft Limited (JAL) Jetstream Models 3101 and 3201 airplanes. This action requires modifying the automatic airframe de-ice system to allow the wing and tail de-ice boots to automatically operate through one cycle. The present system repeats the wing de-ice boot inflation cycle before starting to inflate the tail de-ice boots. Reports of ice accumulating on the tail faster than the automatic tail de-ice boots inflate on the affected airplanes prompted this action. The actions specified by this AD are intended to prevent excessive ice accretion on the tail or wings of the affected airplanes, which could result in loss of control of the airplane.

DATES: Effective July 2, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 2, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, telephone (44–292) 79888; facsimile (44–292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041–6029; telephone (703) 406–1161; facsimile (703) 406–1469. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–18–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Dorenda Baker, Program Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (32 2) 508.2715; facsimile (32 2) 230.6899; or Mr. Jeffrey Morfitt, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; telephone (816) 426–6932; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to JAL Jetstream Models 3101 and 3201 airplanes was published in the Federal Register on February 21, 1996 (61 FR 6583). The action proposed to require modifying the automatic airframe de-ice system to allow the wing and tail de-ice boot systems to automatically operate through one cycle. Accomplishment of the proposed modification would be in accordance with Jetstream Service Bulletin 30–JK 12033, Revision No. 1, dated October 20, 1995.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment received.

Comment Resolution

The commenter supports the proposal, but recommends that the final rule not become effective until after May 1, 1996. The commenter explains that this is necessary to ensure parts delivery and subsequent scheduling of the modification within the compliance time. The issuance of this AD is well after May 1, 1996, and the subsequent effective date of the final rule gives this commenter ample time to accomplish the modification.

No comments were received regarding the FAA's determination of the cost impact on the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 260 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 5 workhours per airplane to accomplish the required action, and that the average labor rate is approximately $60 an hour. Parts cost approximately $50 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $91,000. This figure is based on the assumption that no owner/operator of the affected airplanes has accomplished the required modification.

Jetstream has informed the FAA that parts have been distributed to owners/operators to equip approximately 22 of the affected airplanes. Assuming that each set of parts is installed on an affected airplane, the cost impact of this AD upon U.S. owners/operators of the affected airplanes is reduced $7,700 from $91,000 to $83,300.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) Is not a ''significant regulatory action'' under Executive Order 12866; (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, positive or negative, 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 Rules 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, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

96–11–01 Jetstream Aircraft Limited: Amendment 39–9626; Docket No. 95–CE–18–AD.

Applicability: Jetstream Models 3101 and 3201 airplanes (all serial numbers), certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required within the next 1,000 hours time- in-service after the effective date of this AD, unless already accomplished.

To prevent excessive ice accretion on the tail or wings of the affected airplanes, which could result in loss of control of the airplane, accomplish the following:

(a) Modify the automatic airframe de-ice system in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream Service Bulletin No. 30–JK 12033, Revision No. 1, dated October 20, 1995.

(b) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office (ACO), Europe, Africa, Middle East office, FAA, c/o American Embassy, B–1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels ACO.

(d) The inspections required by this AD shall be done in accordance with Jetstream Service Bulletin No. 30–JK 12033, Revision No. 1, dated October 20, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041–6029. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment (39–9626) becomes effective on July 2, 1996.

Issued in Kansas City, Missouri, on May 10, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–12496 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–13–U

---

14 CFR Part 39

[Docket No. 95–CE–79–AD; Amendment 39–9627; AD 96–11–02]

RIN 2120–AA64

Airworthiness Directives; Jetstream Aircraft Limited (Formerly British Aerospace, Regional Airlines Limited) HP137 Mk1, Jetstream Series 200, and Jetstream Model 3101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Jetstream Aircraft Limited (JAL) HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes. This action requires repetitively inspecting the spigot housing plate for cracks at the wing/fuselage forward attachment sliding joint, replacing any cracked housing plate, repetitively inspecting the spigots and spigot posts for corrosion and installing improved spigots if corrosion is found that exceeds certain limits, and eventually installing improved spigots if corrosion that does not exceed certain limits is found. For certain affected airplanes, this action requires repetitively inspecting the spigot bushes for migration gaps, replacing the bushes with modified bushes if gaps are found that exceed 0.5 inch, and eventually replacing the bushes with modified bushes if migration gaps are not found. Reports of bush migration gaps found on three of the affected airplanes and another report of corrosion and several cracks found on the spigot housing plate on a Jetstream Model 3101 airplane prompted this action. The actions specified by this AD are intended to prevent structural failure of the wing/fuselage area caused by a cracked or corroded spigot housing assembly.

DATES: Effective July 2, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 2, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, telephone (44–292) 79888; facsimile (44–292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041–6029; telephone (703) 406–1161; facsimile (703) 406–1469. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–79–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Dorenda Baker, Program Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (32 2) 508.2715; facsimile (32 2) 230.6899; or Mr. Jeffrey Morfitt, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; telephone (816) 426–6932; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to JAL HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes was published in the Federal Register on January 19, 1996 (61 FR

1295). The action proposed to require repetitively inspecting the spigot housing plate for cracks at the wing/fuselage forward attachment sliding joint, replacing any cracked housing plate, repetitively inspecting the spigots and spigot posts for corrosion and installing improved spigots if corrosion is found, and eventually installing improved spigots if corrosion is not found. For certain affected airplanes, the proposed action would require repetitively inspecting the spigot bushes for migration gaps, replacing the bushes with modified bushes if gaps are found that exceed 0.5 inch, and eventually replacing the bushes with modified bushes if migration gaps are not found. Accomplishment of the proposed inspections would be in accordance with BAe Jetstream Alert Service Bulletin (ASB) 57–A–JA 920640, dated February 19, 1993; and Jetstream Service Bulletin (SB) 57–JA 930941, Revision 2, dated November 11, 1994. Accomplishment of the proposed modifications would be in accordance with BAe Jetstream SB 57–JM 5259, dated February 5, 1993, and Erratum No. 1 to SB 57–JM 5259, dated February 8, 1993; and Jetstream SB 57–JM 5326, dated September 3, 1993.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received from two different commenters. One of these commenters supports the proposal as written.

Comment Resolution

JAL states that the corrosion limits specified in paragraphs (b)(1) and (b)(2) of the AD only specify the spigot posts. JAL further states that Jetstream SB 57–JA 930941, Revision No. 2, dated November 11, 1994, also specifies corrosion limits for the spigots. JAL requests that these corrosion limits and applicable service bulletin instructions be added to the final rule. The FAA concurs and has revised the AD accordingly.

JAL also recommends that the repetitive inspection interval be changed to 48 calendar months instead of 12 calendar months to coincide with Jetstream SB 57–JA 93041. The FAA established the initial inspection in the proposal at 12 calendar months and meant to establish the repetitive inspection interval at 48 calendar months, but inadvertently established the repetitive inspection interval at 12 calendar months. The FAA's analysis of data initially submitted by JAL indicates that repetitively inspecting the spigot housing area for cracks and corrosion at 48 calendar month intervals provides the level of safety necessary to correct the unsafe condition. The final rule AD has been revised to reflect this change.

JAL asks whether an owner/operator who found a cracked spigot housing plate could apply for an alternative method of compliance to allow 150 flight hours before installation rather than prior to further flight when a crack is found that is shorter than 0.2 inch. JAL states that this would allow the owner/operator of the affected airplane time to obtain the necessary parts, and also states that fatigue tests have demonstrated slow crack growth. The FAA allows any owner/operator to submit a request for an alternative method of compliance, including an extension of the compliance time. The owner/operator should submit the request with all substantiating data in accordance with the provisions in the AD. The FAA will evaluate each request to determine whether the alternative method of compliance establishes an equivalent level of safety to the actions of the AD, and then will either approve or reject the request accordingly.

No comments were received regarding the FAA's estimate of the cost impact on the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for the changes previously discussed and minor editorial corrections. The FAA has determined that these changes and minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Aspects of the Action

The alternative to incorporating new modified spigots and bushes would be to require repetitive inspections. FAA aging commuter-class aircraft policy states that reliance on critical repetitive inspections carries an unnecessary safety risk when a design change exists that could eliminate or, in certain instances, reduce the number of those critical inspections. Therefore, the required spigot and bush replacements is consistent with the FAA's commuter-class aircraft policy.

The compliance times of the repetitive inspections of the spigots and spigot posts for corrosion and subsequent replacement, if necessary, are presented in calendar time instead of hours time-in-service (TIS). Corrosion can occur on airplanes regardless of whether the airplane is in service or in storage. Therefore, to ensure that corrosion is detected and corrected on all airplanes within a reasonable period of time without inadvertently grounding any airplanes, a compliance schedule based upon calendar time instead of hours TIS is utilized.

Cost Impact

The FAA estimates that 143 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 61 workhours per airplane to accomplish the inspections and modifications, and that the average labor rate is approximately $60 an hour. Parts cost approximately $320 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $569,140 or $3,980 per airplane. This figure only takes into account the cost of initial inspections and does not take into account repetitive inspection costs. The FAA has no way of determining the number of repetitive inspections each affected airplane owner/operator will incur over the life of the airplane.

The approximately 61 workhours it will take to accomplish the required actions is based on each inspection and modification being accomplished separately. The FAA anticipates that many owners/operators of the affected airplanes will schedule all of the required actions to be accomplished at the same time, thereby reducing the labor costs associated with accomplishing these actions.

In addition, Jetstream Aircraft Limited has informed the FAA that parts have been distributed to equip approximately 40 airplanes. Assuming that each set of parts is installed on an affected HP137 Mk1, Jetstream series 200, or Jetstream Model 3101 airplane, the cost impact of this AD upon U.S. operators is reduced $159,200 from $569,140 to $409,940.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (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, positive or negative, 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 Rules 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, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

96–11–02 Jetstream Aircraft Limited: Amendment 39–9627; Docket No. 95–CE–79–AD.

Applicability: HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes (all serial numbers), certificated in any category.

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

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

To prevent structural failure of the wing/fuselage area caused by a cracked spigot housing assembly, accomplish the following:

(a) For all affected airplanes, upon the accumulation of 7,200 hours time-in-service (TIS) or within the next 1,200 hours TIS after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 7,200 hours TIS, accomplish the following:

(1) Inspect the spigot housing plate at the wing/fuselage forward attachment sliding joint for cracks in accordance with Part 1 of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream Service Bulletin (SB) 57–JA 930941, Revision No. 2, dated November 11, 1994.

(2) If a cracked spigot housing plate is found, prior to further flight, replace the cracked spigot housing plate in accordance with Part 3 of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream SB 57–JA 930941, Revision No. 2, dated November 11, 1994.

(3) Replacing the spigot housing plate does not eliminate the 7,200-hour TIS interval repetitive inspection requirement.

(b) For all affected airplanes, within the next 12 calendar months after the effective date of this AD, and thereafter at intervals not to exceed 48 calendar months until Modification No. JM 5326 and Modification No. JM 5259 (as applicable) are incorporated as required by paragraphs (d)(1) and (d)(2) of this AD, inspect the spigots and spigot posts for corrosion in accordance with Part 2 of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream SB 57–JA 930941, Revision No. 2, dated November 11, 1994.

(1) If corrosion damage is found in the spigot post that is 0.06 inch (1.52 mm) or less deep and does not extend to within 0.9 inch (22.9 mm) from either end of the bore, prior to further flight, treat the corrosion in accordance with paragraph (8)(d) of the ACCOMPLISHMENT INSTRUCTIONS section of Jetstream SB 57–JA 930941, Revision No. 2, dated November 11, 1994.

(2) If corrosion damage in the spigot post is found that is more than 0.06 inch (1.52 mm) or extends to within 0.9 inch (22.9 mm) from either end of the bore, prior to further flight, obtain a repair scheme from the manufacturer through the Brussels Aircraft Certification Office (ACO) at the address specified in paragraph (g) of this AD, and incorporate this repair scheme.

(3) If corrosion damage in the spigot is found that penetrates the protective surface of the spigot, within four calendar months after finding the corrosion damage, replace both wing/fuselage spigots with new modified spigots (Modification No. JM 5326) in accordance with Jetstream SB 57–JM 5326, dated September 3, 1993. Modification No. JM 5326 incorporates a new P/N 13781B401 spigot assembly.

(c) For all affected HP137 Mk1 airplanes and all affected Jetstream series 200 airplanes, and Jetstream Model 3101 airplanes with a serial number in the range of 601 through 702 (inclusive), within the next 1,200 hours TIS after the effective date of this AD, inspect the wing/fuselage forward attachment spigot bushes for migration gaps in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of BAe Jetstream Alert SB 57–A–JA 920640, dated February 19, 1993.

(1) If no migration gaps are found, reinspect at intervals not to exceed 4,500 hours TIS until Modification No. JM 5259 is incorporated. If migration gaps are found upon reinspection, install modified bushes as specified in paragraph (c)(2) or (c)(3) of this AD.

(2) If migration gaps are found that are 0.5 inch or less, reinspect at intervals not to exceed 900 hours TIS until Modification No. JM 5259 is incorporated. If migration gaps are found upon reinspection that are larger than .5 inch, accomplish paragraph (c)(3) of this AD, as applicable.

(3) If migration gaps are found that are larger than 0.5 inch, within 150 hours TIS after the last inspection required by paragraph (c)(1) or (c)(2) of this AD, install modified bushes at the wing/fuselage forward attachment spigots (Modification JM 5259) in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of BAe Jetstream SB 57–JM 5259, dated February 5, 1993, and Erratum No. 1 to SB 57–JM 5259, dated February 8, 1993.

(d) Upon accumulating 25,000 hours TIS or within 1,000 hours TIS after the effective date of this AD, whichever occurs later, accomplish the following:

(1) For all affected HP137 Mk1, Jetstream series 200, and Jetstream Model 3101 airplanes, replace both wing/fuselage spigots with new modified spigots (Modification No. JM 5326) in accordance with Jetstream SB 57–JM 5326, dated September 3, 1993; and

(2) For all affected HP137 Mk1 airplanes and all affected Jetstream series 200 airplanes, and Jetstream Model 3101 airplanes with a serial number in the range of 601 through 702 (inclusive), install modified bushes at the wing/fuselage forward attachment spigots (Modification No. JM 5259) in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of BAe Jetstream SB 57–JM 5259, dated February 5, 1993, and Erratum No. 1 to SB 57–JM 5259, dated February 8, 1993.

(3) Incorporating Modification No. JM 5259 eliminates the requirement of repetitively inspecting the wing/fuselage forward attachment spigot bushes for migration gaps as required by all designations of paragraph (c) of this AD.

(e) Incorporating both Modification No. JM 5326 and Modification No. JM 5259 eliminates the repetitive inspections required by all designations of paragraphs (b) and (c) of this AD. This does not eliminate the repetitive inspections of the spigot housing plate as required by paragraph (a) of this AD.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(g) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office (ACO), Europe, Africa, Middle East office, FAA, c/o American Embassy, 1000 Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels ACO.

(h) The inspections required by this AD shall be done in accordance with BAe Jetstream Alert Service Bulletin 57–A–JA 920640, dated February 19, 1993; and

Jetstream Service Bulletin 57–JA 930941, Revision 2, dated November 11, 1994. The modifications required by this AD shall be done in accordance with BAe Jetstream Service Bulletin 57–JM 5259, dated February 5, 1993, and Erratum No. 1 to Service Bulletin 57–JM 5259, dated February 8, 1993; and Jetstream Service Bulletin 57–JM 5326, dated September 3, 1993. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041–6029. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(i) This amendment (39–9627) becomes effective on July 2, 1996.

Issued in Kansas City, Missouri, on May 10, 1996.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–12497 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T.D. 96–41]

RIN 1515–AB04

Removal of Customs Regulations Relating to the Steel Voluntary Restraint Arrangement Program

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: On September 13, 1990, T.D. 90–70 was published in the Federal Register (55 FR 37701) to set forth interim amendments to the Customs Regulations regarding the entry requirements applicable to imported steel products which are subject to voluntary restraint arrangements negotiated between the United States and certain steel-exporting countries. This document removes those interim regulations as a consequence of the expiration of the steel voluntary restraint arrangement program.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: Frank Crowe, Office of Field Operations (202–927–0164).

SUPPLEMENTARY INFORMATION:

Background

On September 13, 1990, Customs published in the Federal Register T.D. 90–70, 55 FR 37701, which amended Part 10 of the Customs Regulations (19 CFR Part 10) by setting forth interim regulations concerning entry requirements applicable to imported steel products subject to voluntary restraint arrangements (VRAs) negotiated between the United States and certain steel-exporting countries and enforced under the Steel Import Stabilization Act (title VIII of Public Law 98–573, codified at 19 U.S.C. 2253 note), as amended by the Steel Trade Liberalization Program Implementation Act (Public Law 101–221, 103 Stat. 1886). The interim regulations consisted of new §§ 10.321–10.323 (19 CFR 10.321–10.323) and set forth, in § 10.323, the basic requirement that a valid and properly executed original export certificate or export license, issued by the country of origin of the products, shall be submitted at the time of entry of each shipment of arrangement products. The interim regulations went into effect on the date of publication. On October 22, 1990, Customs published a document in the Federal Register at 55 FR 42556 to correct the interim regulations by removing paragraph (d) from new interim section 10.323, with effect from September 13, 1990. No document was ever published in the Federal Register adopting the interim regulations as a final rule.

As noted in the background discussion set forth in T.D. 90–70, section 3(a) of the Steel Trade Liberalization Program Implementation Act, cited above, extended the President's authority to enforce the VRAs until March 31, 1992, and it was for this reason that § 10.322(a) of the interim regulations, in defining the term ''arrangement'' for purposes of § 10.323, referred specifically to a period extending only through that date. Thus, in the absence of a further extension of the President's authority and a consequential amendment to the interim regulations, it was intended that those regulations would by their own terms cease to have effect after March 31, 1992.

Since no action was taken by Congress to extend the President's VRA enforcement authority beyond March 31, 1992, that authority, and thus in effect the VRA program itself, expired on that date and Customs thereafter ceased to enforce the interim regulatory provisions. Accordingly, because those interim regulations no longer have any purpose or effect, Customs believes that it is appropriate to remove them.

Inapplicability of Notice and Delayed Effective Date Requirements

Since this amendment merely conforms the Customs Regulations to current legal requirements and has no substantive effect on the public, pursuant to the provisions of 5 U.S.C. 553(b)(B), it is determined that notice and public procedures thereon are unnecessary. For the same reasons, it is determined under the provisions of 5 U.S.C. 553(d)(3) that good cause exists for dispensing with a delayed effective date.

Executive Order 12866

This document does not meet the criteria for a ''significant regulatory action'' as specified in Executive Order 12866.

Regulatory Flexibility Act

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendment will not have a significant economic impact on a substantial number of small entities because the amendment merely removes regulatory provisions that have already ceased to have legal effect. Accordingly, the amendment is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Francis W. Foote, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 10

Customs duties and inspections, Imports, Steel products.

Amendments to the Regulations

Accordingly, for the reasons set forth above, Part 10, Customs Regulations (19 CFR Part 10), is amended as set forth below.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for Part 10 continues to read as follows, and the specific authority citation for §§ 10.321 through 10.323 is removed:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

* * * * *

§ 10.321 through 10.323 [Removed]

2. Sections 10.321 through 10.323 and their center heading are removed.

George J. Weise,

Commissioner of Customs.

Approved: April 29, 1996.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 96–12372 Filed 5–16–96; 8:45 am]

BILLING CODE 4820–02–P

---

19 CFR Parts 12, 145, and 161

[T.D. 96–42]

RIN 1515–AB91

Prohibited/Restricted Merchandise; Enforcement of Foreign Assets Control Regulations

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to more clearly provide that Customs enforces the laws and regulations of the Office of Foreign Assets Control (OFAC) of the Department of the Treasury regarding economic sanctions applicable to those countries that have been designated by the President as constituting a threat to the national security, foreign policy, or economy of the United States. Currently, the Customs Regulations refer to OFAC regulations only in the context of merchandise arriving by mail. This document clarifies that Customs enforces the laws and regulations administered by OFAC regardless of how subject merchandise, services, and technology arrive in or depart from the U.S.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: Louis Alfano, Office of Field Operations, Commercial Enforcement Branch, (202) 927–0005.

SUPPLEMENTARY INFORMATION:

Background

As part of Customs continuing effort to ensure that its regulations are informative and up-to-date, Customs has determined that its regulations do not clearly set forth the fact that Customs enforces the laws and regulations administered by the Office of Foreign Assets Control (OFAC) of the Department of the Treasury (31 CFR Chapter V). These laws include the Trading With the Enemy Act (50 U.S.C. App. 1–44), the National Emergencies Act (50 U.S.C. 1641 *et seq.*), the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), and the International Security and Development Cooperation Act (22 U.S.C. 2349aa8–9); the regulations are found at Chapter V of Title 31 of the Code of Federal Regulations (Money and Finance) (31 CFR Chapter V). These laws and regulations impose prohibitions or restrictions on importations, exportations, and other transactions involving funds, merchandise, services, and technology with and of those countries that have been designated by the President, pursuant to applicable statutory provisions. Currently, the Customs Regulations refer to OFAC regulations only in part 145 of the Customs Regulations (19 CFR Part 145), the provisions of which apply only to merchandise arriving by mail. This document clarifies that Customs enforces the laws and regulations administered by OFAC regardless of how the subject merchandise, services, and technology arrive in or depart from the U.S. by amending three sections in as many parts to provide further notice to the public of Customs enforcement obligations concerning the application of economic sanctions to designated countries.

In reviewing § 145.56 of the Customs Regulations (19 CFR 145.56), which concerns the applicability of OFAC controls on merchandise arriving by mail, Customs has determined that the listing of countries subject to controls administered by OFAC is not up-to-date. (The list of countries in the section has not been updated since the section was promulgated in 1973 and is outdated and inconsistent with OFAC regulations: two of the four countries currently listed are no longer subject to OFAC's controls (North Vietnam (now Vietnam) and Rhodesia (now Zimbabwe)) and other countries that have since been designated by the President as subject to sanctions have not been added to the list). Each time the President sanctions and lifts sanctions on designated countries, OFAC amends its regulations accordingly. Repeating the list of sanctioned countries in the Customs Regulations merely duplicates the efforts of OFAC and, if not done timely, could result in future inconsistencies between OFAC and Customs Regulations. Accordingly, Customs has determined that to avoid the possibility of future inconsistencies between OFAC and Customs Regulations in the listing of sanctioned countries, Customs will no longer set forth such a list in its regulations, but will simply refer readers to the OFAC regulations. Thus, in amending § 145.56, this document retains the procedural provisions, but removes the listing of countries subject to economic sanctions.

This document also clarifies the extent of Customs responsibility in enforcing OFAC controls by adding sections regarding OFAC controls in both Part 12, which concerns regulations of various Federal agencies which Customs enforces and special classes of merchandise, and in Part 161, which concerns general enforcement provisions. A new § 12.150 is added to Part 12, which cross-references OFAC regulations at 31 CFR Chapter V, explains how OFAC regulations work, and provides an address for further information from OFAC. Also, a specific authority citation is added to account for Customs import (19 U.S.C. 1595a(c)) and export (22 U.S.C 401) seizure authority and to account for the terms and conditions for release (19 U.S.C. 1618). Section 161.2 is amended to list OFAC as an agency whose laws are enforced by Customs. Also, the parenthetical legal authority citations at the end of § 161.2 are amended to account for changes in the law since 1972, when the citations were first provided, and are placed under the general authority citation at the beginning of Part 161.

Inapplicability of Public Notice and Comment Requirements, Delayed Effective Date Requirements, the Regulatory Flexibility Act, and Executive Order 12866

Because this amendment merely provides further notice to the public that Customs enforces the laws and regulations administered by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to 5 U.S.C. 553(b)(B), good cause exists for dispensing with notice and public procedure thereon as unnecessary. For the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(1) and (d)(3). Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This document does not meet the criteria for a ''significant regulatory action'' as specified in E.O. 12866.

List of Subjects

19 CFR Part 12

Customs duties and inspection, Economic sanctions, Imports, Licensing, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Sanctions, Seizure and forfeiture.

19 CFR Part 145

Customs duties and inspection, Imports, Mail, Postal service, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Seizure and forfeiture.

19 CFR Part 161

Customs duties and inspection, Imports, Law enforcement.

Amendments to the Regulations

For the reasons stated above, parts 12, 145, and 161 of the Customs Regulations (19 CFR parts 12, 145, and 161), are amended as set forth below:

PART 12—SPECIAL CLASSES OF MERCHANDISE

1. The general authority citation for Part 12 continues and a specific authority citation for new § 12.150 is added to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1624;

* * * * *

Section 12.150 also issued under 19 U.S.C. 1595a and 1618; 22 U.S.C. 401.

2. Part 12 is amended by adding a centerheading and new § 12.150 to read as follows:

Merchandise Subject to Economic Sanctions

§ 12.150 Merchandise prohibited by economic sanctions; detention; seizure or other disposition; blocked property.

(a) *Generally.* Merchandise from certain countries designated by the President as constituting a threat to the national security, foreign policy, or economy of the United States shall be detained until the question of its release, seizure, or other disposition has been determined under law and regulations issued by the Treasury Department's Office of Foreign Assets Control (OFAC) (31 CFR Chapter V).

(b) *Seizure.* When an unlicensed importation of merchandise subject to OFAC's regulations is determined to be prohibited, no entry for any purpose shall be permitted and, unless the immediate reexportation or other disposition of such merchandise under Customs supervision has previously been authorized by OFAC, the merchandise shall be seized.

(c) *Licenses.* OFAC's regulations may authorize OFAC to issue licenses on a case-by-case basis authorizing the importation of otherwise prohibited merchandise under certain conditions. If such a license is issued subsequent to the attempted entry and seizure of the merchandise, importation shall be conditioned upon the importer:

(1) Agreeing in writing to hold the Government harmless, and

(2) Paying any storage and other Customs fees, costs, or expenses, as well as any mitigated forfeiture amount or monetary penalty imposed or assessed by Customs or OFAC, or both.

(d) *Blocked property.* Merchandise which constitutes property in which the government or any national of certain designated countries has an interest may be blocked (frozen) pursuant to OFAC's regulations and may not be transferred, sold, or otherwise disposed of without an OFAC license.

(e) *Additional information.* For further information concerning importing merchandise prohibited under economic sanctions programs currently in effect, the Office of Foreign Assets Control of the Department of the Treasury should be contacted. The address of that office is 1500 Pennsylvania Ave., N.W., Annex 2nd Floor, Washington, D.C. 20220.

PART 145—MAIL IMPORTATIONS

1. The general authority citation for Part 145 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1624;

* * * * *

§ 145.56 [Amended]

2. Section 145.56 is amended by removing the words ''North Korea, North Vietnam, Cuba, or Rhodesia'' and adding, in their place, the words ''certain designated countries''; and by adding the parenthetical words ''(See also 19 CFR 12.150)'' at the end of the section before the period.

PART 161—GENERAL ENFORCEMENT PROVISIONS

1. The general authority citation for Part 161 is revised, and a specific authority citation for section 161.2 is added, to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1600, 1619, 1624, 1646a;

Section 161.2 also issued under 12 U.S.C. 95a; 18 U.S.C. 545; 19 U.S.C. 1595(a); 22 U.S.C. 401, 1934, 2349aa8–9;

42 U.S.C. 1804, 1807; 50 U.S.C. 1641 *et seq.*, 1701 *et seq.;*

50 U.S.C. App. 1–44, 2411.

* * * * *

2. Section 161.2 is amended by adding paragraph (a)(3) and removing the parenthetical authority citations at the end of the section. The revision reads as follows:

§ 161.2 Enforcement for other agencies.

(a) * * *

(1) * * *

(2) * * *

(3) Importations, exportations, and transactions involving identified goods, services, and technology with any of those countries designated as subject to economic sanctions under the laws and regulations administered by the Office of Foreign Assets Control of the Department of the Treasury.

* * * * *

Michael H. Lane,

Acting Commissioner of Customs.

Approved: April 8, 1996.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 96–12373 Filed 5–16–96; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF JUSTICE

28 CFR Part 58

United States Trustees; Guidelines Relating to the Bankruptcy Reform Act of 1994

AGENCY: Department of Justice.

ACTION: Final internal procedural guidelines.

SUMMARY: The Department of Justice is establishing internal procedural guidelines for reviewing applications for compensation and reimbursement of expenses filed by case trustees and professionals under section 330 of Title 11, United States Code. These procedural guidelines are not intended to supersede local rules, but are to be read as complementing the procedures set forth in local rules.

To keep all published rules, regulations, and guidelines pertaining to the United States Trustee Program in one section of the Code of Federal Regulations, the title to 28 CFR 58 will be amended to include the Bankruptcy Reform Act of 1994.

EFFECTIVE DATE: January 30, 1996.

FOR FURTHER INFORMATION CONTACT: Martha L. Davis, General Counsel, or Kathleen Dunivin Schmitt, Attorney, (202) 307–1399. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: This action is in response to the Bankruptcy Reform Act of 1994, which amended 28 U.S.C. 586(a)(3)(A) to direct United States Trustees to review applications for compensation and reimbursement of expenses in accordance with procedural guidelines adopted by the Executive Office for United States Trustees. The guidelines are to be applied uniformly by the United States Trustees, except when circumstances warrant different treatment.

Executive Order 12866

These guidelines have been drafted and reviewed in accordance with Executive Order 12866, section 1(b), Principles of Regulation. The Director, Executive Office for United States Trustees, has determined that these guidelines are not a ''significant regulatory action'' under Executive Order 12866 section 3(f), Regulatory Planning and Review. These guidelines pertain to the internal management of the Department and as such are not subject to central Office of Management and Budget review pursuant to section 6 of Executive Order 12866. Accordingly, these guidelines have not been reviewed by the Office of Management and Budget pursuant to Executive Order 12866.

Regulatory Flexibility Act

The Director, Executive Office for United States Trustees, in accordance with the Regulatory Flexibility Act (5 U.S.C. § 605(b)), has reviewed these guidelines and by approving them certifies that these guidelines will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 28 CFR Part 58

Bankruptcy, Trusts, and Trustees.

For the reasons set forth in the preamble, the Department of Justice proposes to amend 28 CFR part 58 as follows:

PART 58—REGULATIONS RELATING TO THE BANKRUPTCY REFORM ACTS OF 1978 AND 1994

1. The heading of Part 58 is revised to read as set forth above.

2. The authority citation for Part 58 continues to read as follows:

Authority: 28 U.S.C. 509, 510, 586(e), 588(d).

3. Appendix A is added to Part 58 to read as follows:

Appendix A to Part 58—Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. 330

(a) *General Information.* (1) The Bankruptcy Reform Act of 1994 amended the responsibilities of the United States Trustees under 28 U.S.C. 586(a)(3)(A) to provide that, whenever they deem appropriate, United States Trustees will review applications for compensation and reimbursement of expenses under section 330 of the Bankruptcy Code, 11 U.S.C. 101, et seq. (''Code''), in accordance with procedural guidelines (''Guidelines'') adopted by the Executive Office for United States Trustees (''Executive Office''). The following Guidelines have been adopted by the Executive Office and are to be uniformly applied by the United States Trustees except when circumstances warrant different treatment.

(2) The United States Trustees shall use these Guidelines in all cases commenced on or after October 22, 1994.

(3) The Guidelines are not intended to supersede local rules of court, but should be read as complementing the procedures set forth in local rules.

(4) Nothing in the Guidelines should be construed:

(i) To limit the United States Trustee's discretion to request additional information necessary for the review of a particular application or type of application or to refer any information provided to the United States Trustee to any investigatory or prosecutorial authority of the United States or a state;

(ii) To limit the United States Trustee's discretion to determine whether to file comments or objections to applications; or

(iii) To create any private right of action on the part of any person enforceable in litigation with the United States Trustee or the United States.

(5) Recognizing that the final authority to award compensation and reimbursement under section 330 of the Code is vested in the Court, the Guidelines focus on the disclosure of information relevant to a proper award under the law. In evaluating fees for professional services, it is relevant to consider various factors including the following: the time spent; the rates charged; whether the services were necessary to the administration of, or beneficial towards the completion of, the case at the time they were rendered; whether services were performed within a reasonable time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; and whether compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in non-bankruptcy cases. The Guidelines thus reflect standards and procedures articulated in section 330 of the Code and Rule 2016 of the Federal Rules of Bankruptcy Procedure for awarding compensation to trustees and to professionals employed under section 327 or 1103. Applications that contain the information requested in these Guidelines will facilitate review by the Court, the parties, and the United States Trustee.

(6) Fee applications submitted by trustees are subject to the same standard of review as are applications of other professionals and will be evaluated according to the principles articulated in these Guidelines. Each United States Trustee should establish whether and to what extent trustees can deviate from the format specified in these Guidelines without substantially affecting the ability of the United States Trustee to review and comment on their fee applications in a manner consistent with the requirements of the law.

(b) *Contents of Applications for Compensation and Reimbursement of Expenses.* All applications should include sufficient detail to demonstrate compliance with the standards set forth in 11 U.S.C. § 330. The fee application should also contain sufficient information about the case and the applicant so that the Court, the creditors, and the United States Trustee can review it without searching for relevant information in other documents. The following will facilitate review of the application.

(1) Information about the Applicant and the Application. The following information should be provided in every fee application:

(i) Date the bankruptcy petition was filed, date of the order approving employment, identity of the party represented, date services commenced, and whether the applicant is seeking compensation under a provision of the Bankruptcy Code other than section 330.

(ii) Terms and conditions of employment and compensation, source of compensation, existence and terms controlling use of a retainer, and any budgetary or other limitations on fees.

(iii) Names and hourly rates of all applicant's professionals and paraprofessionals who billed time, explanation of any changes in hourly rates from those previously charged, and statement of whether the compensation is based on the customary compensation charged by comparably skilled practitioners in cases other than cases under title 11.

(iv) Whether the application is interim or final, and the dates of previous orders on interim compensation or reimbursement of expenses along with the amounts requested and the amounts allowed or disallowed, amounts of all previous payments, and amount of any allowed fees and expenses remaining unpaid.

(v) Whether the person on whose behalf the applicant is employed has been given the opportunity to review the application and whether that person has approved the requested amount.

(vi) When an application is filed less than 120 days after the order for relief or after a prior application to the Court, the date and terms of the order allowing leave to file at shortened intervals.

(vii) Time period of the services or expenses covered by the application.

(2) Case Status. The following information should be provided to the extent that it is known to or can be reasonably ascertained by the applicant:

(i) In a chapter 7 case, a summary of the administration of the case including all moneys received and disbursed in the case, when the case is expected to close, and, if applicant is seeking an interim award, whether it is feasible to make an interim distribution to creditors without prejudicing the rights of any creditor holding a claim of equal or higher priority.

(ii) In a chapter 11 case, whether a plan and disclosure statement have been filed and, if not yet filed, when the plan and disclosure statement are expected to be filed; whether all quarterly fees have been paid to the United States Trustee; and whether all monthly operating reports have been filed.

(iii) In every case, the amount of cash on hand or on deposit, the amount and nature of accrued unpaid administrative expenses, and the amount of unencumbered funds in the estate.

(iv) Any material changes in the status of the case that occur after the filing of the fee

application should be raised, orally or in writing, at the hearing on the application or, if a hearing is not required, prior to the expiration of the time period for objection.

(3) Summary Sheet. All applications should contain a summary or cover sheet that provides a synopsis of the following information:

(i) Total compensation and expenses requested and any amount(s) previously requested;

(ii) Total compensation and expenses previously awarded by the court;

(iii) Name and applicable billing rate for each person who billed time during the period, and date of bar admission for each attorney;

(iv) Total hours billed and total amount of billing for each person who billed time during billing period; and

(v) Computation of blended hourly rate for persons who billed time during period, excluding paralegal or other paraprofessional time.

(4) Project Billing Format. (i) To facilitate effective review of the application, all time and service entries should be arranged by project categories. The project categories set forth in Exhibit A should be used to the extent applicable. A separate project category should be used for administrative matters and, if payment is requested, for fee application preparation.

(ii) The United States Trustee has discretion to determine that the project billing format is not necessary in a particular case or in a particular class of cases. Applicants should be encouraged to consult with the United States Trustee if there is a question as to the need for project billing in any particular case.

(iii) Each project category should contain a narrative summary of the following information:

(A) a description of the project, its necessity and benefit to the estate, and the status of the project including all pending litigation for which compensation and reimbursement are requested;

(B) identification of each person providing services on the project; and

(C) a statement of the number of hours spent and the amount of compensation requested for each professional and paraprofessional on the project.

(iv) Time and service entries are to be reported in chronological order under the appropriate project category.

(v) Time entries should be kept contemporaneously with the services rendered in time periods of tenths of an hour. Services should be noted in detail and not combined or ''lumped'' together, with each service showing a separate time entry; however, tasks performed in a project which total a de minimis amount of time can be combined or lumped together if they do not exceed .5 hours on a daily aggregate. Time entries for telephone calls, letters, and other communications should give sufficient detail to identify the parties to and the nature of the communication. Time entries for court hearings and conferences should identify the subject of the hearing or conference. If more than one professional from the applicant firm attends a hearing or conference, the applicant should explain the need for multiple attendees.

(5) Reimbursement for Actual, Necessary Expenses. Any expense for which reimbursement is sought must be actual and necessary and supported by documentation as appropriate. Factors relevant to a determination that the expense is proper include the following:

(i) Whether the expense is reasonable and economical. For example, first class and other luxurious travel mode or accommodations will normally be objectionable.

(ii) Whether the requested expenses are customarily charged to non-bankruptcy clients of the applicant.

(iii) Whether applicant has provided a detailed itemization of all expenses including the date incurred, description of expense (e.g., type of travel, type of fare, rate, destination), method of computation, and, where relevant, name of the person incurring the expense and purpose of the expense. Itemized expenses should be identified by their nature (e.g., long distance telephone, copy costs, messengers, computer research, airline travel, etc,) and by the month incurred. Unusual items require more detailed explanations and should be allocated, where practicable, to specific projects.

(iv) Whether applicant has prorated expenses where appropriate between the estate and other cases (e.g., travel expenses applicable to more than one case) and has adequately explained the basis for any such proration.

(v) Whether expenses incurred by the applicant to third parties are limited to the actual amounts billed to, or paid by, the applicant on behalf of the estate.

(vi) Whether applicant can demonstrate that the amount requested for expenses incurred in-house reflect the actual cost of such expenses to the applicant. The United States Trustee may establish an objection ceiling for any in-house expenses that are routinely incurred and for which the actual cost cannot easily be determined by most professionals (e.g., photocopies, facsimile charges, and mileage).

(vii) Whether the expenses appear to be in the nature nonreimbursable overhead. Overhead consists of all continuous administrative or general costs incident to the operation of the applicant's office and not particularly attributable to an individual client or case. Overhead includes, but is not limited to, word processing, proofreading, secretarial and other clerical services, rent, utilities, office equipment and furnishings, insurance, taxes, local telephones and monthly car phone charges, lighting, heating and cooling, and library and publication charges.

(viii) Whether applicant has adhered to allowable rates for expenses as fixed by local rule or order of the Court.

Exhibit A—Project Categories

Here is a list of suggested project categories for use in most bankruptcy cases. Only one category should be used for a given activity. Professionals should make their best effort to be consistent in their use of categories, whether within a particular firm or by different firms working on the same case. It would be appropriate for all professionals to discuss the categories in advance and agree generally on how activities will be categorized. This list is not exclusive. The application may contain additional categories as the case requires. They are generally more applicable to attorneys in chapter 7 and chapter 11, but may be used by all professionals as appropriate.

Asset Analysis and Recovery: Identification and review of potential assets including causes of action and non-litigation recoveries.

Asset Disposition: Sales, leases (§ 365 matters), abandonment and related transaction work.

Business Operations: Issues related to debtor-in-possession operating in chapter 11 such as employee, vendor, tenant issues and other similar problems.

Case Administration: Coordination and compliance activities, including preparation of statement of financial affairs; schedules; list of contracts; United States Trustee interim statements and operating reports; contacts with the United States Trustee; general creditor inquiries.

Claims Administration and Objections: Specific claim inquiries; bar date motions; analyses, objections and allowances of claims.

Employee Benefits/Pensions: Review issues such as severance, retention, 401K coverage and continuance of pension plan.

Fee/Employment Applicants: Preparation of employment and fee applications for self or others; motions to establish interim procedures.

Fee/Employment Objections: Review of and objections to the employment and fee applications of others.

Financing: Matters under §§ 361, 363 and 364 including cash collateral and secured claims; loan document analysis.

Litigation: There should be a separate category established for each matter (e.g., XYZ Litigation).

Meetings of Creditors: Preparing for and attending the conference of creditors, the § 341(a) meeting and other creditors' committee meetings.

Plan and Disclosure Statement: Formulation, presentation and confirmation; compliance with the plan confirmation order, related orders and rules; disbursement and case closing activities, except those related to the allowance and objections to allowance of claims.

Relief From Stay Proceedings: Matters relating to termination or continuation of automatic stay under § 362.

The following categories are generally more applicable to accountants and financial advisors, but may be used by all professionals as appropriate.

Accounting/Auditing: Activities related to maintaining and auditing books of account, preparation of financial statements and account analysis.

Business Analysis: Preparation and review of company business plan; development and review of strategies; preparation and review of cash flow forecasts and feasibility studies.

Corporate Finance: Review financial aspects of potential mergers, acquisitions and disposition of company or subsidiaries.

Data Analysis: Management information systems review, installation and analysis, construction, maintenance and reporting of significant case financial data, lease rejection, claims, etc.

Litigation Consulting: Providing consulting and expert witness services relating to various bankruptcy matters such as insolvency, feasibility, avoiding actions, forensic accounting, etc.

Reconstruction Accounting: Reconstructing books and records from past transactions and bringing accounting current.

Tax Issues: Analysis of tax issues and preparation of state and federal tax returns.

Valuation: Appraise or review appraisals of assets.

Dated: April 25, 1996.

Joseph Patchan,

Director.

[FR Doc. 96–11799 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Los Angeles-Long Beach, CA 96–008]

RIN 2115–AA97

Safety Zone; Long Beach Harbor, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule with request for comments.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the navigable waters of the United States in the vicinity of the South East side of Pier ''J'' in the Long Beach Outer Harbor, California. The event requiring the establishment of this safety zone is the Pier ''J'' breakwater construction project. Duration of this project is estimated to be 11 months. A safety zone is necessary to safeguard recreational and commercial craft from the dangers of the construction project and to prevent interference with the vessels engaged in these operations. The safety zone includes all waters within the boundaries defined by the line connecting the following coordinates:

Latitude	*Longitude*
33° 44.5′N.	118° 11.2′W.
33° 44.5′N.	118° 10.9′W.
33° 44.3′N.	118° 10.8′W.
33° 44.0′N.	118° 10.8′W.
33° 44.0′N.	118° 11.1′W.

Entry into, transit through, or anchoring within the safety zone by vessels or persons other than those engaged in the construction project, or vessels servicing the Maersk terminal is prohibited unless authorized by the Captain of the Port.

DATES: Effective Date: This rule is effective at 12:01 a.m. PDT on April, 24, 1996 and will remain in effect until 12:01 a.m. PST on March 31, 1997, unless cancelled earlier by the Captain of the Port Los Angeles-Long Beach, Ca.

Comments: Comments on this regulation must be received by June 17, 1996.

ADDRESSES: Comments should be mailed to Commanding Officer, Coast Guard Marine Safety Office, 165 N. Pico Avenue, Long Beach, Ca 90802. Comments received will be available for inspection and copying within the Port Safety Division at MSO Los Angeles-Long Beach. Normal office hours are between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Chief Petty Officer Daniel J. Walsh, Port Safety and Security Division, Marine Safety Office Los Angeles-Long Beach, (310) 980–4454.

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 after Federal Register publication. Following normal rulemaking procedures could not be done in a timely fashion in that the Coast Guard was not approached concerning the necessity for implementation of a safety zone until late in the planning process. The actual stipulations of the safety zone were not finalized until a date fewer than 30 days prior to the start of the project.

Although this regulation is published as a final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure 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. Those providing comments should identify the docket number (COTP Los Angeles-Long Beach, CA; 96–008) for the regulation and also include their name, address, and reason(s) for each comment presented. Persons wanting acknowledge of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

Based upon the comments received, the scope of the regulation may be changed.

Discussion of Regulation

The project to construct a breakwater around the Pier ''J'' Maersk terminal entrance has already been initiated. A safety zone is necessary to safeguard recreational and commercial craft from the dangers of the construction project and to prevent interference with vessels engaged in these operations. This safety zone will be enforced by U.S. Coast Guard personnel. The Coast Guard Auxiliary and the Long Beach Lifeguards will assist in the enforcement of the safety zone. Persons and vessels are prohibited from entering into, transiting through, or anchoring within the safety zone unless authorized by the Captain of the Port of his designated representative.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of the Department of Transportation is unnecessary. The safety zone does not extend into the vessel traffic lanes. It will have little or no impact on commercial vessels transiting through the harbor.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this regulation will have a significant economic impact on a substantial number of small entities. ''Small entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under Section 3 of the Small Business Act (15 U.S.C. 632). As discussed in the ''Regulatory Evaluation'' section, because it expects the impact of this regulation to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation contains no collection of information requirements under the

Paperwork Reduction Act (44 U.S.C. 3501 *et. seq.*).

Federalism

The Coast Guard has analyzed this regulation under the principles and criteria contained in Executive Order 12612, and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2. of Commandant Instruction M16475.1B it will have no significant environmental impact and it is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security Measures, Waterways.

Regulation

In consideration of the foregoing, Subpart F of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for 33 CFR part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A new section 165.T11–058 is added to read as follows:

§ 165.T1158 Safety zone: Long Beach Harbor, CA

(a) *Location.* All waters within the boundaries defined by the line connecting the following coordinates are established as a safety zone (Datum: NAD 83):

Latitude	*Longitude*
33° 44.5′ N	118° 11.2′ W.
33° 44.5′ N	118° 10.9′ W.
33° 44.3′ N	118° 10.8′ W.
33° 44.0′ N	118° 10.8′ W.
33° 44.0′ N	118° 11.1′ W.

(b) *Effective Date.* This section is effective at 12:01 a.m. PDT on April 24, 1996. It will remain in effect until 12:01 a.m. PDT on March 31, 1997 unless cancelled earlier by the Captain of the Port.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply. No person or vessel may enter or remain within the designated zones without the permission of the Captain of the Port Los Angeles-Long Beach, California or his representative.

Dated: April 24, 1996.

E.E. Page,

Captain, U.S. Coast Guard, Captain of the Port, Los Angeles-Long Beach, California.

[FR Doc. 96–12427 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5F4445/R2235; FRL–5366–4]

Allyl Isothiocyanate as a Component of Food Grade Oil of Mustard; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement for a tolerance for residues of the insecticide and repellent, Allyl isothiocyanate (as a component of food grade Oil of Mustard), in or on all raw agricultural commodities, when applied according to approved labeling. Champon 100% Natural Products, Inc. of Boca Raton, Florida, requested this exemption.

EFFECTIVE DATE: This regulation becomes effective May 17, 1996.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [[PP 5F4445/R2235], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled ''Tolerance Petition Fees'' and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring copy of objections and hearing requests to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket number [PP 5F4445/R2235]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail: Robert Forrest, Product Manager (PM) 14, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 219, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703) [305–6600].

SUPPLEMENTARY INFORMATION: In the Federal Register of October 25, 1995, (60 FR 54689), EPA issued a notice that Champon 100% Natural Products, Inc., had submitted pesticide petition (PP) 5F4445 to EPA proposing to amend 40 CFR part 180 by establishing a regulation pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), ''... to establish an exemption from the requirement of a tolerance for allyl isothiocyanate (a component of oil of mustard) in or on all fruits and vegetables, nuts, berries, and grains.'' There were no public comments received as a result of the publication of the notice of filing.

Allyl isothiocyanate, the subject of this exemption request, is a component of Oil of Mustard. The Agency has registered this active ingredient as a dog or cat repellent since 1962. Then, in 1991, the Agency registered three products as an insecticide and repellent to Champon 100% Natural Products for non-food/non-feed uses. This exemption request expands the use of this active ingredient for food/feed uses.

The Agency has evaluated the data and other relevant material submitted with the petition or obtained from other sources. These data and material show that:

1. Allyl isothiocyanate, as a component of oil of mustard, is on the Food and Drug Administration (FDA) Generally Recognized as Safe (GRAS) list (21 CFR 182.10, 182.20, 582.10 and 582.20).

2. Oil of Mustard, as a component of household Yellow Mustard and Brown Mustard, has been used in a variety of food products [baked goods, oils, meats, processed vegetables, snack foods, soups, nut products, and gravies at concentrations up to 18,344 parts per million (ppm)], for a long time, without any known deleterious health effects.

3. The Acute Oral LD_{50} for Allyl isothiocyanate, in rats, is 339 mg/kg body weight (Toxicity Category II). An end-use formulation, as applied, contains only 0.2% Allyl isothiocyanate, which represents a 500-fold dilution of active ingredient.

4. The Acute Oral LD_{50} for Oil of Mustard, in rats, is 14.8 g/kg body weight (Toxicity Category IV).

The toxicology data and other information provided are sufficient to demonstrate that there are no foreseeable human health hazards likely to arise from the use of the insecticide, Allyl isothiocyanate (as a component of food grade Oil of Mustard), in or all raw agricultural commodities.

This pesticide/repellent is considered useful for the purpose for which the exemption from tolerance is sought and capable of achieving its physical or technical effect.

Based on the information considered, the Agency concludes that establishment of a tolerance is not necessary to protect the public health. Therefore, the exemption from tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections to the regulation and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (1) having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review. In addition, this action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), entitled Enhancing the Intergovernmental Partnership, or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 8, 1996.

Daniel M. Barolo,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR Part 180 is amended as follows:

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346A and 371.

2. By adding § 180.1167 to subpart D to read as follows:

§ 180.1167 Allyl isothiocyanate as a component of food grade oil of mustard; exemption from the requirement of a tolerance.

The insecticide and repellent Allyl isothiocyanate is exempt from the requirement of a tolerance for residues when used as a component of food grade oil of mustard, in or on all raw agricultural commodities, when applied according to approved labeling.

[FR Doc. 96–12351 Filed 5–16–96; 8:45 am]
BILLING CODE 6560–50–F

---

40 CFR Part 300

[FRL–5507–3]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of deletion of the A.L. Taylor Superfund Site, Brooks, Kentucky from the National Priorities List.

SUMMARY: The U.S. Environmental Protection Agency (EPA) announces the deletion of the A.L. Taylor Superfund Site in Brooks, Kentucky, from the National Priorities List (NPL) (Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)). EPA and the Commonwealth of Kentucky have determined that all appropriate Fund-financed responses under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, have been implemented and that no further cleanup is appropriate. Moreover, EPA and the Commonwealth of Kentucky determined that response actions

conducted at the site to date have been protective of public health, welfare, and the environment. This deletion does not preclude future action under Superfund.

EFFECTIVE DATE: June 1, 1996.

FOR FURTHER INFORMATION CONTACT: Liza Montalvo, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, North Superfund Remedial Branch, 345 Courtland Street NE., Atlanta, GA 30365, (404) 347–7791, extension 2030.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: A.L. Taylor Superfund Site, Brooks, Kentucky.

A Notice of Intent to Delete for this site was published in July, 1988. A Revised Notice of Intent to Delete was published on March 8, 1996 (FRL–5436–8). The closing date for comments on the Revised Notice of Intent to Delete was April 17, 1996. EPA received no comments.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action in the future. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recorkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: May 6, 1996.

A. Stanley Meiburg,

Acting Regional Administrator, USEPA Region 4.

For reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757; 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Appendix B to Part 300—[Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the site A.L. Taylor, Brooks, Kentucky.

[FR Doc. 96–12485 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 381

[Docket No. R–165]

RIN 2133–AB25

Cargo Preference—U.S.-Flag Vessels; Available U.S.-Flag Commercial Vessels

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Final rule.

SUMMARY: This amendment to the cargo preference regulations of the Maritime Administration (MARAD) provides that during the five year period beginning with the 1996 Great Lakes shipping season when the St. Lawrence Seaway is in use, MARAD will consider the legal requirement for the carriage of bulk agricultural commodity preference cargoes on privately-owned ''available'' U.S.-flag commercial vessels to have been satisfied where the cargo is initially loaded at a Great Lakes port on one or more U.S.-flag or foreign-flag vessels, transferred to a U.S.-flag commercial vessel at a Canadian transshipment point outside the St. Lawrence Seaway, and carried on that U.S.-flag vessel to a foreign destination. This provision will allow U.S. Great Lakes ports to compete for certain bulk agricultural commodity preference cargoes under agricultural assistance programs administered by the U.S. Department of Agriculture (USDA) and the U.S. Agency for International Development (USAID). This rule will extend that policy for an additional five years, after which the Agency would assess the merits of making the rule permanent. MARAD issued substantially identical rules in 1994 and 1995 related to the Great Lakes Shipping season for each of those years, respectively.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: John E. Graykowski, Deputy Maritime Administrator for Inland Waterways and Great Lakes, Maritime Administration, Washington, DC, Telephone (202)366–1718.

SUPPLEMENTARY INFORMATION: United States law at sections 901(b) and 901b, Merchant Marine Act, 1936, as amended (the ''Act''), 46 App. U.S.C. 1241(b) and 1241f, requires that at least 75 percent of certain agricultural product cargoes ''impelled'' by Federal programs (preference cargoes), and transported by sea, be carried on privately-owned United States-flag commercial vessels, to the extent that such vessels ''are available at fair and reasonable rates for United States-flag commercial vessels, in such manner as will insure a fair and reasonable participation of United States-Flag commercial vessels in such cargoes by geographical areas.'' The Secretary of Transportation wishes to administer that program so that all ports and port ranges, including U.S. Great Lakes ports, may participate in the carriage of preference cargoes under five programs administered by the United States Department of Agriculture (USDA) and United States Agency for International Development (USAID), pursuant to Titles I, II and III of the Agricultural Trade Development and Assistance Act of 1954, as amended; P.L. 480 (7 U.S.C. 1701–1727); the Agricultural Act of 1949, as amended (7 U.S.C. 2791(c)); and the Food for Progress Act of 1985, as amended (7 U.S.C. 1736).

Prior Rulemakings

On August 18, 1994, MARAD published a final rule on this subject in the Federal Register (59 FR 40261). That rule stated that it was intended to allow U.S. Great Lakes ports to participate with ports in other U.S. port ranges in the carriage of bulk agricultural commodity preference cargoes. It stated that dramatic changes in shipping conditions have occurred since 1990, including the disappearance of any all-U.S.-flag commercial ocean-going bulk cargo service to foreign countries from U.S. Great Lakes ports. The static configuration of the St. Lawrence Seaway system and the evolving greater size of commercial vessels contributed to the disappearance of any all-U.S.-flag service.

No bulk grain preference cargo has moved on U.S.-flag vessels out of the Great Lakes since 1989, with the exception of one trial shipment in 1993. Under the Food Security Act of 1985, Public Law 99–198, codified at 46 app. U.S.C. 1241f(c)(2), a certain minimum amount of Government-impelled cargo was required to be allocated to Great Lakes ports during the Great Lakes shipping seasons of 1986, 1987, 1988 and 1989. That ''set-aside'' expired in 1989, and was not renewed by the Congress. The disappearance of

Government-impelled agricultural cargo flowing from the Great Lakes coincided with the expiration of the Great Lakes ''set-aside.''

At the time of the opening of the 1994 Great Lakes shipping season on April 5, 1994, the Great Lakes did not have any all-U.S.-flag ocean freight capability for carriage of bulk preference cargo. The absence of any all-U.S.-flag ocean freight capability on the Great Lakes continues to this day. In contrast, the total export nationwide by non-liner vessels of USDA and USAID agricultural assistance program cargoes subject to cargo preference in the 1994–1995 cargo preference year (the latest program year for which figures are available) amounted to 6.2 million metric tons, of which 4.9 million (78 percent) was transported on U.S.-flag vessels.

As predicted by numerous commenters, the timing of the 1994 final rule, published on August 18, 1994, did not allow for a true trial period since it actually extended for less than one-half of the 1994 Great Lakes Shipping season. Because of the long lead time required for arranging shipments of bulk agriculture commodity preference cargoes, there apparently was no real opportunity for U.S.-flag vessel operators to make the necessary arrangements and bid on preference cargoes. Accordingly, MARAD proposed to extend this policy to the 1995 Great Lakes shipping season and issued a final rule that was published in the Federal Register on May 9, 1995 (60 FR 24560).

Great Lakes participation in cargo preference shipments under the five programs administered by the USDA and USAID could be significantly improved if foreign-flag feeder vessels were authorized to transport bulk grain commodities from Great Lakes ports to Canadian transshipment points for export on oceangoing U.S.-flag bulk carriers to the final destination port. MARAD issued its 1994 and 1995 final rules to authorize the use of foreign-flag feeder vessels for the transportation of bulk agricultural commodities cargoes from the Great Lakes ports to Canadian transshipment ports outside the St. Lawrence Seaway during the 1994 and 1995 Great Lakes shipping seasons, respectively. Outside the St. Lawrence Seaway, the cargo will be transferred to a U.S.-flag vessel for delivery to its foreign destination.

Subsequently, USDA indicated that section 406(b)(4) of P.L. 480 regulating the payment of freight by USDA for shipments under Title II, Section 416(b) and the Food For Progress Act of 1985, negatively impacted on suppliers that bid on Great Lakes cargoes to be transhipped to Canadian shipping points. USDA indicated that these provisions prevent them from paying for freight on commodities shipped from a Canadian port. The P.L. 480 Title I program is not affected by this provision. As a consequence, the Great Lakes region has been, in effect, prohibited from utilizing the rule and participating during the past two years in the shipment of bulk cargo under Title II of P.L. 480, Section 416 of the Agricultural Act of 1949 and the Food for Progress Act of 1985 programs.

USDA proposed an amendment to Section 406 in the 1996 Farm Bill which would allow USDA to pay the cost of the foreign-flag Great Lakes transit leg and for the transshipment from Canadian ports.

MARAD proposed in a new NPRM to extend its policy stated in the 1994 and 1995 rules for an additional five years, after which it would reassess the merits of making the rule permanent, consistent with the USDA legislative proposal (61 FR 9670; March 11, 1996). The amendment proposed by the USDA is included in the Federal Agriculture Improvement and Reform Act of 1966, Pub. L. 104–127, 110 Stat. 888. It amends Section 406(b)(4) of the Agricultural Trade, Development and Assistance Act of 1954, 7 U.S.C. 1736, to accomplish USDA's proposal, above.

Comments on 1996 NPRM

MARAD received 12 comments on this NPRM from 11 commenters representing business, trade associations, State and local port authorities, and State Transportation Departments. All commenters were in favor of the policy stated in the NPRM, without reservation. One commenter supporting the proposal to establish a five-year trial period stated, ''Similar rulemakings in the 1994 and 1995 years provided too limited of a window of opportunity to truly test this concept.'' That commenter referred to the current common practice in the private sector of exporting bulk agricultural commodities from Great Lakes ports in foreign-flag feeder vessels to transshipment points east of the St. Lawrence Seaway, concluding that ''transshipping Government agricultural exports should, on occasion, be cost effective.''

Another commenter stated that taxpayers, food aid recipient countries and vessel owners will benefit from this competition. From the perspective of U.S. maritime labor, one commenter stated, ''International cargoes are the lifeblood of Great Lakes longshoremen and return of P.L. 480 cargoes to the Great Lakes will generate thousands of manhours for dockworkers in virtually every Great Lakes port.'' Another commenter was hopeful that the trend of increased international trade ''to the Lakes via the Seaway in the past three navigation seasons will continue because of this rulemaking.''

One commenter, while acknowledging that the proposed rule offers some possible relief for Great Lakes-originated cargo, requested MARAD to issue a rule which allows shipment of bulk agricultural commodities from Great Lakes ports for the entire voyage from origin to destination on foreign-flag vessels where U.S.-flag vessels are not available for such voyages from Great Lakes ports. Unless U.S.-flag vessels are unavailable from any port range in the United States, MARAD lacks the authority to issue such a rule under the cargo preference laws of the United States.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review)

This rulemaking is not considered to be an economically significant regulatory action under section 3(f) of Executive Order 12866. Also, it is not a major rule under Pub. L. 104–121, 5 U.S.C. 804, or a significant rule under the Department's Regulatory Policies and Procedures. Accordingly, it has not been reviewed by the Office of Management and Budget.

MARAD projects that this rule will allow the annual movement of up to 300,000 metric tons of agricultural commodities from Great Lakes ports, with a reduction in the shipping cost to sponsoring Federal agencies of up to $2 per metric ton ($600,000). MARAD will evaluate the results of this rulemaking over a five-year trial period before determining whether to issue a rule to make this provision permanent.

Since the 1996 Great Lakes shipping season opened on March 29, 1996, a delay in the effective date of this rule for 30 days would be conterproductive to the accomplishment of the purpose of this rule to allow U.S. Great Lakes ports to compete effectively for agricultural commodity preference cargo shipments. Accordingly, pursuant to section 553(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), MARAD finds that good cause exists for the rule to become effective on publication.

Federalism

The Maritime Administration has analyzed this rulemaking in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that these regulations do not have sufficient

federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Maritime Administration certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities.

Environmental Assessment

The Maritime Administration has considered the environmental impact of this rulemaking and has concluded that an environmental impact statement is not required under the National Environmental Policy Act of 1969.

Paperwork Reduction Act

This rulemaking contains no reporting requirement that is subject to OMB approval under 5 CFR Part 1320, pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, *et seq.*)

List of Subjects in 46 CFR Part 381

Freight, Maritime carriers.

Accordingly, MARAD hereby amends 46 CFR Part 381 as follows:

PART 381—[AMENDED]

1. The authority citation for Part 381 continues to read as follows:

Authority: 46 App. U.S.C. 1101, 1114(b), 1122(d) and 1241; 49 CFR 1.66.

2. Section 381.9 is revised to read as follows:

§ 381.9 Available U.S.-flag service.

For purposes of shipping bulk agricultural commodities under programs administered by sponsoring Federal agencies from U.S. Great Lakes ports during the 1996–2000 Great Lakes shipping seasons, if direct all-U.S.-flag service, at fair and reasonable rates, is not available at U.S. Great Lakes ports, a joint service involving a foreign-flag vessel(s) carrying cargo no farther than a Canadian port(s) or other point(s) on the Gulf of St. Lawrence, with transshipment via a U.S.-flag privately-owned commercial vessel to the ultimate foreign destination, will be deemed to comply with the requirement of ''available'' commercial U.S.-flag service under the Cargo Preference Act of 1954. Shipper agencies considering bids resulting in the lowest landed cost of transportation based on U.S.-flag rates and service shall include within the comparison of U.S.-flag rates and service, for shipments originating in U.S. Great Lakes ports, through rates (if offered) to a Canadian port or other point on the Gulf of St. Lawrence and a U.S.-flag leg for the remainder of the voyage. The ''fair and reasonable'' rate for this mixed service will be determined by considering the U.S.-flag component under the existing regulations at 46 CFR Part 382 or 383, as appropriate, and incorporating the cost for the foreign-flag component into the U.S.-flag ''fair and reasonable'' rate in the same way as the cost of foreign-flag vessels used to lighten U.S.-flag vessels in the recipient country's territorial waters. Alternatively, the supplier of the commodity may offer the Cargo FOB Canadian transshipment point, and MARAD will determine fair and reasonable rates accordingly.

Dated: May 10, 1996.

By Order of the Maritime Administrator.

Joel Richard,

Secretary, Maritime Administration.

[FR Doc. 96–12188 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–81–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[GC Docket No. 96–42; FCC 96–205]

Implementation of Section 273(d)(5) of the Communications Act of 1934, as Amended by the Telecommunications Act of 1996; Dispute Resolution Regarding Equipment Standards

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In order to implement a new statutory provision of the Telecommunications Act of 1996, the Commission adopts rules establishing a default dispute resolution process to be used when technical disputes arise between a non-accredited standards development organization (NASDO) and any party who funds the activities of the NASDO. Under the new rules, disputes will be resolved by a recommendation of a three-person expert panel, selected by both the disputing party and the NASDO, with the recommendation subject to disapproval by a vote of three-fourths of the other funding parties. As intended by Congress, this procedure ensures that disputes can be resolved in an open, non-discriminatory, and unbiased fashion within 30 days, and it will be used only when all of the parties are unable to agree on a process for resolving their disputes. In addition, persons who willfully refer frivolous disputes will be subject to forfeiture pursuant to section 503(b) of the Communications Act.

EFFECTIVE DATE: June 17, 1996.

FOR FURTHER INFORMATION CONTACT: Sharon B. Kelley, Office of General Counsel, (202) 418–1720.

SUPPLEMENTARY INFORMATION:

Adopted: May 7, 1996.
Released: May 7, 1996.

I. Introduction

1. The Telecommunications Act of 1996,[1] amended the Communications Act by creating new sections 273 (d)(4) and (d)(5), which set forth procedures to be followed by non-accredited standards development organizations (NASDOs),[2] such as Bellcore, when these organizations promulgate industry-wide[3] standards and generic requirements[4] for telecommunications equipment. Typically, as in the case of Bellcore, carriers fund these voluntary standard setting activities in order to assist the carriers in developing standards to guide their subsequent purchases of telecommunications equipment.

2. In this *Report and Order,* the Commission adopts rules to implement new section 273(d)(5), which requires the Commission to prescribe a default dispute resolution process when technical disputes arise between the NASDO and any parties who fund the standards setting activities of the NASDO. In accordance with the statute, this ''default'' procedure would be used only when all funding parties are unable to reach agreement as to a means for resolving technical disputes. As described below, we have decided that disputes governed by section 273(d)(5) should be resolved in accordance with the recommendation of a three-person

[1] Pub. L. 104–104, 110 Stat. 56 (1996).

[2] As defined in section 273(d)(8)(E), ''[t]he term 'accredited standards development organization' means any entity composed of industry members which have been accredited by an institution vested with the responsibility for standards accreditation by the industry.'' 47 U.S.C. 273(d)(8)(E). Thus, for example, Bell Communications Research, Inc. (Bellcore) would not be an accredited standards development organization and is subject to the section 273 procedures. H.R. Cong. Rep. No. 230, 104th Cong., 2d Sess. 39 (1996).

[3] As defined in section 273(d)(8)(C), ''[t]he term 'industry-wide' means activities funded by or performed on behalf of local exchange carriers for use in providing wireline telephone exchange service whose combined total of deployed access lines in the United States constitutes at least 30 percent of all access lines deployed by telecommunications carriers in the United States as of the date of the enactment of the Telecommunications Act of 1996.'' 47 U.S.C. 273(d)(8)(C).

[4] As defined in section 273(d)(8)(B), ''[t]he term 'generic requirement' means a description of acceptable product attributes for use by local exchange carriers in establishing product specification for the purchase of telecommunications equipment, customer premises equipment, and software integral thereto.'' 47 U.S.C. 273(d)(8)(B).

expert panel, selected by both the disputing party and the NASDO, with the recommendation subject to disapproval by a vote of three-fourths of the other funding parties.

II. Background

3. As detailed in the *Notice of Proposed Rulemaking* (*NPRM*), 61 FR 9966, March 12, 1996, the purpose of this proceeding is to establish dispute resolution procedures in accordance with new section 273(d)(5) of the Act.[5] Section 273(d)(5) was enacted in conjunction with other procedures, set forth in section 273(d)(4), that impose new procedural requirements on voluntary standards setting activities by NASDOs, such as Bellcore, which is owned by the regional Bell operating companies (RBOCs). As indicated above, Bellcore sets voluntary standards to assist in the carriers' purchase of telecommunications equipment. The statutory procedures generally require more openness and fairness in the standards setting process, particularly in light of the potential that, under other provisions of the Telecommunications Act, the BOCs may be permitted to engage in the manufacture of telecommunications equipment.[6]

4. To foster more open procedures, under new section 273(d)(4), a NASDO is required to issue a public invitation to interested industry parties to fund and participate in setting any industry-wide standards or generic requirements. Further, such funding and participation must be allowed ''on a reasonable and nondiscriminatory basis, administered in such a manner as not to unreasonably exclude any interested industry party.'' [7] In the event of disputes on technical issues, the NASDOs and funding parties must also attempt to develop a dispute resolution process.[8] Section 273(d)(5) requires the Commission to prescribe within 90 days of the section's enactment a dispute resolution process to be used if the parties cannot agree to a dispute resolution process.[9]

5. Specifically, section 273(d)(5) provides:

[W]ithin 90 days after the date of enactment of the Telecommunications Act of 1996, the Commission shall prescribe a dispute resolution process to be utilized in the event that a dispute resolution process is not agreed upon by all the parties when establishing and publishing any industry-wide standard or industry-wide generic requirement for telecommunications equipment or customer premises equipment pursuant to paragraph (4)(A)(v). The Commission shall not establish itself as a party to the dispute resolution process. Such dispute resolution process shall permit any funding party to resolve a dispute with the entity conducting the activity that significantly affects such funding party's interests, in an open, nondiscriminatory, and unbiased fashion, within 30 days after the filing of such dispute. Such disputes may be filed within 15 days after the date the funding party receives a response to its comments from the entity conducting the activity. The Commission shall establish penalties to be assessed for delays caused by referral of frivolous disputes to the dispute resolution process.

Thus, as described in new section 273(d)(5), the Commission's dispute resolution process must be conducted in an open, non-discriminatory and unbiased fashion and so that disputes are resolved within 30 days of the filing of the dispute. The process is triggered only if all funding parties fail to agree to a process for resolving technical issues. Section 273(d)(5) also requires the Commission to establish penalties to be assessed for delays caused by referral of frivolous disputes to the dispute resolution process.[10]

6. In the *NPRM,* we invited members of the public to comment on our proposal to require binding arbitration as the dispute resolution process.[11] We asked commenters to address the methods for selecting an arbitrator or neutral and whether the Commission should make its employees available to serve in that capacity.[12] In addition, we invited commenters to submit alternative proposals to implement this statutory provision.[13] Finally, the *NPRM* solicited proposals or recommendations concerning the types of penalties that should be assessed for delays caused by the referral of frivolous disputes to the dispute resolution process.[14]

7. We received comments from the following entities: (1) Bell Atlantic; (2) Bellcore; (3) BellSouth Corporation and BellSouth Communications, Inc. (BellSouth); (4) Corning Incorporated (Corning); (5) Telecommunications Industry Association (TIA); and (6) U.S. West, Inc. (U.S. West). Reply comments were received from: (1) Ameritech; (2) American National Standards Institute (ANSI); (3) Alliance for Telecommunications Industry Solutions (ATIS); (4) Bellcore; (5) BellSouth; (6) Corning; (7) Northern Telecom, Inc. (Nortel); (8) Pacific Bell; (9) SBC Communications, Inc. (SBC); (10) SpecTran Corp; and (11) TIA. The Commission also received late-filed reply comments from MCI and *ex parte* submissions from Bellcore, Corning and Nortel.

III. Discussion

A. Commission's Binding Arbitration Proposal

8. In the *NPRM,* we sought comment on a binding arbitration as a method that could be used to satisfy the statutory dispute resolution default provision requirement.[15] We observed that this approach appeared consistent with the stated purpose of section 273(d)(5), set forth in the Conference Report, to ''enable all interested parties to influence the final resolution of the dispute without significantly impairing the efficiency, timeliness and technical quality of the activity.'' [16] In addition, the *NPRM* concluded that binding arbitration seemed to be the only feasible dispute resolution process in view of the 30 day deadline for completion of the process.[17]

9. For a variety of reasons, the commenting parties overwhelmingly opposed the binding arbitration proposal set forth in the *NPRM.*[18] The parties generally agreed with Corning's view in its initial comments that binding arbitration would not adequately take into account the broad impact of standards-related disputes on industry participants other than the NASDO and the participating party who invokes the dispute resolution process.[19] The commenters also indicated it would be difficult to identify a neutral arbitrator to resolve these highly technical issues and to arbitrate these issues within the 30-day time frame required by the law. TIA also stated that the use of arbitrators would lead to ''compromise'' solutions that were inappropriate in view of the technical nature of these disputes.[20] Others, including Bellcore and U.S. West, believed that imposing binding arbitration, without the consent of the parties, was inconsistent with the

[5] 61 FR 9966, at ¶ 2.

[6] 47 U.S.C. 273 (d)(4), (e).

[7] *Id.*

[8] *Id.*

[9] 47 U.S.C. 273(d)(5).

[10] *Id.*

[11] 61 FR at 9966–9967, ¶3-¶6.

[12] *Id.* at 9967, ¶6.

[13] *Id.* at 9966, ¶2.

[14] *Id.* at 9967, ¶8.

[15] *See* note 10, *supra.*

[16] *Id.* at 9967, ¶3.

[17] *Id.* at ¶4.

[18] *See* comments of Corning at ii, 6–7; comments of Telecommunications Industry Association (TIA) at 2–3; comments of Bellcore at i, 16–18; comments of Bell Atlantic at 2; comments of U.S. West at 2–3; comments of BellSouth at 2–3; comments of Nortel at 4; reply comments of Pacific Bell at 1; reply comments of Alliance for Telecommunications Industry Solutions (ATIS) at 2; reply comments of BellSouth at 1; reply comments of SBC at 2; reply comments of Corning at 2; reply comments of Bellcore at 1. *But see* late-filed comments of MCI at 1.

[19] Comments of Corning at 6.

[20] Comments of TIA at 2–3.

voluntary nature of the underlying standards process.[21]

10. For example, as U.S. West observed, nothing in the Telecommunications Act alters the fact that standards setting activities by both accredited and non-accredited entities, continue to remain voluntary, depending almost entirely on the good faith of the individual funding entities for their ultimate success or failure.[22] Bellcore further observed in its comments that generic requirements complement standards which by their very nature are not binding on anyone, vendors or purchasers.[23] While noting that generic requirements provide valuable technical information to exchange carriers, Bellcore underscored the fact that such requirements ''only have meaning if exchange carriers choose to use them and if suppliers choose to conform their products to them.'' [24]

11. In late-filed comments, one commenter, MCI, supported the Commission's binding arbitration proposal, finding it preferable to either of two alternative proposals, discussed more fully below, that had been submitted by Corning (Corning I) and Bellcore.[25] As discussed below, however, we conclude that a second proposal submitted by Corning (Corning II) resolves many of the defects that had been evident in both the Corning I and Bellcore alternatives. This proposal also appears to be superior in some respects to the Commission's proposal to use binding arbitration. Therefore, as explained below, we have decided not to use binding arbitration as the default dispute mechanism under section 273(d)(5). We will instead use the alternative procedure proposed by Corning, the Corning II proposal, with some modifications.

B. Commenters' Alternative Proposals

12. In addition to proposing the use of binding arbitration, the *NPRM* invited commenters to submit alternative proposals. We noted that other methods of alternative dispute resolution included, for example, mediation, neutral evaluation, and hybrids of these methods.[26] In response, two very different alternative proposals were initially submitted, one by Corning, a manufacturer of fiber optics equipment, and another by Bellcore.

13. The Corning I proposal involved referral of the technical dispute to an accredited standards development organization (SDO). Many parties commented on this proposal. Although comment was somewhat divided, much of the comment was sharply critical of the proposal. For example, Bellcore and many of the BOCs believed that the Corning I proposal was inconsistent with congressional intent because it excluded the funding parties from participating in resolution of the technical dispute, even though the funders played a major role in funding the NASDO's work and would be most affected by any dispute resolution.[27] They also pointed out that there was no assurance that the SDOs had procedures in place that would enable resolution of the dispute within the 30 day statutory time period. They further believed that the process would often lead to no resolution at all of key technical issues, thereby frustrating the essential purpose of NASDOs to create standards that lead to efficiencies and interoperability within the communications industry. Similarly, in its late filed comments, MCI opposed the Corning I proposal because it was unlikely to result in a binding decision.[28]

14. The two organizations representing relevant SDOs who commented were divided on the Corning I proposal. One of these, TIA, approved the proposal, but the other organization, ATIS, strongly criticized the proposal as promoting ''forum shopping.'' [29] ATIS further stated that its Committee T1, which develops standards for network interfaces, could not accommodate the statutorily mandated 30 day resolution period.[30] Similarly, the two manufacturing companies who commented were divided, with one commenter, SpecTran Corp., supporting the Corning I proposal, and the other, Nortel, strongly disagreeing with it as inviting forum shopping and abuse.[31]

15. Bellcore's original proposal is discussed below, in the context of modifications to it suggested by Corning. In response to the Bellcore proposal, Corning submitted a second proposal, which it characterized as a compromise proposal, and which incorporated many features of the dispute resolution proposal that had been submitted by Bellcore.[32] For the reasons discussed below, we conclude that Corning's latest proposal, which we shall refer to as the Corning II proposal, is generally consistent with the dispute resolution procedure envisioned by Congress in section 273(d)(5). In addition, we believe the Corning II proposal avoids many of the practical and other problems associated with both the Corning I and Bellcore proposals. We have therefore decided to adopt, with some modifications, the Corning II proposal, which is described and discussed below.

C. The Corning II Proposal

16. As indicated above, the dispute resolution rule we adopt in this proceeding is based on a proposal suggested by Bellcore that has been modified by Corning. The Corning II proposal retains many significant features of the original Bellcore proposal that were praised by those commenters who preferred Bellcore's proposal over Corning I. Most significantly, unlike the Corning I plan, the Corning II variation does not require that technical disputes be resolved in forums other than the NASDO. Bellcore's original plan, and the Corning II variation adopted here, permit the funding parties to resolve these disputes internally. To that extent, we believe that the Corning II proposal is consistent with Congress's intent that the process we select should enable all interested parties to influence the final resolution of the dispute.

17. Corning, however, suggests several changes to Bellcore's proposal that we believe will better enable the resolution of disputes in an ''open, non-discriminatory and unbiased fashion,'' consistent with section 273(d)(5). For example, some commenters, primarily Corning and MCI, expressed concern that the Bellcore proposal afforded too much power to the BOCs and Bellcore in controlling resolution of any disputes.[33] The Corning II variation makes five major changes to Bellcore's plan. Most of those changes, we believe, better promote the statutory objectives of fair, unbiased decisionmaking. In response to *ex parte* comments from Bellcore, however, we have modified some aspects of the Corning II proposal to develop the dispute resolution default process we now adopt.[34]

18. *Tri-Partite Panel.* The Corning II proposal permits the disputant to select only one dispute resolution approach. Under the approach proposed by

[21] Comments of Bellcore at i, 16; comments of U.S. West at 3.

[22] Comments of U.S. West at 2.

[23] Comments of Bellcore at 17.

[24] *Id.* at 5 and 17.

[25] Late-filed reply comments of MCI at 1–3.

[26] 61 FR at 9967,¶5.

[27] Comments of Bellcore at 3–4, 7; comments of BellSouth at 4.

[28] Late-filed reply comments of MCI at 3.

[29] Comments of TIA at 2–3; reply comments of ATIS at 4–5.

[30] Reply comments of ATIS at 4.

[31] Comments of Nortel at 2–3; comments of SpecTran at 1.

[32] *Ex Parte* submission of Corning at 1.

[33] Reply comments of Corning at 14–16; late-filed comments of MCI at 2.

[34] *See generally, ex parte* submission of Bellcore.

Bellcore, the funding parties could, by majority vote, choose among several ''default'' options for resolving disputes. These options included ''escalating'' the dispute to higher decisionmaking bodies within the NASDO; resolution of the dispute by a majority of those funding the standards development effort; or, resolution of the dispute based on the recommendation of a three-party expert advisory panel. The Corning II variation, in contrast, retains only the option of using a three-party expert panel, with one panelist selected by the disputing party, another selected by the NASDO, and a third panelist selected jointly by the panelists representing the NASDO and disputing party. Persons who participated in the generic requirements or standards development process, including the disputing party and the NASDO, are eligible to serve on the panel. As with Bellcore's proposal, this three-member panel, by majority vote, would make a written recommendation concerning the dispute.

19. Several parties, including MCI, criticized some of the dispute resolution options permitted under Bellcore's proposal, particularly the escalation and majority vote options, because these options appeared to give the BOCs undue power in resolving disputes.[35] We agree that the Corning II proposal, which retains only the option of using a tri-partite expert panel, is superior in terms of avoiding the potential that the BOCs or Bellcore would unduly dominate decisionmaking.

20. In commenting on the Corning II proposal, however, Bellcore continues to believe that, while a tri-partite panel should be available as an option and as the fall-back in the event of a deadlock, the funding parties should also be able to use escalation and other procedures.[36] We recognize that this variation on Bellcore's plan removes some of the flexibility that several commenters had applauded in commenting on Bellcore's proposal. We nevertheless conclude that the advantage of the Corning II proposal in terms of avoiding possible unfairness far outweighs any concern about loss of flexibility.

21. Further, as reflected in Corning's comments and in the Corning II proposed rule, disputing parties and Bellcore are also permitted to agree to a means of dispute resolution other than the default procedure provided for in section 273(d)(5). The statutory dispute provision clearly is a remedial measure, which is designed to protect the interests of disputing parties. Hence, the statute merely provides that a disputing party has the option of using the section 273(d)(5) default procedure. Section 273(d)(4) thus states that a disputing party ''may utilize the dispute resolution procedures established pursuant to [section 273(d)(5)] * * *'' (Emphasis added.)[37] The default procedure therefore is not mandatory if the disputing party and Bellcore both agree to select another approach. Accordingly, we believe that parties will not be deprived of desirable flexibility even though we have decided to limit the default dispute resolution procedure to a single approach. We emphasize, as do many of the commenters, that funding parties should adopt their own dispute resolution procedures whenever possible.

22. *Override Provision.* A second major change to Bellcore's proposal involves the Bellcore provision that would have allowed a majority of the funding parties to reject the recommendation of the tri-partite expert panel. We are sympathetic to the argument that any dispute resolution procedure should permit the funding parties to participate in dispute resolution by having some final say in how the dispute is resolved. Nevertheless, we agree with Corning and other parties, such as MCI and Nortel, who believe that allowing ''overrides'' by a simple majority of funders may afford too much power to particular blocks of funding parties, including the regional BOCs who currently own Bellcore.[38]

23. To resolve this concern, the Corning II proposal would generally permit funding parties to override a panel recommendation by a vote of three-fourths of the funding parties, excluding the party who invoked the dispute resolution process and the NASDO. Each funding party would have one vote. However, when a funding party has an indirect equity interest in the NASDO or any ownership interest in intellectual property that would be advantaged by the final resolution of the dispute, a decision to reject the recommendation must be by a unanimous vote of the funding parties, again excluding the party which invoked the dispute resolution process and the NASDO.

24. Presumably, due to the regional BOCs' ownership interests in Bellcore, the unanimous vote requirement would apply to Bellcore. Bellcore is concerned that requiring a unanimous vote would permit an affiliate of a disputing party, or another serving as its proxy, to veto the decision of all carriers. Bellcore also believes that Nortel has proposed a reasonable compromise in suggesting that a vote of two-thirds of the funding parties voting be required to reject a panel recommendation.[39]

25. In contrast to the original Bellcore proposal, we think a more stringent ''override'' proposal offers better protection against biased decisionmaking. We agree with Bellcore that requiring a unanimous vote of funders may be too onerous. However, we think a fair compromise is to require a vote by three-fourths of the voting funders both to reject a panel's recommendation and to substitute another resolution of the dispute. The three-fourths proposal avoids Bellcore's concern that a unanimous vote requirement affords the disputing party the power to veto the decision of all the carriers. At the same time, the three-fourths requirement also decreases Corning's fear that a simple majority—or possibly even a two-thirds vote—affords too much control to the RBOC's.

26. *Standard for Recommended Decision.* The Corning II proposal has recommended a third change that improves upon the original Bellcore proposal. Bellcore proposed that the appropriate issue to be resolved by the recommending panel was ''whether there is a sound technical basis for the position of the [NASDO] * * *.'' That standard, we believe, unfairly disadvantages the disputant by placing upon it an undue burden to demonstrate that the NASDO's approach is not based on a sound technical basis, instead of focusing more on the relative merits of the two approaches. The Corning II proposal, in contrast, focuses more on the relative merits of the technical arguments by requiring the panel to choose ''the option that provides the most technically sound solution that is commercially viable* * *.''[40] We recognize that the statutory 30-day deadline will create difficulties in resolving the technical merits. Bellcore, for example, objects to the standard proposed by Corning, believing that the panel will be unable to decide within the statutory timeline what is ''the most technically sound solution.''[41] The statute, however, places no limitation on the types of technical disputes that may be raised by funding parties. We therefore do not believe that the standard for dispute resolution can be

[35] Late-filed reply comments of MCI at 2.

[36] April 18, 1996, *ex parte* letter from Bellcore at 1.

[37] 47 U.S.C. 273(d)(4).

[38] *Ex parte* submission of Corning at 1, note 1; reply comments of Nortel at 7; late-filed comments of MCI at 2.

[39] *Ex parte* submission of Bellcore at 1.

[40] *Ex parte* submission of Corning at 3.

[41] *Ex parte* submission of Bellcore at 3.

limited to whether the NASDO's proposal can be reasonably supported by technical evidence, as Bellcore proposes.

27. For the same reason, we do not agree with Bellcore's view that the panel should be precluded from deciding ''that a particular issue is not ready for a decision because there is insufficient technical evidence to support the soundness of any one proposal over any other proposal.'' [42] Moreover, such a recommendation would not necessarily lead to the absence of a decision on a standard, as Bellcore claims. As indicated above, even if that were the panel's recommendation, the funders would still be able to select a technical standard by a two-third's vote.

28. Finally, Bellcore believes that ''commercial viability'' should not be part of the decisional basis, claiming that such a basis may go beyond the technical matters contemplated by section 273(a)(5).[43] Bellcore also believes such a standard may involve economic analysis and competitively sensitive business information, data that may be difficult for the panel to obtain.[44]

29. We think that in resolving technical disputes it may well be appropriate to consider the complexity and practical feasibility of particular technical solutions in some circumstances. However, we also believe that the decisional standard proposed by Corning places undue emphasis on commercial and cost-related issues not the technical issues.[45] We shall therefore modify the standard to state that a panel is not precluded from taking into account the complexity of technical approaches and other practical considerations in deciding which option is most technically sound.

30. *Disclosure Requirements.* The Corning II proposal also includes a new disclosure provision requiring that any party in interest submitting information for consideration by the panel must disclose its ownership of intellectual property that may be advantaged or disadvantaged by the final decision, and that the panel must consider this information in making its recommendation.[46] This provision seems designed to lead to decisionmaking that is more fully informed about the possible biases of commenting parties and to result in technical standards that may be met by a broader spectrum of equipment manufacturers. Bellcore objects to this proposal. It states that ANSI-accredited standards development organizations encourage early disclosure of intellectual property rights, but do not require it. Bellcore also believes that requiring disclosure of intellectual property rights would inhibit funding and participation in the activities of the NASDO.

31. We believe the disclosure provisions suggested by Corning are generally consistent with requirements of ANSI-accredited standards organizations. The TIA Engineering Manual, for example, has a policy of encouraging early disclosure of essential patents, and requires its Committees to ask at the beginning of each meeting where a potential standard is being considered whether there is knowledge of essential patents, the use of which may be essential to the standard being developed. Moreover, the fact that the question was asked will be recorded in the meeting report, along with any affirmative responses. Similarly, ANSI's patent policy requires that, prior to approval of any proposed standard, any licenses will be made available to applicants without compensation or ''under reasonable terms and conditions.'' [47]

32. We think that the Corning II proposal that parties submitting information to the panel disclose similar information is generally consistent with these ANSI requirements. However, we shall modify the Corning II proposal somewhat to make it more consistent with the rule followed by the TIA Engineering Manual. Specifically, the rule will require that the panel ask commenting parties whether there is knowledge of patents, the use of which may be essential to the standard or generic requirement being considered. In addition, the fact that the question was asked along with any affirmative responses may be recorded and considered in the panel's recommendation. We do not believe that such a requirement will affect funding and participation in NASDOs. The requirement applies only to those who submit comments to the expert panel, and moreover, such requirements have apparently not discouraged participation in ANSI accredited standards development organizations. In addition, Nortel points out that there appears to be no precedent for ANSI-accredited bodies to link voting rights to intellectual property interests. We see no reason, therefore, to disqualify the holders of such interests from voting on the recommendations of the tri-partite panel.

33. *Costs of Dispute Resolution.* Finally, whereas the Bellcore proposal had required the disputing party to bear the entire cost of the default dispute resolution procedure, the Corning-Bellcore variation requires that the cost of resolving disputes be absorbed by all of the funding parties. This modification, in our view, better ensures that disputants are not unduly discouraged from raising technical issues. In addition, all of the funding parties should benefit from the fairer and more open resolution of these technical questions. It is therefore fitting that they should all share in the cost.

34. In summary, we believe that the statutory objectives can be best fulfilled by the new Corning II approach, with some modifications. This approach incorporates the best aspects of the Bellcore proposal and modifies them to achieve the goal of unbiased decisionmaking. The proposal to utilize a tri-partite expert panel to make recommendations resolving disputes, with a provision that allows the funding parties to override the recommendation, also ensures that, as Congress intended, all of the funding parties are able to participate in influencing the final outcome. The approach is set out in detail in the Appendix of the Report and Order.

D. Funding Parties

35. The commenters were divided over the meaning of the term ''funding party.'' Corning and TIA take the position that Congress intended to allow any interested party access to the alternative dispute resolution process.[48] While acknowledging that sections 273(d)(4) and (d)(5) refer to ''funding parties,'' Corning argues that the clear intent of the statute was only to provide a basis for determining the legitimacy of parties interested in participating in NASDO processes.[49]

36. To put this in perspective, Corning explained that the direct costs of Bellcore's generic requirements were traditionally borne by the affected carriers, with vendors generally making some form of ''in-kind'' contributions, *i.e.*, technical presentation or technical support.[50] Corning also argues that, under the new statute, funding levels may not be used as an exclusionary device. In this same vein, TIA maintains that a funding party should not be defined by the amount that the party contributed to funding the standards

[42] *Id.*

[43] *Id.* at 4.

[44] *Id.*

[45] *Ex parte* submission of Nortel.

[46] *Ex parte* submission of Corning at 2.

[47] Reply comments of ANSI at 4.

[48] Reply comments of TIA at 2.

[49] Reply comments of Corning at 12.

[50] *Id.*

setting activities but rather, by ''any amount that demonstrates the party shows a responsible interest in the proceeding.'' [51] TIA suggests that parties could meet this requirement by posting a performance bond.[52]

37. In response, Bellcore and the RBOC's state that, since there was no congressional debate on section 273(d), the Commission must look to the plain language of the statute. As noted by Bellcore, section 273(d)(4)(A)(v) provides that ''a funding party may utilize the dispute resolution procedures established pursuant to paragraph (5)'' and section 273(d)(5) states that ''[s]uch dispute resolution process shall permit any funding party to resolve a dispute .''* * * [53] Bellcore thus opposes TIA's performance bond proposal, concluding that if a vague genuine interest and not actual funding is to be the standard, this could open the door to a variety of ill-motivated though colorable ''technical'' disputes that the section 273(d)(5) process should not promote.[54]

38. We conclude that the language of the statute clearly supports that only a funding party is permitted to invoke the dispute resolution process contained in Section 273(d). The statute expressly provides that a party may become a funder after a public invitation is issued to interested industry parties ''to fund and to participate'' and that only a ''funding party'' may invoke dispute resolution. Moreover, consistent with the clear language of the statute, we think that only parties who are willing to provide actual funding to support the standards setting process may utilize the statutory dispute resolution process. We thus do not agree with TIA's suggestion that merely by posting a performance bond an entity may become a funding party, nor with Corning that ''in-kind'' contributions are necessarily adequate.

39. At the same time, section 273(d)(4)(A)(2) of the statute expressly requires that funding and participation be allowed on ''a reasonable and nondiscriminatory basis, administered in such a manner as not to unreasonably exclude any interested industry party.'' We therefore believe that the statute requires that NASDOs must make reasonable and nondiscriminatory efforts to ensure that the funding requirement is not manipulated so as to unreasonably exclude outside participants.

E. Referral of Frivolous Disputes

40. Section 273(d)(5) directs the Commission to establish penalties for delays caused by the referral of frivolous disputes to the Commission's default process. Both Bellcore and Corning endorsed the proposal made in our *NPRM* to rely on section 1.52 of the Commission's rules to define the term ''frivolous dispute.'' Section 1.52 requires that any document filed with the Commission be signed by the party or attorney and that such signature certifies that the person has read the document, that there is good ground to support it, and thus it is not filed for the purpose of delay.

41. Other commenters either offered alternate suggestions or raised concerns with our proposal. For example, we were referred to the ''sham'' exception to antitrust immunity enjoyed by parties under the Noerr-Pennington doctrine.[55] Another party referred us to the standards used by federal courts to determine whether complaints are filed in good faith.[56] Another commenter questioned whether we need to assess the motive of the disputant if the claim has no legitimate basis.[57]

42. We recognize that any attempt to give meaning to the term ''frivolous'' is inherently difficult, as reflected by attempts the courts have made to grapple with similar problems. We have decided, however, to be guided by our existing rule which appears to be as workable as any of the alternatives suggested. Thus, the party responsible for referring a dispute to our process does so with the understanding that the dispute, as defined in section 1.52, is not frivolous, is supported by good ground, and is not filed for the purpose of delay.

43. In seeking comment on the penalties that should be assessed against delaying parties, the *NPRM* asked whether the Commission should rely on its forfeiture authority contained in section 503(b) of the Communications Act, or whether other penalties should be imposed ''such as barring the party from further participation in the standards development processes or the imposition of costs on the complainant if its complaint is found to be frivolous.'' [58] The *NPRM* also sought comment on whether procedural protections were necessary to protect the party subject to the dispute.[59] In this connection, commenters were asked to consider whether there should be a citation and subsequent misconduct before the assessment of such forfeitures.[60]

44. U.S. West argued that ''punitive actions being taken to prevent frivolous invocation of the mediation process'' were unnecessary and emphasized that the Commission could later adopt rules if necessary.[61] Bellcore argued against the imposition of penalties by the tri-partite panel, emphasizing that the panel's role is a ''technical one, not a legalistic penalty-imposing one.'' [62] In addition, Bellcore proposes that the remedy of barring further participation should ''be reserved to address only a pattern of abuse, and not an isolated act'' [63] and Corning maintains that it ''could substantially impair the subject company's ability to compete in the manufacture and marketing of products which are the subject of the relevant NASDO activities'' and is ''neither required not authorized by the statute.'' [64] Finally, Bellcore advocates that, in cases where the Commission determines that a frivolous dispute was referred to the dispute resolution process, in addition to imposing forfeitures as proposed in the *NPRM*, we should require ''the party raising a frivolous claim to bear all costs of dispute resolution, and compensating the funding parties for delay.'' [65]

45. We have concluded that, in light of the above comments, at this time, violations for filing frivolous disputes can be handled best pursuant to our forfeiture authority under section 503(b) of the Communications Act. While we clearly expect referrals of frivolous disputes to be rare occurrences, we will not hesitate to revisit this issue, if necessary, to determine whether more severe penalties should be imposed.

F. Sunset Provision

46. In its initial comments, Corning urged the Commission to make clear that an applicant seeking removal of the requirements of sections 273(d)(3) or 273(d)(4) provide appropriate documentary evidence to support such a request.[66] Bellcore, in response, believes Corning's request is premature.[67] We agree that adoption of evidentiary requirements at this time appears premature. The statute prescribes a public comment period on

[51] Comments of TIA at 3–4.

[52] *Id.*

[53] Reply comments of Bellcore at 10–11.

[54] *Id.* at 7–9.

[55] Comments of Corning at 13.

[56] *See* Rule 11 of the Federal Rules of Civil Procedure; comments of Bellcore at 23.

[57] Comments of Corning at 13.

[58] 61 FR 9967 at ¶8.

[59] *Id.*

[60] *Id.*

[61] Comments of U.S. West at 8.

[62] Comments of Bellcore at 23.

[63] *Id.* at 23–24.

[64] Comments of Bellcore at 24; comments of Corning at 15.

[65] Comments of Bellcore at 23.

[66] Comments of Corning at 16.

[67] Comments of Bellcore at 24.

any such application. We believe we will be in a better position to evaluate the adequacy of the support for any particular application after we have received comment on it.

IV. Procedural Matters

47. *Final Regulatory Flexibility Analysis.* Pursuant to the Regulatory Flexibility Act of 1980, the Commission's final analysis is as follows:

Reason for Action

The Telecommunications Act of 1996 permits a Bell Operating Company, through a separate subsidiary, to engage in the manufacture of telecommunications equipment and customer premises equipment after the Commission authorizes the company to provide in-region interLATA services. As one of the safeguards for the manufacturing process, the Telecommunications Act of 1996 amended the Communications Act by creating a new section 273, which sets forth procedures for a ''non-accredited standards development organization,'' such as Bell Communications Research, Inc., to set industry standards for manufacturing such equipment. The statutory procedures allow outside parties to fund and participate in setting the organization's standards and require the organization and the funding parties to attempt to develop a process for resolving any technical disputes. Section 273(d)(5) requires the Commission ''to prescribe a dispute resolution process'' to be used in the event that all parties cannot agree to a mutually satisfactory dispute resolution process. 47 U.S.C. 273(d)(5). The purpose of this *Report and Order* is to implement Congress's goal by prescribing a dispute resolution process which ''enable[s] all interested parties to influence the final resolution of the dispute without significantly impairing the efficiency, timeliness and technical quality of the activity.'' H.R. Conf. Rep. No. 230, 104th Cong., 2d Sess. 39 (1996).

Summary of the Issues Raised by the Public Comments in Response to the Initial Regulatory Flexibility Analysis

There were no comments submitted in response to the Initial Regulatory Flexibility Analysis.

Significant Alternatives Considered

The *Notice of Proposed Rulemaking* in this proceeding offered a binding arbitration proposal and solicited alternative proposals from the commenters. The commenters overwhelmingly opposed the binding arbitration proposal. Alternative proposals were also submitted by the commenters. The regulation selected, a tri-partite expert panel, fulfills the specific statutory parameters of section 273—that the process shall permit resolution ''in an open, non-discriminatory and unbiased fashion within 30 days after the filing of such dispute'' and that the process will ''enable all interested parties to influence the final resolution of the dispute without significantly impairing the efficiency, timeliness and technical quality of the activity.''

48. Accordingly, it is ordered that Subpart Q, Part 64 of the Commission's rules is adopted effective June 17, 1996 as set forth below.

49. The action taken herein is taken pursuant to sections 4(i), 4(j), 273(d)(5), 303(r) and 403 of the Communications Act, 47 U.S.C. §§ 154(i) and (j), 273(d)(5), 303(r) and 403.

List of Subjects in 47 CFR Part 64

Communications common carriers, Dispute resolution process, Manufacturing by Bell Operating Companies, Non-accredited standards development organizations, Penalties for delaying parties.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rule Changes

Part 64 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for Part 64 is revised to read as follows:

Authority: 47 U.S.C. 154, unless otherwise noted. Interpret or apply 47 U.S.C. 201, 218, 226, 228, 273(d)(5), unless otherwise noted.

2. A new Subpart Q is added to Part 64 to read as follows:

Subpart Q—Implementation of Section 273(d)(5) of the Communications Act: Dispute Resolution Regarding Equipment Standards

Sec.

64.1700 Purpose and scope.
64.1701 Definitions.
64.1702 Procedures.
64.1703 Dispute resolution default process.
64.1704 Frivolous disputes/penalties.

Subpart Q—Implementation of Section 273(d)(5) of the Communiations Act: Dispute Resolution Regarding Equipment Standards

§ 64.1700 Purpose and scope.

The purpose of this subpart is to implement the Telecommunications Act of 1996 which amended the Communications Act by creating section 273(d)(5), 47 U.S.C. 273(d)(5). Section 273(d) sets forth procedures to be followed by non-accredited standards development organizations when these organizations set industry-wide standards and generic requirements for telecommunications equipment or customer premises equipment. The statutory procedures allow outside parties to fund and participate in setting the organization's standards and require the organization and the parties to develop a process for resolving any technical disputes. In cases where all parties cannot agree to a mutually satisfactory dispute resolution process, section 273(d)(5) requires the Commission to prescribe a dispute resolution process.

§ 64.1701 Definitions.

For purposes of this subpart, the terms ''accredited standards development organization,'' ''funding party,'' ''generic requirement,'' and ''industry-wide'' have the same meaning as found in 47 U.S.C. 273.

§ 64.1702 Procedures.

If a non-accredited standards development organization (NASDO) and the funding parties are unable to agree unanimously on a dispute resolution process prior to publishing a text for comment pursuant to 47 U.S.C. 273(d)(4)(A)(v), a funding party may use the default dispute resolution process set forth in section 64.1703.

§ 64.1703 Dispute resolution default process.

(a) *Tri-Partite Panel.* Technical disputes governed by this section shall be resolved in accordance with the recommendation of a three-person panel, subject to a vote of the funding parties in accordance with paragraph (b) of this section. Persons who participated in the generic requirements or standards development process are eligible to serve on the panel. The panel shall be selected and operate as follows:

(1) Within two (2) days of the filing of a dispute with the NASDO invoking the dispute resolution default process, both the funding party seeking dispute resolution and the NASDO shall select a representative to sit on the panel;

(2) Within four (4) days of their selection, the two panelists shall select

a neutral third panel member to create a tri-partite panel;

(3) The tri-partite panel shall, at a minimum, review the proposed text of the NASDO and any explanatory material provided to the funding parties by the NASDO, the comments and any alternative text provided by the funding party seeking dispute resolution, any relevant standards which have been established or which are under development by an accredited-standards development organization, and any comments submitted by other funding parties;

(4) Any party in interest submitting information to the panel for consideration (including the NASDO, the party seeking dispute resolution and the other funding parties) shall be asked by the panel whether there is knowledge of patents, the use of which may be essential to the standard or generic requirement being considered. The fact that the question was asked along with any affirmative responses shall be recorded, and considered, in the panel's recommendation; and

(5) The tri-partite panel shall, within fifteen (15) days after being established, decide by a majority vote, the issue or issues raised by the party seeking dispute resolution and produce a report of their decision to the funding parties. The tri-partite panel must adopt one of the five options listed below:

(i) The NASDO's proposal on the issue under consideration;

(ii) The position of the party seeking dispute resolution on the issue under consideration;

(iii) A standard developed by an accredited standards development organization that addresses the issue under consideration;

(iv) A finding that the issue is not ripe for decision due to insufficient technical evidence to support the soundness of any one proposal over any other proposal; or

(v) Any other resolution that is consistent with the standard described in section 64.1703(a)(6).

(6) The tri-partite panel must choose, from the five options outlined above, the option that they believe provides the most technically sound solution and base its recommendation upon the substantive evidence presented to the panel. The panel is not precluded from taking into account complexity of implementation and other practical considerations in deciding which option is most technically sound. Neither of the disputants (i.e., the NASDO and the funding party which invokes the dispute resolution process) will be permitted to participate in any decision to reject the mediation panel's recommendation.

(b) The tri-partite panel's recommendation(s) must be included in the final industry-wide standard or industry-wide generic requirement, unless three-fourths of the funding parties who vote decide within thirty (30) days of the filing of the dispute to reject the recommendation and accept one of the options specified in paragraphs (a)(5) (i) through (v) of this section. Each funding party shall have one vote.

(c) All costs sustained by the tri-partite panel will be incorporated into the cost of producing the industry-wide standard or industry-wide generic requirement.

§ 64.1704 Frivolous disputes/penalties.

(a) No person shall willfully refer a dispute to the dispute resolution process under this subpart unless to the best of his knowledge, information and belief there is good ground to support the dispute and the dispute is not interposed for delay.

(b) Any person who fails to comply with the requirements in paragraph (a) of this section, may be subject to forfeiture pursuant to section 503(b) of the Communications Act, 47 U.S.C. 503(b).

[FR Doc. 96–12217 Filed 5–16–96; 8:45 am]

BILLING CODE 6712–01–U

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171, 173 and 180

[Docket No. HM–200; Notice No. 96–9]

RIN 2137–AB37

Hazardous Materials in Intrastate Transportation; Extension of Comment Period

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); extension of comment period.

SUMMARY: RSPA is extending for 60 days, until August 16, 1996, the period for submitting comments on its March 20, 1996 supplemental notice of proposed rulemaking (SNPRM) in this proceeding. In the SNPRM, RSPA proposed certain exceptions from requirements in the Hazardous Materials Regulations that would otherwise apply to: the transportation of small quantities of certain hazardous materials used by carriers, particularly private carriers, in the conduct of their businesses (''materials of trade''); smaller cargo tank motor vehicles (less than 13,250 liters [3,500 gallons] capacity) used exclusively in intrastate transportation of flammable liquid petroleum products; and registered inspections of these smaller cargo tank motor vehicles used exclusively for transporting flammable liquid petroleum fuels.

DATES: *Written comments:* Comments must be received on or before August 16, 1996.

ADDRESSES: *Comments:* Address comments to Dockets Unit, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590–0001. Comments should identify the Docket (HM–200) and be submitted, if possible, in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard showing the docket number. The Dockets Unit is located in Room 8421 of the Nassif Building, 400 Seventh Street, SW., Washington, DC 20590–0001. Telephone: 202–366–5046. Public dockets may be reviewed between the hours of 8:30 a.m. and 5:30 p.m.; Monday through Friday except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jackie Smith or Diane LaValle, 202–366–8553, Office of Hazardous Materials Standards, RSPA, 400 Seventh Street, SW., Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION: In July 1993, RSPA proposed to extend the application of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171–180, to all intrastate carriers of hazardous materials in commerce and their shippers. The notice of proposed rulemaking (NPRM), was published on July 9, 1993 (58 FR 36920), and a correction was published on July 15, 1993 (58 FR 38111). Based on comments to that NPRM, on March 20, 1996, RSPA published a supplemental notice proposing three additional changes to the HMR. *See* 61 FR 11481. These changes would provide: (1) An exception for ''materials of trade,'' certain small quantities of hazardous materials transported and used by carriers, particularly private carriers, in the conduct of their businesses; (2) an exception to permit the continued use of non-specification smaller cargo tank motor vehicles (i.e., less than 13,250 liters [3,500 gallons] capacity) used exclusively in intrastate transportation of flammable liquid petroleum products; and (3) an exception from certain

requirements that address registered inspection of these smaller cargo tank motor vehicles that are used exclusively for transporting flammable liquid petroleum fuels. These proposals are aimed are reducing regulatory burdens on persons subject to the HMR where costs may be disproportionate to safety benefits.

A number of interested parties have requested additional time for them to more fully consider these proposals. Farmers, farm suppliers, and agricultural transporters state that they are presently occupied with activities relating to planting this year's crop, and that they need an extension of the comment period so that they may participate in this important rulemaking. Because these parties' input to this rulemaking would be valuable, RSPA is extending the comment period for 60 days, until August 16, 1996.

Issued in Washington, DC, on May 14, 1996, under authority delegated in 49 CFR part 106, Appendix A.

Alan I. Roberts,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 96–12454 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–60–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 675

[Docket No. 960129019–6019–01; I.D. 051396D]

Groundfish of the Bering Sea and Aleutian Islands Area; Pacific Cod by Vessels Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by vessels using hook-and-line gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary because the second seasonal Pacific halibut bycatch mortality allowance apportioned to the Pacific cod hook-and-line fishery in the BSAI has been reached.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 15, 1996, until 12 midnight, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907–586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The second seasonal Pacific halibut bycatch mortality allowance for the hook-and-line Pacific cod fishery, which is defined at § 675.21(b)(2)(ii)(A), is 40 metric tons (61 FR 4311, February 5, 1996).

The Director, Alaska Region, NMFS, has determined, in accordance with § 675.21(d), that the second seasonal Pacific halibut bycatch mortality allowance for the Pacific cod hook-and-line fishery in the BSAI has been reached. Therefore, NMFS is prohibiting directed fishing for Pacific cod by vessels using hook-and-line gear in the BSAI.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 13, 1996.

Donald J. Leedy,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–12445 Filed 5–14–96; 3:07 pm]

BILLING CODE 3510–22–F

---

50 CFR Part 675

[Docket No. 960129019–6091–01, I.D. 051396E]

Groundfish of the Bering Sea and Aleutian Islands Area; Other Nontrawl Fisheries in the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for groundfish in the other nontrawl fishery in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 1996 bycatch allowance of Pacific halibut apportioned to the other nontrawl fishery category in the BSAI.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 15, 1996, until 12 midnight, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907–586–7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The 1996 bycatch allowance of Pacific halibut apportioned to the other nontrawl fishery category, which is defined at § 675.21(b)(2)(ii)(E), was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) as 100 metric tons.

The Director, Alaska Region, NMFS, has determined, in accordance with § 675.21(d), that the 1996 bycatch allowance of Pacific halibut apportioned to the other nontrawl fishery category in the BSAI has been reached. Therefore, NMFS is closing the directed fishery for groundfish in the other nontrawl fishery category in the BSAI.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.21 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801, *et seq.*

Dated: May 13, 1996.

Donald J. Leedy,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–12446 Filed 5–14–96; 3:07 pm]

BILLING CODE 3510–22–F

---

50 CFR Part 675

[Docket No. 960129019–6091–01; I.D. 050396A]

Groundfish of the Bering Sea and Aleutian Islands Area; Reserve Apportionment

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Apportionment of reserve.

SUMMARY: NMFS is apportioning reserve to certain target species in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow for ongoing harvest and account for previous harvest of the total allowable catch (TAC). It is intended to promote the goals and objectives of the North Pacific Fishery Management Council.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 16, 1996,until 12 midnight, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907–586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the U.S. BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The Director, Alaska Region, NMFS, has determined that the initial TACs specified for pollock in the Bering Sea subarea; for pollock in the Aleutian Islands subarea; for Atka mackerel in the combined Eastern Aleutian District and Bering Sea subarea; for Pacific ocean perch in the Eastern Aleutian District; for Atka mackerel and Pacific ocean perch in the Central and Western Aleutian Districts; and for Pacific cod, arrowtooth flounder, and the ''other species'' category in the BSAI; need to be supplemented from the non-specific reserve in order to continue operations and account for prior harvest.

Therefore, in accordance with § 675.20(b), NMFS is apportioning from the reserve to TACs for the following species: (1) for the Bering Sea subarea - 89,250 metric tons (mt) to pollock, (2) for the Aleutian Islands subarea - 2,670 mt to pollock, (3) for the combined Eastern Aleutian District and Bering Sea subarea - 4,005 mt to Atka mackerel; (4) for the Eastern Aleutian District- 454 mt to Pacific ocean perch; (6) for the Central Aleutian District - 5,040 mt to Atka mackerel, 454 mt to Pacific ocean perch; (7) for the Western Aleutian District - 6,879 mt to Atka mackerel; 907 mt to Pacific ocean perch and (6) for the BSAI - 40,500 mt to Pacific cod, 1,350 mt to arrowtooth flounder, and 3,019 mt to the ''other species'' category.

These apportionments are consistent with § 675.20(a)(2)(i) and do not result in overfishing of a target species or the ''other species'' category because the revised TACs are equal to or less than specifications of acceptable biological catch.

Pursuant to § 675.20(a)(3)(i), the apportionments of pollock are allocated between the inshore and offshore components:

(1) for the Bering Sea subarea - 31,238 mt to vessels catching pollock for processing by the inshore component and 58,012 mt to vessels catching pollock for processing by the offshore component; (2) for the Aleutian Islands subarea - 935 mt to vessels catching pollock for processing by the inshore component and 1,735 mt to vessels catching pollock for processing by the offshore component.

Pursuant to § 675.20(a)(3)(iv), the apportionment of the BSAI Pacific cod TAC is allocated 810 mt to vessels using jig gear, 17,820 mt to vessels using hook-and-line or pot gear, and 21,870 mt to vessels using trawl gear.

In accordance with the 1996 final specifications for the Bering Sea and Aleutian Islands (61 FR 4311, February 5, 1996), the allocation to hook-and-line/pot gear will result in seasonal apportionments as follows: for the period January 1 through

April 30 - 94,118 mt, for the period May 1 through August 31 - 21,176 mt, and for the period September 1 through December 31 - 3,506 mt.

This apportionment was proposed in the Federal Register (61 FR 16085, April 11, 1996) requesting public comment. The public comment period ended on April 25, 1996, and no comments were received.

Classification

This action is taken under 50 CFR 675.20 and is in compliance with E.O. 12866.

List of Subjects in 50 CFR Part 675

Fish, Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801, *et seq.*

Dated: May 10, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–12448 Filed 5–16–96; 8:45 am]

BILLING CODE 3510–22–F

Proposed Rules

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

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.

FARM CREDIT ADMINISTRATION

12 CFR Part 614

RIN 3052–AB67

Loan Policies and Operations; Other Financing Institutions

AGENCY: Farm Credit Administration.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Farm Credit Administration (FCA) requests public comment through an Advance Notice of Proposed Rulemaking (ANPRM) concerning potential revisions to the regulations in subpart P of part 614 that govern the funding and discount relationship between Farm Credit System (Farm Credit, FCS, or System) banks that operate under title I of the Farm Credit Act of 1971, as amended (Act), and non-System other financing institutions (OFIs). Farm Credit Banks (FCBs) and agricultural credit banks (ACBs) are authorized to fund and discount certain short- and intermediate-term loans for non-System lenders, such as commercial banks, savings associations, credit unions, trust companies, agricultural credit corporations, and other agricultural and aquatic lenders as part of their mission to finance agriculture, aquaculture, and other specified rural credit needs. External developments, such as the consolidation of the commercial banking industry, the advent of interstate banking and branching, the gradual reduction of Federal assistance to agriculture and rural communities, and the increased interest of non-System financial institutions in additional sources of funding and liquidity may necessitate revisions to the regulations in subpart P of part 614 so that System banks can fulfill their obligation to meet demands in rural communities for short- and intermediate-term credit. The purpose of any future rulemaking would be to ensure that eligible and creditworthy farmers, ranchers, aquatic producers and harvesters, processing and marketing operators, farm-related businesses, and rural homeowners will continue to have access to affordable, dependable, and stable short- and intermediate-term credit through both System and non-System lenders. Specifically, this ANPRM seeks comments regarding the FCA's OFI regulations and how they may be revised to better implement the statutory provisions.

DATES: Written comments should be received on or before July 16, 1996.

ADDRESSES: Comments may be mailed or delivered to Patricia W. DiMuzio, Associate Director, Regulation Development, Office of Examination, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090 or sent by facsimile transmission to the FAX number at (703) 734–5784. Copies of all communications received will be available for review by interested parties in the Office of Examination, Farm Credit Administration.

FOR FURTHER INFORMATION CONTACT:

Eric Howard, Policy Analyst, Regulation Development, Office of Examination, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4498, or

Richard A. Katz, Senior Attorney, Regulatory Enforcement Division, Office of General Counsel, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4020, TDD (703) 883–4444.

SUPPLEMENTARY INFORMATION: The Agricultural Credit Act of 1923 [1] created 12 Federal intermediate credit banks (FICBs) to discount agricultural production loans for national and State banks, trust companies, savings associations, credit unions, agricultural credit corporations, incorporated livestock loan companies, and other specified lenders. In 1930, Congress authorized the former FICBs to make secured loans and advances directly to such institutions (hereinafter OFIs).[2] As a result, OFIs could borrow from and discount production agricultural loans with System banks before the Farm Credit Act of 1933 [3] created production credit associations (PCAs) as an alternative source of financing the operating needs of farmers and ranchers.

The legislative history to the Act reveals that Congress originally granted OFIs discount privileges at System banks in order to redress the scarcity of operating credit for farmers and ranchers.[4] During the past 73 years, Congress has responded to the changing demands of agricultural producers and other rural residents for affordable short- and intermediate-term credit by updating the statutory authorities of the FICBs and their successor FCBs and ACBs [5] to provide funding and financial assistance to both System and non-System lenders. Currently, section 1.7(b) of the Act authorizes OFIs to obtain funding from FCBs or ACBs for any loan that a PCA could make under section 2.4 of the Act to eligible farmers, ranchers, aquatic producers and harvesters, processing and marketing operators, farm-related businesses, and rural homeowners.

Section 1.7(b)(4) of the Act requires the FCA to enact regulations that assure that funding from Farm Credit banks operating under title I of the Act will be ''available on a reasonable basis'' to any national bank, State bank, trust company, agricultural credit corporation, incorporated livestock loan company, savings association, credit union, association of agricultural producers engaged in making loans to farmers and ranchers, or corporation engaged in making loans to producers or harvesters of aquatic products that: (1) Is significantly involved in lending for agricultural or aquatic purposes; (2) demonstrates a continuing need for supplementary sources of funds to meet the credit requirements of its agricultural or aquatic borrowers; (3) has limited access to national or regional capital markets; and (4) does not use the services of System banks to extend

[1] Pub. L. No. 503, 42 Stat. 1454, (Mar. 4, 1923).

[2] Pub. L. No. 439, 46 Stat. 816, (June 26, 1930).

[3] Pub. L. No. 75–73D, title II, 48 Stat. 257, 259, (June 16, 1933).

[4] *See* H. R. Rep. No. 1712, 67th Cong., 1st. Sess. (Feb. 25, 1923), P. 17.

[5] Section 410 of the Agricultural Credit Act of 1987 (1987 Act) created the FCBs through the mandatory merger of the Federal Land Bank and the FICB in each Farm Credit district. *See* Pub. L. No. 100–233, § 410, 101 Stat. 1568, 1637, (Jan. 6, 1988). Section 7.0 of the Act allows a FCB to merge with a bank for cooperatives in order to form an ACB. Section 7.0 of the Act derives from section 416 of the 1987 Act. Section 7.0 was further amended by section 408(b) of the Agricultural Credit Technical Corrections Act of 1988. *See* Pub. L. No. 100–233, § 416, 101 Stat. 1568, 1645, (Jan. 6, 1988); Pub. L. No. 100–399, § 408(b), 102 Stat. 989, 1001, (Aug. 17, 1988).

credit to persons and for purposes that cannot be financed by a PCA under title II of the Act. According to the legislative history to section 1.7(b)(4) of the Act,[6] Congress intended that Farm Credit banks act as a primary funding and liquidity source for small, local OFIs so they in turn could meet certain short- and intermediate-term credit needs in their rural communities.[7] However, the legislative history to section 1.7(b)(4) of the Act also indicates that Congress did not intend to exclude other agricultural creditors from funding or discounting loans with System banks,[8] so long as they have a need for supplementary funds that cannot be met through access to national or regional capital markets.

Section 1.7(b) of the Act requires FCBs and ACBs to extend credit to qualified OFIs (within the confines of safety and soundness) as part of their mission to finance agriculture, aquaculture, and other specified rural credit needs. While many OFIs often compete directly with PCAs and agricultural credit associations (ACAs) that own voting stock in the FCB or ACB, the Act requires Farm Credit banks to extend funding on a safe and sound lending basis to any qualified OFI so that farmers, ranchers, aquatic producers and harvesters, farm-related businesses and rural homeowners have access to affordable and dependable credit.

The number of OFIs that fund or discount loans with System banks has declined from a peak of 327 in 1982 to 22 on December 31, 1995. Furthermore, the amount of credit that System banks have extended to OFIs has decreased from almost $914 million in 1981 to $230.8 million as of December 31, 1995. The farm crisis of the 1980s caused a decline in overall agricultural debt, which in turn, substantially reduced the number of OFIs and their demand for System financing. The FCS also experienced significant financial stress between 1984 and 1989, and many OFIs terminated their discounting relationship with System banks because: (1) They sought to reduce their exposure to loss by retiring their investments in FCS banks; (2) the FCS no longer offered competitive rates; or (3) several OFIs ceased operations as a result of merger or closure. Many rural commercial banks, including some OFIs, merged with regional banks or bank holding company networks that did not qualify for OFI status because they were no longer significantly engaged in agricultural lending.

The financial strength of Farm Credit banks has significantly improved in the past several years. As a result, FCBs and ACBs are better positioned to help increase the availability of reasonably priced and dependable credit in many of America's rural communities. Efforts by Federal and State governments to balance their budgets may reduce direct assistance to agriculture and rural development in future years. As rural areas require greater private sector investment to sustain their economic viability, local financial institutions are seeking alternative means to provide affordable credit to their communities on a sustainable basis. Rural lenders also face liquidity problems from time-to-time. Loan-to-deposit ratios at rural depository institutions are now at historically high levels.[9] As the commercial banking industry continues to consolidate into large national and regional networks it is unclear how the credit needs in rural communities will be affected.

Today, several non-System financial institutions are once again expressing interest in obtaining FCS funding for their short- and intermediate-term loans to agricultural and other rural borrowers. However, many of these non-System institutions perceive barriers that impede their access to System funding. Although a variety of factors may have contributed to the historical decline in the OFI lending program, the FCA wants to eliminate any regulatory restrictions that are not required by the Act and its legislative history or do not promote safety and soundness of the FCS.

The FCA wants to ensure that the relationship between Farm Credit banks and OFIs provides another means for meeting the short- and intermediate-term credit needs of agricultural producers and other rural borrowers, as Congress intended. The existing regulations were enacted in 1981, after Congress amended the OFI provisions in the Act. *See* 46 FR 51886 (Oct. 22, 1981). As a result of external developments over the past 15 years, the FCA believes that it is now time to review these regulations in subpart P of part 614 to determine whether they are appropriately addressing the credit needs of non-System institutions that lend to agriculture and rural communities. An ANPRM will give all interested parties an opportunity to provide the FCA with information to assist it in developing proposed regulations that will be responsive to the credit needs of OFIs and their borrowers.[10] Furthermore, the FCA seeks guidance about how new regulations can best promote equitable treatment of OFIs and System associations by FCBs and ACBs. Comments from non-System lenders are encouraged so that the FCA can consider the needs and concerns of eligible financial institutions that the Agency does not examine or regulate.

The Act establishes certain requirements that OFIs must meet in order to initiate and maintain a relationship with the FCS. For example, section 1.10(b) of the Act authorizes FCBs and ACBs to extend credit to OFIs so they can make short- and intermediate-term loans to persons who would be eligible to obtain credit from PCAs.[11] Additionally, each OFI is required by section 4.3A(c)(1)(D)(iii) of the Act to purchase non-voting equity in its funding FCB or ACB. Finally, the same borrower rights that PCAs must provide also apply to OFI loans that are funded by a Farm Credit bank.

Safety and soundness issues will also be addressed when the FCA proposes new OFI regulations. OFIs may pose different safety and soundness considerations for the FCA than direct lender associations. For example, OFIs may merit a different regulatory treatment than System associations for questions relating to collateral and lien perfection because, in contrast to System associations, OFIs can borrow

[6] Current section 1.7(b)(4) derives from section 203 of the Farm Credit Act Amendments of 1980 (1980 Act). *See* Pub. L. No. 96–592, § 203, 94 Stat. 3437, 3441, (Dec. 24, 1980). Section 203 of the 1980 Act substantially revised former section 2.3 of the Act, which set forth the lending authorities of the FICBs. The new OFI eligibility criteria in section 203 of the 1980 Act were incorporated into former section 2.3(d) of the Act. Section 401 of the 1987 Act, which set forth the powers and obligations of the FCBs, recodified the requirements in former section 2.3(d) as section 1.7(b)(4) of the Act. *See* Pub. L. No. 100–233, § 401, 101 Stat. 1568, 1625 (Jan 6, 1988).

[7] *See* H.R. 96–1287, 96th Cong., 2d. Sess., (1980), 21, 32–34. *See also* 126 Cong. Rec. H 10960–64 (daily ed. Nov. 19, 1980).

[8] *Id*.

[9] A recent study indicates that loan-to-deposit ratios at commercial banks of all sizes that substantially engage in agricultural lending have risen from 53.6 percent in 1987 to 86.2 percent as of June 30, 1995. *See* Economic Research Service, U.S. Dep't of Agriculture, (AIS–60), Agricultural Income and Finance Situation and Outlook Report, 11, 53. (Feb. 1996).

[10] The FCA is aware that Congress is considering proposals that would provide non-System financial institutions greater access to funding and discount relationships with System banks. These legislative proposals go substantially beyond what the existing statute allows. Should any of these proposals be enacted, the FCA would review the regulations in light of the new statutory provisions.

[11] Section 1.10(b) of the Act allows FCBs and ACBs to extend financial services to PCAs, ACAs, and OFIs so they can make: (1) Aquatic loans that mature within 15 years; and (2) loans to farmers, ranchers, farm-related businesses, and non-farm rural homeowners that mature within 7 years, unless the bank's board, under the regulations of the FCA, approve loans that are repayable within 10 years.

from other lenders without the permission of their System funding banks. In contrast to the authorities vis-à-vis FCS institutions, the FCA lacks broad authority to: (1) Appoint a conservator or receiver for insolvent OFIs;[12] or (2) determine the priority of claims against OFIs in liquidation.[13]

The FCA requests comments and information that address the following questions:

I. Eligibility for OFI Status

A. Significant Involvement in Agricultural or Aquatic Lending

1. What criteria (such as assets, income, composition of the loan portfolio, or other factors) best determine whether an OFI is significantly involved in agricultural or aquatic lending as required by section 1.7(b)(4)(B)(i) of the Act and what specific threshold, if any, should new regulations use? Please explain your recommendation.

2. How should the FCA define an agricultural lender? Would the profiles of agricultural lenders established by other Federal agencies be useful? Please explain your recommendation.

B. An OFI's Need for Supplemental Sources of Funds

What criteria should be used to determine whether depository and non-depository OFIs demonstrate a continuing need for supplementary sources of funds to meet the credit requirements of their agricultural or aquatic borrowers, as required in section 1.7(b)(4)(B)(ii) of the Act? Please explain your recommendations.

C. OFI Access to National or Regional Capital Markets

1. Has the existing regulatory definition of ''national or regional capital markets'' in § 614.4540 become outmoded? If so, what factors in today's financial environment demonstrate that an OFI has limited access to ''national or regional capital markets?''

2. The Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 will enable bank holding companies and their commercial bank affiliates to expand, over time, their interstate banking and branching networks. How will this law affect the concept of limited access to ''national or regional capital markets'' in section 1.7(b)(4)(B)(iii) of the Act?

D. Mergers, Consolidations, and Acquisitions of OFIs

When an OFI merges, consolidates, or is acquired by another financial institution, the eligibility of the successor entity to borrow from an FCB or an ACB must be established anew. Under what conditions, if any, should a successor to an existing OFI be entitled to ''grandfather'' rights?

E. Parent and Affiliate Relationships

1. What factors should determine whether an OFI applicant is considered together with its parents and affiliates as a single entity?

2. Section 1.7(b)(4)(D) of the Act establishes specific criteria for FCA review of OFI application denials based on the OFI's subsidiary or affiliate relationships. Under §§ 614.4550 and 614.4555, the FCA creates a review procedure when an FCB or ACB rejects an OFI's request for financing for any reason. In the interest of eliminating unnecessary prior approvals and case-by-case reviews, the FCA requests comments on whether there is a compelling need for the regulations to continue to require an FCA review of all OFI applications that have been denied. Please explain your recommendation.

F. Eligibility of Major Financial Institutions

The statute and the legislative history indicate that agricultural lenders that do not meet the criteria of sections 1.7(b)(4)(B) (ii) and (iii) of the Act could still fund or discount certain loans with System banks. What restrictions, if any, should the regulations impose on System funding to these types of institutions?

II. Place of Discount

1. Should new regulations continue the territorial restrictions in existing § 614.4660 which require that an OFI must obtain financing from the FCB or ACB (designated System bank) in whose territory: (1) The OFI maintains its headquarters; or (2) more than 50 percent of the OFI's borrowers is concentrated? If not, what criteria should determine which Farm Credit bank should finance an OFI? Please explain your recommendation.

2. Under what circumstances, if any, should new regulations allow an FCB or ACB to extend financing to an OFI that does not operate in its chartered territory if the designated System bank does not approve the OFI's application?

3. Are there any aspects of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 that the FCA should consider as it develops new regulatory provisions that determine the place of discount for commercial banks and nonbank affiliates of bank holding companies whose networks operate in the chartered territories of more than one Farm Credit bank? Please explain your recommendation.

III. Safety and Soundness

A. Supplemental Collateral

Under what circumstances, if any, should OFIs be required by the new regulations to pledge cash and readily marketable securities or other assets as additional collateral for their loans from System banks?

B. OFI Lending Limit

Current regulations at § 614.4565 impose a lending limit on OFIs. Is this limit appropriate? If not, what alternatives do you suggest and why? How should concentration risk be addressed in a general financing agreement between an OFI and a Farm Credit bank?

C. Insolvency of an OFI

How should new regulations safeguard the interests of an FCB or ACB when an OFI is liquidated?

IV. Fair Treatment Between OFIs and Direct Lender Associations

1. Do current regulations adequately and appropriately ensure that FCBs and ACBs accord impartial and equitable treatment to both FCS associations and OFIs? If not, what changes should be made and why?

2. The regulations currently require, with certain limited exceptions, that OFIs must be treated in a manner that is comparable to direct lender associations. To the extent feasible, the FCA seeks to ensure that OFIs and FCS associations are treated equitably by their funding banks. What circumstances, if any, justify different standards concerning equity investment in the funding bank, interest rate charges, and servicing fees?

V. Other Issues

Are there other regulatory changes, not addressed above, that would improve an FCS bank's ability to serve an OFI and its agricultural customers? Please explain your recommendations.

Dated: May 13, 1996.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 96–12411 Filed 5–16–96; 8:45 am]

BILLING CODE 6705–01–P

[12] Section 4.12(b) of the Act grants the FCA ''exclusive power and jurisdiction to appoint a conservator or receiver'' for FCS banks and associations.

[13] For the past 65 years, the Federal courts have interpreted various Farm Credit Acts as authorizing the FCA to determine the priority of claims for System institutions in liquidation. *See Wheeler v. Greene*, 280 US 49 (1929); *Knox National Farm Loan Associations v. Phillips*, 300 US 194 (1937); *Little v. First South Production Credit Association*, CA No. J890021 (W) (S.D. Miss. May 16, 1990).

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900–AH51

Evidence of Dependents and Age

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations concerning the evidence required to establish marriage, dissolution of a marriage, birth of a child, and death of a family member. This amendment would implement a provision of the ''Veterans' Benefits Improvements Act of 1994,'' which authorizes the Secretary to accept the written statement of a claimant as proof of the existence of these relationships. This amendment is intended to facilitate proof of the existence of these relationships.

DATES: Comments must be received on or before July 16, 1996.

ADDRESSES: Mail written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420; or hand-deliver written comments to: Office of Regulations Management, Room 1176, 801 Eye Street, NW., Washington, DC 20001. Comments should indicate that they are in response to ''RIN 2900–AH51.'' All written comments received will be available for public inspection in the Office of Regulations Management, Room 1176, 801 Eye Street, NW., Washington, DC 20001, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: Steven Thornberry, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273–7210.

SUPPLEMENTARY INFORMATION: Section 301 of the ''Veterans' Benefits Improvements Act of 1994,'' Public Law 103–446, authorizes the Secretary of Veterans Affairs to accept the written statement of a claimant as proof of the existence of the following relationships between the claimant and another person: marriage, dissolution of a marriage, birth of a child, and death of any family member. The statute further authorizes the Secretary to require documentation in support of the claimant's statement if: (1) The claimant does not reside within a State; (2) the claimant's statement on its face raises a question of its validity; (3) there is conflicting information of record; or (4) there is reasonable indication, in the claimant's statement or otherwise, of fraud or misrepresentation.

The Secretary proposes to exercise this discretionary authority. Accordingly, we are proposing to amend 38 CFR 3.204. We are proposing to require that a claimant's written statement contain the date (month and year) and place of the event, the full name and relationship of the other person to the claimant, and, where the claimant's dependent child does not reside with the claimant, the name and address of the person who has custody of the child. It appears that we need this information, which currently must be supplied by an individual claiming additional dependency allowance, not only to make a proper determination of dependency, but also to determine whether or not the claimant's statement is valid or in conflict with other information of record. We are further proposing to require that a claimant seeking benefits on behalf of a dependent provide the social security number of the dependent in accordance with the provisions of 38 CFR 3.216.

We also propose to revise the heading of § 3.204 to reflect its contents more accurately. Finally, in §§ 3.204 and 3.213(a) we propose technical amendments to conform to the substantive changes proposed, and we propose technical changes in the ''Cross References'' following §§ 3.205 through 3.214 to conform to the heading revision of § 3.204.

Previously, we promulgated an amendment to our adjudication regulations to allow claimants to submit uncertified photocopies of documents to establish birth, death, marriage, or relationship (59 FR 46337 and 60 FR 46531). That amendment implemented a recommendation of VA's Blue Ribbon Panel on Claims Processing and was intended to reduce delays and improve efficiency in claims processing. This proposed rule would, we believe, further improve timeliness and efficiency.

Paperwork Reduction Act

The collection of information contained in this notice of proposed rulemaking has been submitted to the Office of Management and Budget for review in accordance with the Paperwork Reduction Act (44 U.S.C. 3504(h)). Comments on the collection of information should be sent to the Office of Management and Budget, Attention: Desk Officer for the Department of Veterans Affairs, Office of Information and Regulatory Affairs, Washington, DC 20503, with copies to the Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420.

The collection of information included in proposed §§ 3.204 and 3.213 in this rulemaking proceeding merely concerns the quality of information that may be submitted to VA to establish marriage, dissolution of marriage, birth, death, or marriage of a child. The provisions of 38 U.S.C. 5124 contain specific authority to allow such information collection. The basic requirements for collection of information concerning marriage, dissolution of a marriage, birth, death, or marriage of a child for this rulemaking are set forth at §§ 3.205 through 3.211, 3.215, 3.216.

Title: Written statements concerning existence of dependents.

Summary of collection of information: See discussion above.

Description of the need for information and proposed use of information: See discussion above.

Description of likely respondents: claimants of VA benefits.

Estimated total annual reporting burden: 0 hours.

The estimated annual burden per respondent: 0 hours.

Estimated number of respondents: 541.054.

Estimated annual frequency of responses: 1.

The proposed rule will not increase the information collection burden on the public. This information is already collected on VA Forms 21–526, Veteran's Application for Compensation or Pension, 21–534, Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child and 21–686c, Declaration of Status of Dependents.

Regulatory Flexibility Act

The Secretary hereby certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This proposed rule would not directly affect small entities. Only VA beneficiaries would be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), this proposed rule is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Since this is a significant amendment, we have prepared a Costs and Benefits analysis in accord with Executive Order 12866 of September 30, 1993, and the

Office of Management and Budget has reviewed this analysis.

The Catalog of Federal Domestic Assistance program numbers are 64.104, 64.105, 64.109, and 64.110.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Health care, Individuals with disabilities, Pensions, Veterans.

Approved: October 12, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

Editorial Note: This document was received at the Office of the Federal Register on May 13, 1996.

For the reasons set forth in the preamble, VA proposes to amend 38 CFR part 3 as follows:

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

2. In § 3.204, the section heading is revised, current paragraphs (a) and (b) are redesignated as paragraphs (b) and (c), respectively, and a new paragraph (a) is added to read as follows:

§ 3.204 Evidence of dependents and age.

(a)(1) Except as provided in paragraph (a)(2) of this section, VA will accept, for the purpose of determining entitlement to benefits under laws administered by VA, the written statement of a claimant as proof of marriage, dissolution of a marriage, birth of a child, or death of a dependent, provided that the statement contains: the date (month and year) and place of the event; the full name and relationship of the other person to the claimant; and, where the claimant's dependent child does not reside with the claimant, the name and address of the person who has custody of the child. In addition, a claimant must provide the social security number of any dependent on whose behalf he or she is seeking benefits (see § 3.216).

(2) VA shall require the types of evidence indicated in §§ 3.205 through 3.211 where: the claimant does not reside within a state; the claimant's statement on its face raises a question of its validity; the claimant's statement conflicts with other evidence of record; or, there is a reasonable indication, in the claimant's statement or otherwise, of fraud or misrepresentation of the relationship in question.

(Authority: 38 U.S.C. 5124)

* * * * *

§ 3.204 [Amended]

3. In § 3.204, redesignated paragraph (b) is amended by removing the first sentence and adding in its place ''The classes of evidence to be furnished for the purpose of establishing marriage, dissolution of marriage, age, relationship, or death, if required under the provisions of paragraph (a)(2), are indicated in §§ 3.205 through 3.211 in the order of preference.''

§ 3.213 [Amended]

4. In § 3.213, paragraph (a) is amended by removing the first sentence and adding in its place ''For the purpose of establishing entitlement to a higher rate of pension, compensation, or dependency and indemnity compensation based on the existence of a dependent, VA will require evidence which satisfies the requirements of § 3.204.''

5. In the ''Cross References'' following §§ 3.205, 3.206, 3.207, 3.208, 3.209, 3.210, 3.211, 3.212, 3.213, and 3.214, remove the words ''Evidence other than evidence of service'' wherever they appear and add in their place the words ''Evidence of dependents and age.''

[FR Doc. 96–12365 Filed 5–16–96; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180 and 186

[PP 1E4020 and FAP 2H5619/P655; FRL–5364–2]

RIN 2070–AC18

Tau-fluvalinate; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish tolerances for residues of the insecticide tau-fluvalinate in or on the raw agriculture commodities (RAC) apples, oriental pears, and kiwi, to increase the tolerance for the insecticide tau-fluvalinate in or on the RAC fat of cattle and to change the chemical nomenclature in the tolerance. The proposed regulations to establish the maximum permissible levels for residues of the pesticide were requested pursuant to a petition submitted by Sandoz Agro, Inc.

DATES: Comments, identified by the docket control number [PP 1E4020/P655], must be received on or before June 17, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132 CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Comments and data may also be submitted to OPP by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [PP 1E4020/P655]. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ''Confidential Business Information.'' CBI should not be submitted through e-mail. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: George T. LaRocca, Product Manager (PM) 13, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 202, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 305-6100, e-mail: larocca.george.gov.epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the Federal Registers of December 13, 1991 (56 FR 65080) and June 10, 1992 (57 FR 24644), EPA issued rules that gave notice that Sandoz Agro., Inc. (formerly Sandoz Crop Protection Corp), 1300 East Touhy Ave., Des Plaines, Illinois 60018-

3300, had submitted food/feed additive petition (FAP) 2H5619 proposing to amend 40 CFR parts 185 and 186 by establishing food/feed additive regulations under section 409 of the Federal, Food, Drug and Cosmetic Act (21 U.S.C. 348) for the insecticide tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl N-(2-chloro-α,α,α-trifluoro-p-tolyl)-D-valinate (formerly known as (-α-RS,2R)-fluvalinate {RS)-α-cyano-3-phenoxybenzyl (R)-2{2-chloro-4-(triflurormethyl)anilino}-3-methylbutanoate}) in or on apple pomace, dry and wet, from imported apples at 2.0 parts per million (ppm) and hops, dry from imported hops at 15.0 ppm. At the same time Sandoz Agro., Inc. also submitted a pesticide petition (PP) 1E4020 proposing to establish tolerances under 408(e) for the insecticide tau-fluvalinate in or on the RACs apples imported from France, Chile and New Zealand at 0.4 ppm; Nashi imported from New Zealand at 0.4 ppm, and Kiwi imported from New Zealand at 0.5 ppm.

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

On April 22, 1994, Sandoz Agro., Inc. requested voluntary withdrawal of their petition to establish tolerances in hops without prejudice to future filing. In the same letter and at the request of EPA they proposed to increase tolerances for the RACs fat of cattle to 0.1 ppm (previously established at 0.01 ppm), increase the proposed tolerance for apples to 0.5 ppm, and revise the commodity name ''nashi'' to ''oriental pears'' since it is the term used in the Codex Classification of Food and Animal Feeds published in the Code of Federal Regulations. The need for the increased cattle fat tolerance arises from the feeding of wet apple pomace to cattle raised outside the U.S. and then importing the cattle fat into the U.S.

With respect to the feed additive proposal for apple pomaces (wet/dry) the Agency no longer considers dry apple pomace a feed item, therefore tolerances are not required for this commodity (based on EPA's latest revision (unpublished) to Table II of the Pesticide Assessment Guidelines, Subdivision O (Residue Chemistry) titled ''Raw Agricultural and Processed Commodities and Livestock Feeds Derived from Field Crops''). With respect to wet apple pomace, the Agency has concluded that the proposed cattle fat tolerance of 0.10 ppm and currently established tolerances in the meat, meat by-products and milk of cattle at 0.01 ppm are adequate to cover the residues expected from the proposed tolerance on apples. Since economics and perishability dictate that wet apple pomace will not likely be imported into the U.S. (either from apples processed overseas or treated apples imported and processed in the U.S.) the establishment of a tolerance for the animal feed item wet apple pomace will not be necessary. On July 25, 1995, Sandoz Agro., Inc. withdrew FAP 2H5619 and their request for a feed additive tolerance on wet apple pomace. Further, they amended the tolerance on oriental pears by increasing it to 0.5 ppm to be consistent with the tolerance level on apples.

Sandoz Agro., Inc. submitted a letter dated October 19, 1994, requesting a name change of fluvalinate to ''tau-fluvalinate'' and a change in chemical nomenclature from (-α-RS,2R)-fluvalinate {RS)-α-cyano-3-phenoxybenzyl (R)-2{2-chloro-4-(triflurormethyl)anilino}-3-methyl-butanoate}) to tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl *N*-(2-chloro-α,α,α-trifluoro-p-tolyl)-*D*-valinate for all products registered in the United States (U.S.). This name has appeared on pesticide registrations in Europe since 1989 and reflects the half resolved form of fluvalinate. It is an approved American National Standards Institute (ANSI), British Standards Institute (BSI), and International Organization for Standardization (ISO) name. EPA concludes that the name of tau-fluvalinate is a useful means of distinguishing the half resolved fluvalinate from the completely racemic mixture, and therefore proposes to revise the current chemical name under 40 CFR 180.427 and 186.3400 to read as follows: tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl *N*-(2-chloro-α,α,α-trifluoro-p-tolyl)-*D*-valinate.

The data submitted in support of this tolerance and other relevant material have been reviewed. The toxicological and metabolism data considered in support of this tolerance are discussed in detail in a related document published in the Federal Register of August 3, 1989 (54 FR 31972).

A chronic dietary exposure analysis was performed for tau-fluvalinate using a reference dose (RfD) of 0.01 mg/kg-bwt/day based on a no-observable effect level (NOEL) of 1.0 mg/kg- bwt/day from a 2–year rat feeding study with an uncertainty factor of 100. The end point effect of concern was decreased body weight gain in both sexes. The Theoretical Maximum Residue Contribution (TMRC) from established tolerances utilizes 1.6% of the RfD for the U.S. population and 7.0% of the RfD for the subpopulation most highly exposed, non-nursing infants (<1 yr). Establishing the new tolerances would utilize 4.9% of the RfD for the U.S. population and 48.3% for non-nursing infants (<1 yr). If the new tolerances are approved, the total percentages of the RfD utilized for the U.S. population and non-nursing infants (< 1yr) are 6.5% and 55.4%, respectively. Generally speaking, EPA has no cause for concern if total residue contribution for published tolerances is less than the RfD. EPA concludes that the chronic dietary risk of tau-fluvalinate, as estimated by the dietary risk assessment, does not appear to be of concern.

The metabolism of the chemical in animals for this use is adequately understood. An adequate analytical method, gas-liquid chromatography, is available for enforcement purposes. The enforcement methodology has been submitted to the Food and Drug Administration for publication in the *Pesticide Analytical Manual Vol. II* (PAM II). Because of the long lead time for publication of the method in PAM II, the analytical methodology is being made available in the interim to anyone interested in pesticide enforcement when requested from: Calvin Furlow, Public Response and Program Resources Branch, Field Operations Divisions (7506C), Office of Pesticide Programs, Environmental Protection Agency 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703) 305-5232.

There are presently no U.S. registrations for use of the insecticide tau-fluvalinate on apples, oriental pears, and kiwis.

Based on the above information, the Agency concludes that the tolerances established by amending 40 CFR part 180 would protect the public health. Therefore, it is proposed that the tolerances be established as set forth below.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [PP 1E4020/P655]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

A record has been established for this rulemaking under docket number [PP 1E4020/P655] (including comments and data submitted electronically as described below. A public version of this record, including printed, paper version of electronic comments, which

does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule: (1) Having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review. In addition, this action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), entitled *Enhancing the Intergovernmental Partnership*'' or special consideration as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Parts 180 and 186

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 2, 1996.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.

b. Section 180.427 is amended by revising the section heading, the introductory text of paragraph (a), revising the entry for cattle fat and by adding and alphabetically inserting the commodities apples, kiwi, and oriental pears in the table therein paragraph (a), and revising the introductory text of paragraph (b) to read as follows:

§ 180.427 Tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl N-(2-chloro-α,α,α-trifluoro-p-tolyl)-D-valinate; Tolerances for residues.

(a) Tolerances are established for residues of the insecticide tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl *N*-(2-chloro-α,α,α-trifluoro-p-tolyl)-*D*-valinate in or on the following commodities:

Commodity	Parts per million
Apples	0.5
Cattle, fat	0.1
* * *	* *
Kiwi	0.1
* * *	* *
Oriental pears	0.5
* * *	* *

* * * * *

(b) Tolerances with regional registration, as defined in § 180.1(n) are established for residues of the insecticide tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl *N*-(2-chloro-α,α,α-trifluoro-p-tolyl)-*D*-valinate in or on the following commodities:

* * * * *

PART 186—[AMENDED]

2. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 348.

b. Section 186.3400 is amended by revising the section heading and introductory paragraph to read as follows:

§ 186.3400 Tau-fluvalinate {(RS)-α-cyano-3-phenoxybenzyl N-(2-chloro-α,α,α-trifluoro-p-tolyl)-D-valinate.

A regulation is established to permit residues of the insecticide taufluvalinate {(RS)-α-cyano-3-phenoxybenzyl *N*-(2-chloro-α,α,α-trifluoro-p-tolyl)-*D*-valinate in or on the following commodities:

* * * * *

[FR Doc. 96–12350 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–F

Notices

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

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

Commodity Credit Corporation

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice of request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Commodity Credit Corporation's (CCC) intention to request an extension for and revision to a currently approved information collection in support of the CCC/Export Credit Guarantee Program (GSM–102) and the CCC/Intermediate Export Credit Guarantee Program (GSM–103) based on re-estimates.

DATES: Comments on this notice must be received by July 16, 1996 to be assured of consideration.

ADDITIONAL INFORMATION OR COMMENTS: Contact L.T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035, telephone (202) 720–6211.

SUPPLEMENTARY INFORMATION: .

Title: CCC/Export Credit Guarantee Program (GSM–102) and CCC/Intermediate Export Credit Guarantee Program (GSM–103).

OMB Number: 0551–0004

Expiration Date of Approval: October 31, 1996.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: The primary objective of the GSM–102 and GSM–103 programs is to expand U.S. agricultural exports by making available export credit guarantees to encourage U.S. private sector financing of foreign purchases of U.S. agricultural commodities on credit terms. The CCC currently has programs operating in more than 25 countries and 6 country regions with more than 950 exporters currently eligible to participate. Under 7 CFR Part 1493, exporters are required to submit the following: (1) information required for program participation as outlined in section 1493.30, (2) export sales information in connection with applying for a payment guarantee under section 1493.40, (3) evidence of export in section 1493.80, (4) notice of default and claims for loss under section 1493.110, and (5) miscellaneous provisions, including assignment of the proceeds and review of the regulations found in section 1493.140. In addition, each exporter and exporter's assignee (U.S. financial institution) must maintain records on all information submitted to CCC and in connection with sales made under the GSM–102 and GSM–103 program as outlined in section 1493.140. The information collected is used by CCC to manage, plan, evaluate and account for Government resources. The reports and records are required to ensure the proper and judicious use of public funds.

Estimate of Burden: The public reporting burden for these collections is estimated to average 3.97 hours per response.

Respondents: U.S. Exporters of U.S. agricultural commodities, U.S. banks or other financial institutions, producer associations, U.S. export trade associations, and U.S. Government agencies.

Estimated Number of Respondents: 227 per annum.

Estimated Number of Responses per Respondent: 117 per annum.

Estimated Total Annual Burden of Respondents: 6,473.67 hours.

Copies of this information collection can be obtained from Valerie Countiss, the Agency Information Collection Coordinator, at (202) 720–6713.

Requests for comments: Send comments regarding (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to L.T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed at Washington, DC, May 9, 1996.

Timothy J. Galvin,

Acting Administrator, Foreign Agricultural Service and Acting Vice President, Commodity Credit Corporation.

[FR Doc. 96–12461 Filed 5–16–96; 8:45 am]

BILLING CODE 3410–05–M

Feed Grain Donations; Three Affiliated Tribes of the Fort Berthold Indian Reservation of North Dakota

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice.

SUMMARY: The Executive Vice President, Commodity Credit Corporation (CCC) is announcing that the Three Affiliated Tribes of the Fort Berthold Indian Reservation of North Dakota is an acute distress area and that CCC-owned feed grain will be donated to needy livestock owners on the reservation.

FOR FURTHER INFORMATION CONTACT: Sharon Diel, Agricultural Program Specialist, Farm Service Agency, AG Box Code 0527, P.O. Box 2415, Washington, DC 20013–2415, 202–720–6605.

SUPPLEMENTARY INFORMATION: Pursuant to the authority set forth in section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427), and Executive Order 11336, notice is being given that it is determined that:

1. The chronic economic distress of the needy members of the Three Affiliated Tribes using the Fort Berthold Indian Reservation of North Dakota has been materially increased and become

acute because of hail storms, wind, and excess rain thereby severely affecting livestock feed production and causing increased economic distress. This reservation is utilized by members of the Three Affiliated Tribes for grazing purposes.

2. The use of feed grain or products thereof made available by CCC for livestock feed for such needy members of the Three Affiliated Tribes using the Fort Berthold Indian Reservation will not displace or interfere with normal marketing of agricultural commodities.

3. Based on the above determinations, the Fort Berthold Indian Reservation of North Dakota is declared an acute distress area and the donation of feed grain owned by the CCC is authorized to livestock owners who are determined by the Bureau of Indian Affairs, United States Department of the Interior, to be needy members of the Three Affiliated Tribes utilizing such lands. These donations by the CCC may commence upon May 8, 1996, and shall be made available through June 15, 1996, or such other date as may be stated in a notice issued by the Executive Vice President, CCC.

Signed at Washington, DC, on May 9, 1996.

Grant Buntrock,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 96–12380 Filed 5–16–96; 8:45 am]

BILLING CODE 3410–05–P

Forest Service

Extension of Currently Approved Information Collection for Customer and Use Survey Techniques for Operations, Management, Evaluation, and Research

AGENCY: Forest Service, USDA.

ACTION: Notice of intent; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service announces its intent to request an extension of a currently approved information collection related to visitor use of recreational sites on National Forest System lands.

DATES: Comments must be received in writing on or before July 16, 1996.

ADDRESSES: All comments should be addressed to: H. Ken Cordell, Principal Investigator, Forest Service, USDA, Southern Research Station, 320 Green St., Athens, GA 30602.

FOR FURTHER INFORMATION CONTACT: H. Ken Cordell, Outdoor Recreation and Wilderness Assessment, at (706) 546–2451.

SUPPLEMENTARY INFORMATION:

Description of Information Collection

The following describes the information collection to be extended:

Title: Customer and Use Survey Techniques for Operations, Management, Evaluation, and Research.

OMB Number: 0596–0110.

Expiration Date of Approval: June 30, 1996.

Type of Request: Extension of a previously approved information collection.

Abstract: The data collected is evaluated to ensure that the agency meets its Continuous Improvement Program and public service goals and management objectives. National Forest System land visitors are asked to respond to questions that include whether National Forest System land recreational sites are accessible to persons with disabilities, whether access roads are well maintained and adequate parking is available, if grounds and rest rooms are clean and drinking water is safe, and whether agency personnel are available to answer questions and offer assistance. Also, information is collected that reflects the economic impact National Forest System land recreational sites have on local and regional communities. There are seven general categories of information requests: a CUSTOMER on-site survey, four site-specific postage paid mail-in surveys, one expense related postage paid mail-in survey, and a CUSTOMER Report Card. Data gathered in this information collection is not available from other sources.

Customer On-Site Survey

Abstract: The CUSTOMER On-Site Survey is a verbal survey administered by Forest Service personnel or Forest Service volunteers to visitors of recreational sites on National Forest System lands. Answers are filled in by the survey administrator. Data collected in the CUSTOMER On-Site survey include the location of the interview (e.g., roadside, picnic area, boat ramp, etc.), distance traveled to the site, duration of stay at the site, purpose of the visit, number of people included in the group, helpfulness of agency employees, availability of information about the area, and the opportunity to see and hear wildlife.

Estimate of Burden: 15 minutes per response.

Type of Respondents: Visitors utilizing National Forest System lands recreational sites.

Estimated Number of Respondents: 10,000.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 2,500 hours.

Customer Postage Paid Mail-In Surveys

Abstract: After the CUSTOMER On-Site Survey has been administered by Forest Service personnel or volunteers, visitors using recreational sites on National Forest System lands are asked to fill out a postage paid mail-in survey. Visitors are given only 1 of 4 different site-specific mail-in surveys used in conjunction with the CUSTOMER On-Site Survey. Each survey focuses on a different aspect of the recreational site. For example, one survey includes questions about convenience of cooking grills, picnic tables, cleanliness of facilities, and adequacy of camp sites. Another survey includes questions about the helpfulness of agency employees, availability of maps for the area, and whether areas are clearly marked. A third survey includes questions about walking trails, condition of access roads and availability of parking, information about historic sites, or absence of human modifications to the visible landscape. The fourth site-specific survey asks questions relating to availability and condition of boat ramps and beaches, fishing, swimming or water-skiing opportunities, and whether the recreational sites are crowded.

Estimate of Burden: 15 minutes per response.

Type of Respondents: Visitors utilizing National Forest System lands recreational sites.

Estimated Number of Respondents: 10,000.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 2,500 hours.

Customer Postage Paid Mail-In Expense Survey

Abstract: Visitors at recreational sites on National Forest System lands are also given a postage paid mail-in survey related to their recreational expenses. They are asked to estimate the dollars they spent on recreational equipment and activities and whether the dollars were spent at or near the recreational site. The visitors are asked to return the survey by mail after completing it.

Estimate of Burden: 15 minutes per response.

Type of Respondents: Visitors utilizing National Forest System lands recreational sites.

Estimated Number of Respondents: 10,000.

Estimated number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 2,500 hours.

Customer Report Card

Abstract: The CUSTOMER Report Card is an on-site survey made available to visitors at the recreational site. The purpose of the CUSTOMER Report Card is to gather data about the experiences visitors have on National Forest System land recreational sites, such as how satisfying the visit was and whether the recreational site met the visitor's needs. When completed, the surveys are placed in a box located at the recreational site for this purpose.

Estimate of Burden: 5 minutes per response.

Type of Respondents: 10,000.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 834 hours.

The agency invites comments on the following: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Use of Comments

All comments received in response to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: May 13, 1996.

Jack Ward Thomas,

Chief.

[FR Doc. 96–12452 Filed 5–16–96; 8:45 am]

BILLING CODE 3410–11–M

Grain Inspection, Packers and Stockyards Administration

Livestock Care and Handling Guidelines; Comment Request

ACTION: Notice.

SUMMARY: The Agency is proposing to issue livestock care and handling guidelines to assist the industry in complying with the provisions of the Packers and Stockyards Act.

DATES: Comments are invited and should be submitted by July 16, 1996.

ADDRESSES: Comments may be mailed to the Deputy Administrator, Packers and Stockyards Programs, Room 3039, South Building, U.S. Department of Agriculture, Washington, D.C. 20250–2800. Comments received may be inspected during normal business hours in the Office of the Deputy Administrator, Packers and Stockyards Programs.

FOR FURTHER INFORMATION CONTACT: Dan Van Ackeren, Director, Livestock Marketing Division, (202) 720–6951.

SUPPLEMENTARY INFORMATION: Because of public concerns, the Agency initiated a program to review the services, facilities, and procedures for receiving and handling livestock at all stockyards. Since May 1991, the Agency has investigated over 1,400 stockyards to determine whether the livestock handling practices, services, and facilities at these stockyards were adequate to assure livestock are handled and cared for properly. While most stockyards have adequate facilities and exercise good animal care and handling practices, problems were found to exist at some stockyards. Some of the problems encountered at stockyards included: inadequate facilities; handling livestock in a manner that could cause bruising, injury, or unnecessary suffering, including excessive use of electric prods or other driving devices; overcrowding in pens; and not handling nonambulatory or injured livestock promptly. In addition, the Agency has received over 8,000 letters from animal welfare groups or from individuals not identified as producers or as members of any organization concerning the care and handling of ''downed'' animals at stockyards.

While the Agency already has a regulation (9 CFR 201.82) issued under the provisions of the Packers and Stockyards (P&S) Act that requires stockyard owners to exercise reasonable care and promptness in providing stockyard services to prevent shrinkage, injury, death, or other avoidable loss, that regulation does not adequately address the specific problems found in the Agency's review of the livestock handling practices, services, and facilities of stockyards. The Agency believes issuing specific livestock care and handling guidelines to the stockyard industry would be helpful in dealing with this issue.

After considering the results of over 1,400 stockyard reviews, and the letters from concerned citizens, the Agency is proposing to publish guidelines for the care and handling of livestock at stockyards to assist the industry in complying with the provisions of the Packers and Stockyards Act. The guidelines would advise stockyard owners that they should maintain their facilities in a manner that avoids risk of injury, bruising, unnecessary suffering and stress. The stockyards would be advised to move, pen, and care for livestock in a manner that protects the quality and value of the animal while also providing for the animal's welfare. The guidelines would also advise stockyard owners of the minimum standards the Agency considers necessary for handling nonambulatory animals.

Section 301(b) of the Packers and Stockyards Act (7 U.S.C. 201(b)) defines ''stockyard services'' as any ''services or facilities furnished at a stockyard in connection with the receiving, buying or selling on a commission basis or otherwise, marketing, feeding, watering, holding, delivery, shipment, weighing, or handling, in commerce, of livestock.'' Section 304 (7 U.S.C. 205) provides that: ''All stockyard services furnished pursuant to reasonable request made to a stockyard owner or market agency at such stockyard shall be reasonable and nondiscriminatory and stockyard services, which are furnished, shall not be refused on any basis that is unreasonable or unjustly discriminatory * * *.''

Section 307(a) (7 U.S.C. 208(a)) provides that: ''It shall be the duty of every stockyard owner and market agency to establish, observe, and enforce just, reasonable, and nondiscriminatory regulations and practices in respect to the furnishing of stockyard services * * *.'' Section 312(a) (7 U.S.C. 213(a)) provides that: ''It shall be unlawful for any stockyard owner, market agency, or dealer to engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in connection with determining whether persons should be authorized to operate at the stockyards, or with the receiving, marketing, buying, or selling on a commission basis or otherwise, feeding, watering, holding, delivery, shipment, weighing, or handling of livestock.''

The Guidelines

Livestock in marketing channels should be handled and cared for in a manner that is consistent with the animals' well-being and that protects their quality and value. The Agency does not condone handling livestock in any manner that is inconsistent with good animal husbandry practices and

believes that the failure to provide proper care and handling increases the risk of unnecessary loss to the seller and unnecessary suffering for the animal. It is the Agency's view that stockyards should provide appropriate facilities and follow animal care and handling practices and procedures that minimize the risk of injury, death, or other avoidable loss and avoid unnecessary suffering. Failure to provide appropriate services as detailed in these guidelines could result in the Agency's initiating an enforcement action brought pursuant to Sections 304, 307, and 312 of the Packers and Stockyards Act.

1. Care and Handling of Livestock

(a) Livestock at stockyards should be handled in a manner that protects the quality and value of the animal while also providing for the animal's welfare. Stockyard owners should establish and enforce practices and procedures that ensure the proper treatment of animals. Adequate instruction should be given to employees and proper notice given to truckers, market patrons, and other livestock handlers on the livestock care and handling practices to be followed at the facility. Abuse or mistreatment of animals should not be tolerated.

(b) Livestock facilities, including loading and unloading ramps, gates, fences, scales, and equipment used to provide stockyard services should be reasonably clean and well-maintained. Any object in the facility or on equipment used around livestock that is likely to cause bruising or injury to livestock, such as protruding nails, sharp edges, extended bolts, gate hooks, latches and hinges, should be eliminated or modified. All floors should be constructed or maintained in such a manner that livestock can walk without slipping to prevent injuries caused by falling down.

(c) Livestock of all species should be unloaded, yarded, moved through the facility, and reloaded in a manner to avoid bruising, injury, and unnecessary stress or suffering. When livestock are driven, sorted, or otherwise moved about a facility, such movement should be reasonably paced in a manner consistent with the type, temperament, and condition of the livestock being handled and stockyard conditions.

(d) Livestock driving devices, such as electric prods, canes, whips, paddles or canvas straps, should be used prudently and only to the extent necessary to handle or move livestock. Generally, paddles and canvas straps are equally effective and less likely than other types of driving devices to cause bruising or unnecessary excitement and stress. Electric prods should be of a commercial type designed for use in moving livestock. All electric prodding devices should be used sparingly in order to avoid unnecessary stress and risk of injury to animals. Electric prods should never be applied to the rectum, vagina, eyes, ears or mouth areas.

(e) Stockyards should provide adequate pen space for the number and type of animals handled. Uncastrated mature males should be penned individually if necessary to prevent fighting. Bulls should be penned separately from cows and heifers to prevent mounting which can cripple small or weak animals.

(f) The Agency recognizes that transportation factors, types of livestock and animal nutrition requirements may make periods of withdrawal from feed and water desirable. These periods do not pose a threat to the quality and value of the animals if the animals are moved promptly to their destination. However, livestock held overnight at a stockyard, either before or after sale, should have access to feed and water within 24 hours of receipt at the stockyard.

2. Care and Handling of Nonambulatory Livestock.

(a) Nonambulatory animals, also referred to as ''downed animals,'' are defined as those animals that are unable to stand or walk without assistance. The Agency believes prompt action is the key to preventing unnecessary suffering and protecting the economic value of nonambulatory animals, whether the action is providing veterinary care, transporting it to slaughter, euthanizing the animal, or taking some other effective action.

(b) Stockyards should provide adequate facilities and equipment necessary to handle any livestock they accept on consignment. If a stockyard chooses to accept nonambulatory livestock or if an animal becomes nonambulatory while at the stockyard, the stockyard should provide the necessary equipment to handle the livestock humanely, efficiently, and promptly to avoid unnecessary suffering and preserve the quality and value of the animal.

(c) Stockyard owners should establish pre-planned procedures that provide for assessing the condition of a nonambulatory animal and the options available for its care so prompt decisions can be made on its disposition and removal from the facility.

(d) Nonambulatory animals require special equipment for their handling and movement within the stockyard facility to avoid the risk of further injury and unnecessary suffering. Such equipment may include a front-end loader, sled, belt or mat slide, specialized hoists or slings, or a combination of these devices. Special care should be taken when moving or loading nonambulatory animals onto a suitable conveyance. Nonambulatory animals should be gently rolled onto the conveyance, and an animal should not be shoved against a wall or fence to get it into a loader bucket.

(e) Stockyards that cannot provide proper care in handling nonambulatory livestock or do not have the required special equipment should adopt a policy of refusing to accept such livestock. Further, if an animal becomes nonambulatory while at such facility, the stockyard should promptly euthanize the animal before moving it or secure the prompt services of a veterinarian or other third party with the necessary equipment to provide proper care and handling for the animal.

(f) Dragging of a nonambulatory animal by its limbs is undesirable and should be avoided. In situations where an animal must be moved to accommodate a suitable conveyance, then padded belts should be attached to two noninjured limbs and the rope, cable, or chain attached to the belts. Animals should never be pulled by the neck. If these techniques for movement of the animal are not practical, then the animal should be promptly euthanized.

(g) Separate pens should be provided for weak, injured, and nonambulatory livestock. Such pens should be located for ease of access by specialized equipment. Feed and water should also be provided for the nonambulatory livestock.

(h) When an animal becomes nonambulatory, its condition should be promptly assessed, a decision made as to the proper care or disposition of the animal, and appropriate actions should be taken to protect its quality and value and to avoid unnecessary suffering. When it is determined that an animal should be euthanized, then the action should be taken promptly and humanely without awaiting the arrival of a rendering service.

(Authority: 7 U.S.C. 228(a); 7 CFR 2.22, 2.81)

Done at Washington, D.C. this 13th day of May 1996.

James R. Baker,

Administrator Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 96–12376 Filed 5–16–96; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050996F]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene a public meeting.

DATES: This meeting will be held on June 12, 1996, from 8:00 a.m. to 5:00 p.m.

ADDRESSES: This meeting will be held at the Radisson Bay Harbor Inn, 7700 Courtney Campbell Causeway, Tampa, FL; telephone: 813–281–8900.

Council address: Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 331, Tampa, FL 33609.

FOR FURTHER INFORMATION CONTACT: Richard Leard, Senior Fishery Biologist, Gulf of Mexico Fishery Management Council; telephone: 813–228–2815.

SUPPLEMENTARY INFORMATION: The purpose of the meeting will be to review Draft Amendment 9 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, U.S. Waters with Supplemental Environmental Impact Statement (EIS), Regulatory Impact Review (RIR), Initial Regulatory Flexibility Analysis, and Social Impact Assessment (SIA). The amendment is intended to address the Council's commitment to reduce the bycatch mortality of red snapper, particularly juveniles, from shrimp trawls. The amendment includes a review of previous actions and their effects on bycatch as well as various alternatives.

The Shrimp Scientific and Statistical Committee (SSC) will review the draft amendment with various management alternatives for gear including: (1) Status Quo - no change to existing gear regulations; and (2) Requiring Bycatch Reduction Devices (BRDs) in all areas of the exclusive economic zone. They will also look at area specific usage of BRDs including requiring BRDs: (1) inside the 100 fathom contour; (2) inside the 100 fathom contour and west of Cape San Blas, Florida; and (3) between the 10 and 100 fathom contours. Other alternatives that will be discussed include: Area closures, seasonal closures, BRD testing criteria, and a protocol for BRD certification. The Shrimp SSC will also consider a Regulatory Impact Review, which mainly reviews the economic ramifications of the proposed amendment; a Social Impact Assessment; and any environmental consequences. Also considered will be the effects of other Federal laws and regulations.

The Shrimp SSC is comprised of scientists that have specialized in working with the shrimp fishery of the Gulf and have been appointed to advise the Council on shrimp management.

Special Acommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by June 5, 1996.

Dated: May 10, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Service.

[FR Doc. 96–12449 Filed 5–16–96; 8:45 am]

BILLING CODE 3510–22–F

[I.D. 050996E]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene a public meeting.

DATES: The meeting will be held on June 6, 1996, beginning at 8:00 a.m. and will conclude at 5:00 p.m.

ADDRESSES: This meeting will be held at the Tampa Airport Hilton at Metro Center, 2225 North Lois Avenue, Tampa, FL; 813–877–6688.

Council address: Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 331, Tampa, FL 33609.

FOR FURTHER INFORMATION CONTACT: Antonio B. Lamberte, Economist, Gulf of Mexico Fishery Management Council; telephone: 813–228–2815.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to review Draft Amendment 9 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, U.S. Waters with Supplemental Environmental Impact Statement, Regulatory Impact Review (RIR), Initial Regulatory Flexibility Analysis, and Social Impact Assessment (SIA). The amendment is intended to address the Council's commitment to reduce the bycatch mortality of red snapper, particularly juveniles, from shrimp trawls. The amendment includes a review of previous actions and their effects on bycatch as well as various alternatives.

The Socioeconomic Panel (SEP) will review the draft amendment with various management alternatives for gear including: (1) Status Quo - no change to existing gear regulations; and (2) Requiring Bycatch Reduction Devices (BRD) in all areas of the exclusive economic zone. They will also look at area specific usage of BRDs including requiring BRDs: (1) inside the 100 fathom contour; (2) inside the 100 fathom contour and west of Cape San Blas, Florida; and (3) between the 10 and 100 fathom contours. Other alternatives that will be discussed include: area closures, seasonal closures, BRD testing criteria, and a protocol for BRD certification. The SEP will focus their review on the economic and social impacts of these various alternatives, as these impacts are discussed in the RIR and the SIA.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by May 30, 1996.

Dated: May 10, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–12451 Filed 5–16–96; 8:45 am]

BILLING CODE 3510–22–F

[I.D. 050996G]

Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Council) will hold a public meeting.

DATES: The meeting will be held on May 31, 1996, beginning at 10 a.m.

ADDRESSES: The meeting will be held at the Council office.

Council address: Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: Lawrence D. Six, Executive Director, Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR; telephone: (503) 326–6352.

SUPPLEMENTARY INFORMATION: A Council appointed ad hoc committee will discuss how to implement a system which allows landing of groundfish in excess of limits and the use of the proceeds to fund fishery programs.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Eric W. Greene at (503) 326–6352 at least 5 days prior to the meeting date.

Dated: May 10, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–12450 Filed 5–16–96; 8:45 am]

BILLING CODE 3510–22–F

[I.D. 042996A]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of modification to permit no. 898 (P772#65).

SUMMARY: Notice is hereby given that on May 6, 1996 Permit No. 898, issued to the National Marine Fisheries Service, Southwest Fisheries Science Center, La Jolla, CA 92038, was modified.

ADDRESSES: The modification and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Suite 13130 Silver Spring, MD 20910 (301/713–2289);

Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802–4213 (310/980–4001); and

Coordinator, Pacific Area Office, Southwest Region, National Marine Fisheries Service, 2570 Dole Street, Room 106, Honolulu, HI 96822–2396 (808/973–2987).

SUPPLEMENTARY INFORMATION: The subject modification has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of § 216.33(d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the provisions of § 222.25 of the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222).

The permittee is authorized to capture, restrain, sedate, and instrument up to 25 adult male Hawaiian monk seals. Nine of these animals may be instrumented with portable camcorders. The permit has been modified to authorize the instrumentation of up to three (adult males only) of these 12 seals with Global Positioning System units in lieu of camcorders. This modification involves no increase in the originally authorized take.

Dated: May 13, 1996.

Ann D. Terbush,

Chief, Permits & Documentation Division, Office of Protected Resources.

[FR Doc. 96–12444 Filed 5–16–96; 8:45 am]

BILLING CODE 3510–22–F

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Notice of Public Hearing

AGENCY: Corporation for National and Community Service.

SUMMARY: The Corporation for National Service announces the convening of a public hearing to be held on Thursday, May 23, 1996 from 2:00 p.m.–5:00 p.m. in Indianapolis, Indiana. Members of the public are invited to participate.

The hearing will address three questions: (1) How best can national service improve communities? (2) What role can service play in making participants better citizens? (3) What is the appropriate role of the federal government in supporting service?

DATES: The public hearing will be held on Thursday, May 23, 1996, from 2:00 p.m.–5:00 p.m.

ADDRESSES: The public hearing will be held at University Place Conference Center and Hotel, 850 West Michigan Street, Indianapolis, Ind. 46202, on the campus of Indiana University/Purdue University Indianapolis.

FOR FURTHER INFORMATION CONTACT: For further information, contact Rhonda Taylor, Associate Director of Special Projects and Initiatives, Corporation for National Service at (202) 606–5000, ext. 282. TTD Number: (202) 565–2799. This notice may be requested in an alternative format for the visually impaired.

SUPPLEMENTARY INFORMATION: The Corporation for National Service is a federal government corporation that engages Americans of all ages and backgrounds in community-based service. This service addresses the nation's educational, public safety, human, and environmental needs to achieve direct and demonstrable results. In doing so, the Corporation fosters civic responsibility, strengthens the ties that bind us together as a people, and provides educational opportunity for those who make a substantial commitment to service.

Dated: May 14, 1996.

Terry Russell,

General Counsel, Corporation for National Service.

[FR Doc. 96–12437 Filed 5–16–96; 8:45 am]

BILLING CODE 6050–28–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of Staged Entry for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products and Silk Apparel Products Produced or Manufactured in the People's Republic of China

May 15, 1996.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs amending earlier directives with respect to textile products from China.

EFFECTIVE DATE: May 15, 1996.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6703. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

Notices published in the Federal Register on December 6, 1995 and December 19, 1995 (60 FR 62413 and 60

FR 65292, respectively) announce the establishment of import restraint limits for certain silk apparel and certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textile products, produced or manufactured in the People's Republic of China and exported during 1996. The Office of the U.S. Trade Representative has decided to stage the entry of certain goods exported from China during the period beginning on May 15, 1996.

This action is being taken to facilitate implementation of a request to CITA from the Office of the U.S. Trade Representative in accordance with section 301 of the Trade Act of 1974, as amended.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 60 FR 65299, published on December 19, 1995).

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

May 15, 1996.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directives issued to you on November 30, 1995 and December 13, 1995 by the Chairman, Committee for the Implementation of Textile Agreements (CITA). Those directives concern imports of certain silk apparel and certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textile products, produced or manufactured in the People's Republic of China and exported during the twelve-month period beginning on January 1, 1996 and extending through December 31, 1996.

The above directives are hereby amended to the extent necessary to facilitate implementation of the directive of the Office of the U.S. Trade Representative to the Commissioner regarding textile products from China dated May 15, 1996, issued pursuant to section 301 of the Trade Act of 1974, as amended. For your information, entry of the following categories of textile products, produced or manufactured in the People's Republic of China, is hereby limited, over the 30-day period (commencing with exports from China on or after May 15, 1996), to the following amounts:

Category	Amount to be entered
Sublevels in Group I	
218	1,631,752 square meters.
317/326	2,961,510 square meters.
338/339	355,559 dozen.
341	97,889 dozen.
347/348	360,698 dozen.
352	270,175 dozen.
359–V [1]	122,273 kilograms.
360	1,076,438 numbers.
361	601,945 numbers.
447	11,595 dozen.
448	3,259 dozen.
638/639	354,776 dozen.
641	194,097 dozen.
642	45,002 dozen.
647	226,428 dozen.
648	161,781 dozen.
649	131,463 dozen.
650	16,367 dozen.
652	376,963 dozen.
659–S [2]	87,044 kilograms.
840	69,473 dozen.
842	38,367 dozen.
847	183,392 dozen.
Silk Apparel Group 733, 734, 735, 736, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 750, 751, 752, 758 and 759, as a group.	51,915,694 square meters equivalent.
Specific Limit within Group	
740 (Men's and boys' shirts, not knit).	495,543 dozen.
741 (Women's and girls' shirts/blouses, not knit).	1,236,580 dozen.

[1] Category 359–V: only HTS numbers 6103.19.2030, 6103.19.9030, 6104.12.0040, 6104.19.8040, 6110.20.1022, 6110.20.1024, 6110.20.2030, 6110.20.2035, 6110.90.9044, 6110.90.9046, 6201.92.2010, 6202.92.2020, 6203.19.1030, 6203.19.9030, 6204.12.0040, 6204.19.8040, 6211.32.0070 and 6211.42.0070.

[2] Category 659–S: only HTS numbers 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010 and 6211.12.1020.

Textile products in the above group and categories will be sublimits to the calendar year limits for the same group and categories established in the directives dated November 30, 1995 and December 13, 1995.

Categories 740 and 741 will be subject to specific limits for the May 15, 1996 through June 13, 1996 period, and subject to the Silk Group limit for the same period. The May 15, 1996 through June 13, 1996 period for the Silk Group, however, shall be a sublevel of the Silk Group for the 1996 calendar year. Charges for the 1996 calendar year limits for Categories 740 and 741 will be provided by CITA for goods exported during the May 15, 1996 through June 13, 1996 period.

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(a)(1).

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 96–12657 Filed 5–15–96; 3:26 pm]

BILLING CODE 3510–DR–F

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to Procurement List.

SUMMARY: The Committee has received proposals to add to the Procurement List commodities to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: June 17, 1996.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities to the Government.

4. There are no known regulatory alternatives which would accomplish

the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Chock Block

2540–00–T27–8865
2540–00–T27–9043
(Requirements for the Defense Distribution Region West, Stockton, CA)
NPA: The Oklahoma League for the Blind, Oklahoma City, Oklahoma

Easel, Display & Training

7520–01–424–4867
7520–01–424–4845
NPA: The Lighthouse for the Blind, Inc., Seattle, Washington

Beverly L. Milkman,

Executive Director.

[FR Doc. 96–12486 Filed 5–16–96; 8:45 am]

BILLING CODE 6353–01–P

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to the Procurement List.

SUMMARY: This action adds to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: June 17, 1996.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: On March 15, 22 and 29, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (61 F.R. 10733, 11811 and 14088) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List.

Accordingly, the following commodities and services are hereby added to the Procurement List:

Commodities

Towel, Machinery Wiping

7920–00–532–8543
7920–00–519–1912

Services

Food Service

Vandenberg Air Force Base, California

Janitorial/Custodial

Defense National Stockpile Depot, Amsterdam Avenue, Scotia, New York

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

Beverly L. Milkman,

Executive Director.

[FR Doc. 96–12487 Filed 5–16–96; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Army

Corps of Engineers

Notice of Availability of Surplus Land and Buildings in Accordance With Public Law 103–421 Located at Charles E. Kelly Support Facility, Irwin Support Annex, Manor, PA

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of availability.

SUMMARY: This notice identifies the surplus real property located at the Irwin Support Annex, Manor, PA. The former Nike Missile Launcher site is located in Westmoreland County, on Nike Road, just off Pleasant Valley Road, south of its intersection with Route 130, next to the Turnpike.

FOR FURTHER INFORMATION CONTACT: For more information regarding the particular property identified in this Notice (i.e., acreage, floor plans, existing sanitary facilities, exact location), contact Mr. Gerry Bresee, Real Estate Division, Army Corps of Engineers, P.O. Box 1715, Baltimore, MD 21203 (telephone 410–962–5173, fax 410–962–0866).

SUPPLEMENTARY INFORMATION: This surplus is available under the provisions of the Federal Property and Administrative Services Act of 1945 and the Base Closure Community Redevelopment and Homeless Assistance Act of 1994. Notices of interest should be forwarded to Mr. William E. Mitchell II, Redevelopment Director, Redevelopment Authority of the County of Westmoreland, 601 Courthouse Square, Greensburg, Pennsylvania 15601, (telephone 412–830–3050, fax 412–830–3611).

The surplus real property totals approximately 18.93 acres and contains 11 buildings totaling approximately 26,468 square feet of space. Current range of uses include storage and administrative. Future uses may include administrative, storage or residential.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 96–12377 Filed 5–16–96; 8:45 am]

BILLING CODE 3710–41–M

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of Proposed Information Collection Requests.

SUMMARY: The Acting Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has

been requested by May 16, 1996. A regular clearance process is also beginning. Interested persons are invited to submit comments on or before July 16, 1996.

ADDRESSES: Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Wendy Taylor, Desk Officer: Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection request should be addressed to Patrick J. Sherrill, Department of Education, 7th & D Streets, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202–4651. Written comments regarding the regular clearance and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202–4651, or should be electronic mailed to the internet address #FIRB@ed.gov, or should be faxed to 202–708–9346.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 3506 (c)(2)(A) requires that the Director of OMB provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director of the Information Resources Group, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. ED invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: May 13, 1996.

Arthur F. Chantker,

Acting Director, Information Resources Group.

Office of the Under Secretary

Type of Review: Emergency.

Title: Evaluation of Federal Efforts to Assist in School Reform.

Abstract: The U.S. Department of Education is charged with evaluating its technical assistance efforts associated with the reauthorized ESEA (Elementary and Secondary Education Act) and Goals 2000. The survey will collect information from school districts regarding the sources of information and technical assistance they use in implementing federal programs.

Additional Information: This survey will contribute to an Evaluation of Federal Efforts to Assist in School Reform, particularly those supported through the ESEA and Goals 2000. This survey will be used to examine school districts' needs and access information and guidance. An emergency review is requested in order to ensure that timely information can inform Department efforts in supporting program implementation. Information is needed to report to Congress and the Office of Management and Budget on the Department's progress in implementing new laws. If data is not collected before districts close for the summer break, the Department would not be able to provide timely information to support program implementation efforts in the next year.

Frequency: One-time.

Affected Public: State, local or Tribal Government, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 2,408.

Burden Hours: 2,204.

[FR Doc. 96–12391 Filed 5–16–96; 8:45 am]

BILLING CODE 4000–01–P

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Proposed collection; comment request.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before July 16, 1996.

ADDRESSES: Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, SW., Room 5624, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill, (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6)

Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: May 13, 1996.

Gloria Parker,

Director, Information Resources Group.

Office of Postsecondary Education

Type of Review: Extension.

Title: Fulbright-Hays Training Grants: Faculty Research Abroad Program and Doctoral Dissertation Research Abroad Program.

Frequency: Annually.

Affected Public: Individuals or households; Not-for-profit institutions.

Annual Reporting and Recordkeeping Hour Burden:

Responses: 805.

Burden Hours: 27,200.

Abstract: This application allows individual graduate student and faculty members to compete for Fulbright-Hays fellowships and enables the Department of Education to make awards to U.S. institutions of higher education to develop and improve modern foreign language and area studies.

[FR Doc. 96–12392 Filed 5–16–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of Fossil Energy

[Docket No. FE C&E 96–03—Certification Notice–151]

Mid-Georgia Cogen, L.P.; Notice of Filing of Coal Capability Powerplant and Industrial Fuel Use Act

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of Filing.

SUMMARY: On May 2, 1996, Mid-Georgia Cogen, L.P., submitted a coal capability self-certification pursuant to section 201 of the Powerplant and Industrial Fuel Use Act of 1978, as amended.

ADDRESSES: Copies of self-certification filings are available for public inspection, upon request, in the Office of Fuels Programs, Fossil Energy, Room 3F–056, FE–52, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT: Ellen Russell at (202) 586–9624.

SUPPLEMENTARY INFORMATION: Title II of the Powerplant and Industrial Fuel Use Act of 1978 (FUA), as amended (42 U.S.C. 8301 et seq.), provides that no new baseload electric powerplant may be constructed or operated without the capability to use coal or another alternate fuel as a primary energy source. In order to meet the requirement of coal capability, the owner or operator of such facilities proposing to use natural gas or petroleum as its primary energy source shall certify, pursuant to FUA section 201(d), to the Secretary of Energy prior to construction, or prior to operation as a base load powerplant, that such powerplant has the capability to use coal or another alternate fuel. Such certification establishes compliance with section 201(a) as of the date filed with the Department of Energy. The Secretary is required to publish a notice in the Federal Register that a certification has been filed. The following owner/operator of a proposed new baseload powerplant has filed a self-certification in acccordance with section 201(d).

Owner: Mid-Georgia Cogen, L.P.

Operator: Mid-Georgia Cogen, L.P.

Location: Houston County, Georgia.

Plant Configuration: Combined cycle—topping cycle cogeneration.

Capacity: 323 megawatts.

Fuel: Natural gas.

Purchasing Entities: Georgia Power Company.

In-Service Date: March 1, 1998.

Issued in Washington, D.C., May 13, 1996.

Anthony J. Como,

Director, Office of Coal & Electricity, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 96–12422 Filed 5–16–96; 8:45 am]

BILLING CODE 6450–01–P

Office of Energy Efficiency and Renewable Energy

Notice of Intent To Provide Optional Prescreening Process for the National Industrial Competitiveness Through Energy, Environment and Economics (NICE ^{3}) Program

AGENCY: The Department of Energy (DOE).

ACTION: Notice of intent to provide optional prescreening process for potential applicants under the DOE NICE ^{3} program solicitation.

Presolicitation: In September, the DOE's Office of Industrial Technologies will issue its FY 1997 competitive solicitation under DOE's NICE ^{3} program to fund innovative industrial technologies that reduce energy consumption, waste production, and operating costs. In an effort to assist perspective applicants, DOE intends to accept presolicitation submissions from potential applicants that set out a brief description of the project to be proposed under the FY 1997 solicitation. DOE's technical staff will review these brief descriptions and provide constructive feedback to the potential applicant within a two week period. This feedback can be used by a potential applicant in refining their proposal under the FY 1997 solicitation.

Background Information: The goals of the NICE ^{3} Program are to improve energy efficiency, promote cleaner production, and to improve competitiveness in industry. The intent of the NICE ^{3} program is to fund projects that have completed the research and development stage and are ready to demonstrate a fully integrated commercial unit. Some industrial technologies that the NICE ^{3} project has funded follow: SO_3 Cleaning Process in the Manufacture of Semiconductors; Innovative Design of a Brick Kiln Using Low Thermal Mass Technology; Continuously Reform Electroless Nickel Plating Solutions; Recovery and Reuse of Water-Washed Overspray Paint; and HCl Acid Recovery System. For the past five years the NICE ^{3} program has offered 47 grants (approximately $14.8 million) to fund innovative industrial technologies.

Eligible applicants for funding under that solicitation include any authorized agency of the 50 States, the District of Columbia, the U.S. Virgin Islands, the Commonwealth of Puerto Rico, and any territory or possession of the United States. For convenience, the term State in this notice refers to all eligible State agency applicants. Local governments, State and private universities, private non-profits, private businesses, and individuals, who are not eligible as direct applicants, must work with the appropriate State agencies in developing projects and forming participation arrangements. DOE strongly encourages and requires these types of cooperative arrangements in support of program goals.

The Catalog of Federal Domestic Assistance number assigned to this program is 81.105. Up to $9 million in Federal funds will be made available by

DOE for the 1997 solicitation. Cost sharing is required by all participants. The Federal Government will provide up to 40 percent of the funds for the project in FY 1997. The remaining funds must be provided by the eligible applicants and/or cooperating project participants. In addition to direct financial contributions, cost sharing can include beneficial services or items, such as manpower equipment, consultants, and computer time that are allowable in accordance with applicable cost principles. The state applicant is required to have an industrial partner to be considered eligible for grant consideration.

Presolicitation: This notice is to advise potential applicants to the FY 1997 solicitation that DOE will accept presolicitation submissions that set out that a brief description of the potential project. The submissions should not exceed two pages and should adhere to the format laid out in the preproposal format. This format can be obtained by calling the U.S. Department of Energy's Golden Field Office contacts (listed below). All preproposals submission will be reviewed by NICE ^{3} project monitors at the Golden Field Office. The monitors will provide comments to the submitter on the proposed project's applicability to the NICE ^{3} program. In addition, the reviewers will provide feedback which the applicant can use to formulate and refine their proposal.

The submission of a presolicitation description is not mandatory for submitting an application under the FY 1997 solicitation. DOE reviews and comments under the presolicitation process will not be used by DOE in evaluating or awarding applications under the FY 1997 solicitation. The only purpose of the presolicitation process is to assist potential applicants, who may need assistance, in refining their application.

DATES: A brief description of the proposed project can be submitted to the Golden Field Office on or before August 2, 1996. All summaries must be submitted through a state agency.

FOR FURTHER INFORMATION CONTACT: Eric Hass, at (303) 275–4728, or Doug Hooker, at (303) 275–4780, at the U.S. Department of Energy Golden Field Office, 1617 Cole Boulevard, Golden, Colorado 80401, for referral to appropriate DOE Regional Support Office or State Agency and to receive a copy of the format for the brief description. In addition, the format for the brief description and a list of participating state agencies can be located on the internet at WWW.nrel.gov/documents/nice3. The Contract Specialist is James Damm, at (303) 275–4744, and the Contracting Officer is Robert Brown, at (404) 347–2879.

Issued in Golden, Colorado, on May 9, 1996.

John Meeker,

Chief, Procurement.

[FR Doc. 96–12421 Filed 5–16–96; 8:45 am]

BILLING CODE 6450–01–P

Energy Information Administration

Agency Information Collections Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration, Department of Energy.

ACTION: Notice of request submitted for review by the Office of Management and Budget.

SUMMARY: The Energy Information Administration (EIA) has submitted an energy information collection to the Office of Management and Budget (OMB) for review under provisions of the Paperwork Reduction Act of 1995.

DATES: Comments must be filed by June 17, 1996. If you anticipate that you will be submitting comments but find it difficult to do so within the time allowed by this notice, you should advise the OMB DOE Desk Officer listed below of your intention to do so as soon as possible. The Desk Officer may be telephoned at (202) 395–3084. (Also, please notify the EIA contact listed below.)

ADDRESSES: Address comments to the Department of Energy Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503. (Comments should also be addressed to the Office of Statistical Standards at the address below.)

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the forms and instructions should be directed to Herbert Miller, Office of Statistical Standards, (EI–73), Forrestal Building, U.S. Department of Energy, Washington, DC 20585–0670. Mr. Miller may be telephoned at (202) 426–1103; e-mail: hmiller@eia.doe.gov; (FAX 202–426–1081).

SUPPLEMENTARY INFORMATION: The Energy Information Administration (EIA) has submitted the energy information collection listed below to the Office of Management and Budget (OMB) for review under provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13). The listing does not include collections of information contained in new or revised regulations which are to be submitted under section 3507(d)(1)(A) of the Paperwork Reduction Act, nor management and procurement assistance requirements collected by the Department of Energy (DOE).

Each entry contains the following information: (1) Collection number and title; (2) summary of the collection of information (includes sponsor; i.e., the DOE component), current OMB document number (if applicable), response obligation (mandatory, voluntary, or required to obtain or retain benefits), and type of request (new, revision, extension, or reinstatement); (3) a description of the need and proposed uses of the information; (4) a description of the likely respondents; and (5) an estimate of the total annual reporting and recordkeeping burden (number of respondents per year times the average number of responses per respondent annually times the average burden per response).

The energy information collections submitted to OMB for review were:

1. Form EIA–882T, ''Generic Clearance for Questionnaire Testing, Evaluation, and Research''

2. Energy Information Administration; Docket Number 1905—0186; Response Obligation—Voluntary; and Extension

3. The EIA–882T will be used to conduct pretest/pilot surveys (personal visit or face-to-face interviews, telephone interviews, mail questionnaires), focus groups, and cognitive interviews. Data will be used to modify questionnaires to improve the quality of data. Samples of respondents will be selected to participate.

4. Individuals or households; Business or other for-profit; Not-for-profit institutions; Farms; Federal Government, and State, Local, or Tribal Government

5. 1,000 total annual burden hours (4,000 respondents × 1 response per respondent ×. 25 hours per response).

Statutory Authority: Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104–13).

Issued in Washington, DC, May 13, 1996.

Yvonne M. Bishop,

Director, Office of Statistical Standards, Energy Information Administration.

[FR Doc. 96–12423 Filed 5–16–96; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Docket No. MG96–11–000]

Granite State Gas Transmission, Inc.; Notice of Filing

May 13, 1996.

Take notice that on May 8, 1996, Granite State Gas Transmission, Inc. (Granite State) filed revised standards of conduct under Order Nos. 497 *et seq.*[1] and Order Nos. 566, *et seq.*[2]

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions to intervene or protest should be filed on or before May 28, 1996. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96–12381 Filed 5–16–96; 8:45 am]

BILLING CODE 6717–01–M

[1] Order No. 497, 53 FR 22139 (June 14, 1988), III FERC Stats. & Regs. ¶ 30,820 (1988); Order No. 497–A, *order on rehearing,* 54 FR 52781 (December 22, 1989), III FERC Stats. & Regs. 30,868 (1989); Order No. 497–B, *order extending sunset date,* 55 FR 53291 (December 28, 1990), III FERC Stats. & Regs. ¶ 30,908 (1990); Order No. 497–C, *order extending sunset date,* 57 FR 9 (January 2, 1992), III FERC Stats. & Regs. ¶ 30,934 (1991), rehearing denied, 57 FR 5815 (February 18, 1992), 58 FERC ¶ 61,139 (1992); Tenneco Gas v. *FERC* (affirmed in part and remanded in part), 969 F. 2d 1187 (D.C. Cir. 1992); Order No. 497–D, *order on remand and extending sunset date,* III FERC Stats. & Regs. ¶ 30,958 (December 4, 1992), 57 FR 58978 (December 14, 1992); Order No. 497–E, *order on rehearing and extending sunset date,* 59 FR 243 (January 4, 1994), 65 FERC ¶ 61,381 (December 23, 1993); Order No. 497–F, *order denying rehearing and granting clarification,* 59 FR 15336 (April 1, 1994), 66 FERC ¶ 61,347 (March 24, 1994); and Order No. 497–G, *order extending sunset date,* 59 FR 32884 (June 27, 1994), III FERC Stats. & Regs. ¶ 30,996 (June 17, 1994).

[2] Standards of Conduct and Reporting Requirements for Transportation and Affiliate Transactions, Order No. 566, 59 FR 32885 (June 27, 1994), III FERC Stats. & Regs. ¶ 30,997 (june 17, 1994); Order No. 566–A, *order on rehearing,* 59 FR 52896 (October 20, 1994), 69 FERC ¶ 61,044 (October 14, 1994); Order No. 566–B, *order on rehearing,* 59 FR 65707 (December 21, 1994); 69 FERC ¶ 61,334 (December 14, 1994).

[Docket No. EL96–47–000]

Syracuse Power Company v. Niagara Mohawk Power Corporation and Northern Electric Power Co., L.P.; Notice of Filing

May 14, 1996.

Take notice that on April 17, 1996, Syracuse Power Company filed a complaint and request for an investigation relating to the activities of Niagara Mohawk Power Corporation and Northern Electric Power Co., L.P., as co-licensees of the Hudson Falls Project No. 5276.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before June 15, 1996. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. Answers to the complaint shall be due on or before June 15, 1996.

Lois D. Cashell,

Secretary.

[FR Doc. 96–12438 Filed 5–16–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. EG96–68–000, et al.]

Trakya Elektrik Uretim ve Ticaret A.S., et al.; Electric Rate and Corporate Regulation Filings

May 10, 1996.

Take notice that the following filings have been made with the Commission:

1. Trakya Elektrik Uretim ve Ticaret A.S.

[Docket No. EG96–68–000]

On May 8, 1996, Trakya Elektrik Uretim ve Ticaret A.S. (''Applicant''), with its principal office at Bugday Sokak No. 2/9 Kavaklidere, Ankara, Turkey, filed with the Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's Regulations.

Applicant states that it is a Turkish joint stock company. Applicant will be engaged directly and exclusively in owning an approximately 478 MW combined cycle gas-fired electric generating facility located on the Marmara Sea, near Istanbul, Turkey. Electric energy produced by the facility will be sold at wholesale to Turkiye Elektrik Uretim, Iletisim A.S. In no event will any electricity be sold to consumers in the United States.

Comment date: May 31, 1996, in accordance with Standard Paragraph E at the end of this notice.

2. Illinois Power Company

[Docket Nos. ER96–1376–000, ER96–1377–000, ER96–1380–000, ER96–1381–000, ER96–1382–000, ER96–1486–000, ER96–1509–000, ER96–1510–000, ER96–1559–000]

Take notice that on April 17, 1996, Illinois Power Company filed a request to revise the proposed effective date to April 1, 1996, for service in the above-referenced dockets.

Comment date: May 23, 1996, in accordance with Standard Paragraph E at the end of this notice.

3. Cinergy Services, Inc.

[Docket No. ER96–1684–000]

Take notice that on April 30, 1996, Cinergy Services, Inc. (Cinergy), tendered for filing on behalf of its operating companies, The Cincinnati Gas & Electric Company (CG&E) and PSI Energy, Inc. (PSI), an Interchange Agreement, dated April 1, 1996 between Cinergy, CG&E, PSI and VTEC Energy, Inc. (VTEC).

The Interchange Agreement provides for the following service between Cinergy and VTEC.

1. Exhibit A—Power Sales by VTEC
2. Exhibit B—Power Sales by Cinergy

Cinergy and VTEC have requested an effective date of May 1, 1996.

Copies of the filing were served on VTEC Energy, Inc., the New York Public Service Commission, the Kentucky Public Service Commission, the Public Utilities Commission of Ohio and the Indiana Utility Regulatory Commission.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

4. The Montana Power Company

[Docket No. ER96–1685–000]

Take notice that on April 30, 1996, The Montana Power Company (Montana), tendered for filing with the Federal Energy Regulatory Commission pursuant to 18 CFR 35.13, a Service Agreement with each the Colstrip Project Owners (Colstrip Owners) and Idaho Power Company (Idaho Power) under FERC Electric Tariff, Original Volume No. 4; and an Index of Customers under said Tariff.

A copy of the filing was served upon the Colstrip Owners and Idaho Power.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

5. Virginia Electric and Power Company

[Docket No. ER96–1686–000]

Take notice that on April 30, 1996, Virginia Electric and Power Company (Virginia Power), tendered for filing a Modification to the agreement for the purchase of electricity for resale (the Modification) between Virginia Power and the Town of Windsor, North Carolina (Windsor). The Modification provides for the continuation of the requirements service previously received by Windsor with certain changes in the rates, terms and conditions.

Virginia Power requests that the Modification become effective on July 1, 1996.

Virginia Power states that copies of the filing have been served upon Windsor, the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

6. Niagara Mohawk Power Corporation

[Docket No. ER96–1687–000]

Take notice that on April 30, 1996, Niagara Mohawk Power Corporation (NMPC), tendered for filing with the Federal Energy Regulatory Commission the following documents: (1) an executed Service Agreement between NMPC and Plum Street Enterprises, Inc. (PSE), and (2) two revised pages to NMPC's Wholesale Power Sales Tariff No. 2.

Item (1) is a service agreement that specifies that NMPC agrees to sell power at cost based rates to PSE for resale to retail customers participating in the New Hampshire Retail Access Pilot Program. Item (2) contains language to add a new category of resources (purchased power) for resale to wholesale customers under the Power Sales Tariff.

Niagara Mohawk has served copies of the filing on the NY Public Service Commission, customers authorized to receive service under the sale tariff, and other customers.

NMPC requests effective dates of May 28, 1996 for Item (1), and an effective date of May 1, 1995 for Item (2). NMPC has requested waiver of the notice requirements for good cause shown.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

7. Pennsylvania Power & Light Company

[Docket No. ER96–1688–000]

Take notice that on April 30, 1996, Pennsylvania Power & Light Company (PP&L), tendered for filing with the Federal Energy Regulatory Commission Service Agreements (the Agreements) between PP&L and PanEnergy Power Services, Inc. dated March 25, 1996, and between PP&L and AES Power, Inc., dated April 16, 1996.

The Agreements supplement a Short Term Capacity and Energy Sales umbrella tariff approved by the Commission in Docket No. ER96–782–000 on June 21, 1995.

In accordance with the policy announced in *Prior Notice and Filing Requirements Under Part II of the Federal Power Act,* 54 FERC ¶ 61,139, *clarified and reh'g granted in part and denied in part,* 65 FERC ¶ 61,081 (1993), PP&L requests the Commission to make the Agreements effective as of April 30, 1996, because service will be provided under an umbrella tariff and each service agreement is filed within 30 days after the commencement of service. In accordance with 18 CFR 35.11, PP&L has requested waiver of the sixty-day notice period in 18 CFR 35.2(e). PP&L has also requested waiver of certain filing requirements for information previously filed with the Commission in Docket No. ER95–782–000.

PP&L states that a copy of its filing was provided to the customers involved and to the Pennsylvania Public Utility Commission.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

8. American Electric Power Service Corp.

[Docket No. ER96–1689–000]

Take notice that on April 30, 1996, the American Electric Power Service Corporation (AEPSC), tendered for filing service agreements, executed by AEPSC and the following Parties, under the AEP Companies' Power Sales and/or Point-to-Point Transmission Service Tariffs: The Cleveland Electric Illuminating Company, CNG Power Services Corporation, Commonwealth Edison Company, DuPont Power Marketing, Inc., Global Petroleum Corporation, Industrial Energy Applications, Inc., Koch Power Services, Inc., Michigan Public Power Agency, Morgan Stanley Capital Group, Inc., Pennsylvania Power & Light Company, Southern Energy Marketing, Inc., The Toledo Edison Company, Valero Power Services Company, Western Power Services, Inc.

The Power Sales Tariff has been designated as FERC Electric Tariff, First Revised Volume No. 2, effective October 1, 1995. The Point-to-Point Transmission Tariff has been designated AEPSC FERC Electric Tariff Second Revised Volume No. 1, effective September 7, 1993. AEPSC requests waiver of notice to permit the Service Agreements to be made effective for service billed on and after April 1, 1996.

A copy of the filing was served upon the Parties and the State Utility Regulatory Commissions of Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia and West Virginia.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

9. Sierra Pacific Power Company

[Docket No. ER96–1690–000]

Take notice that on April 30, 1996, Sierra Pacific Power Company (Sierra), tendered for filing pursuant to 205 of the Federal Power Act (the Act) and 18 CFR Part 35 *et seq.* a proposed reduction in the loss factor applicable to a wheeling service provided under an existing Sierra agreement with Beowawe Geothermal Power Company.

Sierra requests waiver of the 60-day notice period to place the reduced loss factors in effect as of June 1, 1996. Sierra does not believe that any other waiver of the Commission's rules or regulations are necessary for the successful processing of the filing as requested in this transmittal letter. However, Sierra requests waivers of any rules or regulations necessary or desirable for that purpose.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

10. Tampa Electric Company

[Docket No. ER96–1691–000]

Take notice that on April 30, 1996, Tampa Electric Company (Tampa Electric), tendered for filing cost support schedules showing an updated daily capacity charge for its scheduled short-term firm interchange service provided under interchange contracts with Florida Power Corporation, Florida Power & Light Company, Florida Municipal Power Agency, Fort Pierce Utilities Authority, Jacksonville Electric Authority, Kissimmee Utility Authority, Oglethorpe Power Corporation, Orlando Utilities Commission, Reedy Creek Improvement District, St. Cloud Electric Utilities, Seminole Electric Cooperative, Inc., Utilities Commission of the City of New Smyrna Beach, Utility Board of the City of Key West, and the Cities of Gainesville, Homestead, Lake Worth,

Lakeland, Starke, Tallahassee, and Vero Beach, Florida. Tampa Electric also tendered for filing updated caps on the charges for emergency and scheduled short-term firm interchange transactions under the same contracts.

Tampa Electric requests that the updated daily capacity charge and caps on charges be made effective as of May 1, 1996, and therefore requests waiver of the Commission's notice requirement.

Tampa Electric states that a copy of the filing has been served upon each of the above-named parties to interchange contracts with Tampa Electric, as well as the Florida and Georgia Public Service Commissions.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

11. Wisconsin Power and Light Company

[Docket No. ER96–1692–000]

Take notice that on April 30, 1996, Wisconsin Power and Light Company (WP&L), tendered for filing a signed Service Agreement under WP&L's Bulk Power Tariff between itself and the Minnesota Municipal Power Agency, and also Prairie du Sac Electric & Water Utility. WP&L respectfully requests a waiver of the Commission's notice requirements, and an effective date of April 1, 1996.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

12. Tampa Electric Company

[Docket No. ER96–1693–000]

Take notice that on April 30, 1996, Tampa Electric Company (Tampa Electric), tendered for filing cost support schedules showing recalculation, based on 1995 data, of the Committed Capacity and Short-Term Power Transmission Service rates under Tampa Electric's agreements to provide qualifying facility transmission service for Mulberry Phosphates, Inc. (Mulberry). Cargell Fertilizer, Inc. (Cargell); and Auburndale Power Partners, Limited Partnership (Auburndale).

Tampa Electric proposes that the updated transmission service rates be made effective as of May 1, 1996, and therefore requests waiver of the Commission's notice requirement.

Copies of the filing have been served on Mulberry, Cargell, Auburndale, and the Florida Public Service Commission.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

13. Kentucky Utilities Company

[Docket No. ER96–1694–000]

Take notice that on April 30, 1996, Kentucky Utilities Company (KU), tendered for filing information on transactions that occurred during April 1, 1996 through April 15, 1996, pursuant to the Power Services Tariff accepted by the Commission in Docket No. ER95–854–000.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

14. Florida Power Corporation

[Docket No. ER96–1695–000]

Take notice that on April 30, 1996, Florida Power Corporation (Florida Power), tendered for filing revisions to the capacity charges, reservation fees and energy adders for various interchange services provided by Florida Power pursuant to interchange contracts as follows:

Rate schedule	Customer
65	Southeastern Power Administration.
80	Tampa Electric Company.
81	Florida Power & Light Company.
82	City of Homestead.
86	Orlando Utilities Commission.
88	Gainesville Regional Utility.
91	Jacksonville Electric Authority.
92	City of Lakeland.
94	Kissimmee Utility Authority.
95	City of St. Cloud.
100	Fort Pierce Utilities Authority.
101	City of Lake Worth.
102	Florida Power & Light Company.
103	City of Starke.
104	City of New Smyrna Beach.
105	Florida Municipal Power Agency.
108	City of Key West.
119	Reedy Creek Improvement District.
122	City of Tallahassee.
128	Seminole Electric Cooperative, Inc.
134	City of New Smyrna Beach.
139	Oglethorpe Power Corp.
141	City of Vero Beach.
142	Big Rivers Electric Corporation.
148	Alabama Electric Cooperative, Inc.
153	Enron Power Marketing, Inc.
154	Catex Vitol Electric, L.L.C.
155	Louis Dreyfus Electric Power, Inc.
156	Electric Clearinghouse, Inc.
157	LG&E Power Marketing, Inc.
158	MidCon Power Service Corp.
159	Koch Power Services Company.
160	Sonat Power Marketing, Inc.
161	Citizens Lehman Power Sales.
162	AES Power, Inc.
163	Intercoast Power Marketing Company.
164	Valero Power Service Company.
165	Delhi Energy Services, Inc.
166	Eastex Power Marketing, Inc.

The interchange services which are affected by these revisions are: (1) Service Schedule A—Emergency Service; (2) Service Schedule B—Short Term Firm Service; (3) Service Schedule D—Firm Service; (4) Service Schedule F—Assured Capacity and Energy Service; (5) Service Schedule G—Backup Service; (6) Service Schedule H—Reserve Service; (7) Service Schedule I—Regulation Service; (8) Service Schedule OS—Opportunity Sales; (9) Service Schedule RE—Replacement Energy Service; (10) Contract for Assured Capacity And Energy With Florida Power & Light Company; (11) Contract for Scheduled Power and Energy with Florida Power & Light Company.

Florida Power requests that the amended revised capacity charges, reservation fees and energy be made effective on May 1, 1996 and remain effective through April 30, 1997. Florida Power requests waiver of the Commission's sixty-day notice requirement. If waiver is denied, Florida Power requests that the filing be made effective June 15, 1996.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

15. Northern States Power Company

[Docket No. ER96–1696–000]

Take notice that on April 30, 1996, Northern States Power Company (Minnesota) (NSP–MN), tendered for filing an Electric Services Agreement dated April 29, 1996, between NSP–MN, Northern States Power Company (Wisconsin) (NSP–WI), and ENRON Power Marketing, Inc. (EPMI) NSP–MN files this agreement on behalf of NSP–WI, EPMI and itself.

The Electric Services Agreement provides for the interchange of electrical power and energy between the parties. NSP requests the Commission waive its Part 35 notice requirements and accept this Agreement for filing effective May 1, 1996.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

16. Tampa Electric Company

[Docket No. ER96–1697–000]

Take notice that on April 30, 1996, Tampa Electric Company (Tampa Electric), tendered for filing an updated weekly capacity charge for its short term power service provided under the interchange service contract with Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Savannah Electric and Power Company (collectively, Southern Companies). Tampa Electric also tendered for filing updated caps on energy charges for emergency assistance and short term power service under the contract.

Tampa Electric requests that the updated capacity charge and caps on charges be made effective as of May 1, 1996, and therefore requests waiver of the Commission's notice requirement.

Tampa Electric states that a copy of the filing has been served upon Southern Companies and the Florida Public Service Commission.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

17. Williams Energy Services Company (Formerly Williams Power Trading Company)

[Docket No. ER96–1698–000]

Take notice that on April 30, 1996, Williams Energy Services Company's (WESCO's) submitted a letter requesting that the Commission waive its prior notice requirement pursuant to 18 CFR 35.11 to allow WESCO's membership in the Western Systems Power Pool (WSPP) to become effective March 1, 1996. The WSPP Agreement has already been accepted for filing by the Commission in Docket No. ER91–195–000. A copy of the request is on file with the Secretary and open for public inspection at 888 First Street, N.E., Washington, D.C. 20426.

Comment date: May 24, 1996, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell.

Secretary.

[FR Doc. 96–12379 Filed 5–16–96; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. CP96–472–000, et al.]

Transcontinental Gas Pipe Line Corporation, et al.; Natural Gas Certificate Filings

May 13, 1996.

Take notice that the following filings have been made with the Commission:

1. Transcontinental Gas Pipe Line Corporation

[Docket No. CP96–472–000]

Take notice that on May 2, 1996 Transcontinental Gas Pipe Line Corporation (Transco), Post Office Box 1396, Houston, Texas 77251, filed in Docket No. CP96–472–000 a request pursuant to Section 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) for authorization to expand an existing delivery point to South Carolina Pipeline Corporation (SCPL), known as the Grover Meter Station, located on Transco's mainline in Cleveland County, North Carolina. Transco makes such request, under its blanket certificate issued in Docket No. CP82–426 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Transco states that SCPL is a transportation, storage and sales customer of Transco under Transco's Rate Schedule IT, FT, GSS, WSS, LG–A, ESS and FS. Transco declares that its proposal herein, to expand the Grover Meter Station, is in response to SCPL's request. It is stated the SCPL uses this point of delivery to receive gas into its intrastate pipeline system.

Transco is proposing to install a new 12-inch orifice meter tube and a 10-inch bypass connection on the existing 10-inch inlet line, replacing the existing 12-inch outlet piping with 16-inch piping, and replacing the odorization injection system.

Transco states that it currently delivers up to 70,000 Dt of gas per day to SCPL at the Grover Meter Station. As a result of the expansion, the capacity of the Grover Meter Station will be increased to 138,000 Dt per day. Transco mentions that it has sufficient system delivery flexibility to accomplish such additional deliveries without detriment or disadvantage to Transco's other customers.

Transco states that it is not proposing to alter the total volumes authorized for delivery to SCPL on a firm basis or to otherwise change in any way SCPL's firm capacity entitlement on Transco's system. It is further stated that the expansion of this delivery point will have no impact on Transco's peak day deliveries and little or no impact on Transco's annual deliveries, and is not prohibited by Transco's FERC Gas Tariff.

The estimated cost to expand the Grover Meter Station as proposed herein is $220,000. It is indicated that SCPL will be responsible for all costs associated with such expansion.

Comment date: June 27, 1996, in accordance with Standard Paragraph G at the end of this notice.

2. K N Interstate Gas Transmission Co.

[Docket No. CP96–477–000]

Take notice that on May 3, 1996, K N Interstate Gas Transmission Co. (K N Interstate), P.O. Box 281304, Lakewood, Colorado 80228–8304, filed an abbreviated application for a certificate of public convenience and necessity authorizing it to acquire, construct and operate certain pipeline and related facilities designated as the Pony Express Pipeline, pursuant to Section 7(c) of the Natural Gas Act and Part 157 of the Federal Energy Regulatory Commission's Regulations, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

K N Interstate seeks authorization to acquire and convert to natural gas use approximately 804 miles of crude oil pipeline purchased by K N Energy, Inc., K N Interstate's parent company, from Amoco Pipeline Company (APL). These facilities extend from Lost Cabin, Wyoming eastward through the states of Nebraska, Colorado, Kansas and Missouri, terminating in Freeman, Missouri, near Kansas City.

K N Interstate also seeks authorization to construct and operate the following facilities which will also comprise the Pony Express Pipeline: (1) 65-miles of 16-inch pipeline, the Rockport Lateral, extending from Rockport, Colorado northeast to a point near Kimball, Nebraska, where it will interconnect with the former APL facilities; (2) new facilities to reroute the former APL facilities around Class III locations, consisting of 7.6 miles of 12-inch pipeline near Casper, Wyoming and 0.3 miles of 24-inch pipeline located near

the Appanoose Grade School in Franklin County, Kansas; (3) 3.2 miles of 20-inch inlet and outlet pipe between the Pony Express Pipeline and K N Interstate's existing Casper Compressor Station; (4) a 5500 HP compressor to be added to the existing Casper Compressor Station, and four new compressor stations consisting of a total of about 45,000 HP located in Converse County, Wyoming, Logan County, Colorado, Rawlins County, Kansas, and Osborne County, Kansas; (5) the upgrade of about 58 miles of 12-inch pipeline on K N Interstate's existing system extending from K N Interstate's existing Huntsman Compressor Station in Cheyenne County, Nebraska to its Weld County Interconnect in Colorado; and (6) new interconnects with supplies from central and southwestern Wyoming, bi-directional interconnects with the existing K N Interstate system, and potential interconnects with third party pipelines. The total estimated cost of the Pony Express Pipeline is approximately $154 million.

K N Interstate avers that the Pony Express Pipeline will have a total pipeline design capacity of 255,000 MMBtu/d. The Rockport Lateral will have a capacity of 120,000 MMBtu/d and will provide access to southwestern Wyoming gas supplies. The remaining 135,000 MMBtu/d of capacity will provide access to central Wyoming gas supplies. K N Interstate proposes to commence initial service on the Pony Express Pipeline with a capacity of 60,000 MMBtu/d on a free-flow basis by the first quarter of 1997, and to reach the maximum capacity of 255,000 MMBtu/d with compression by the third quarter of 1997.

K N Interstate proposes to charge its existing Part 284 transportation rates as initial rates for service on the Pony Express Pipeline. In addition, K N Interstate states that it is filing a pro forma tariff sheet reflecting an extension of its Rate Zone Market Area 3 in order to recognize that the Pony Express Pipeline will extend the K N Interstate system in an easterly direction beyond its traditional service area. K N Interstate also requests that the Commission predetermine in this proceeding that it may charge rolled-in rates for transportation service performed on the Pony Express Pipeline.

Comment date: June 3, 1996, in accordance with Standard Paragraph F at the end of this notice.

3. Williams Natural Gas Company

[Docket No. CP96–483–000]

Take notice that on May 3, 1996, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP96–483–000 a request pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to utilize an existing tap and regulator and to install replacement measuring facilities for the receipt and/or delivery of transportation gas to United Cities Gas Company (UCG) in Montgomery County, Kansas, under WNG's blanket certificate issued in Docket No. CP82–479–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

WNG states that the annual volumes would be 9,125,000 Dth with a peak day volume of 25,000 Dth and the construction cost would be $162,153 which would be reimbursed by UCG. It is also stated that this change would not be prohibited by its tariff and there would be no adverse impact on existing customers.

Comment date: June 27, 1996, in accordance with Standard Paragraph G at the end of this notice.

4. Natural Gas Pipeline Company of America, El Paso Natural Gas Company

[Docket No. CP96–508–000]

Take notice that on May 7, 1996, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148 and El Paso Natural Gas Company (El Paso), 100 North Stanton, El Paso, Texas 79901, herein collectively referred to as Applicants, filed a joint application pursuant to Section 7(b) of the Natural Gas Act and Part 157 of the Commission's Regulations for an order granting permission and approval to abandon certain exchange and transportation services. The application is on file with the Commission and open to public inspection.

Applicants propose to abandon:

- An exchange service performed under Natural's Rate Schedule X–44 authorized in Docket No. CP74–162, as amended, and under El Paso's Rate Schedule Z–3 authorized in Docket No. CP74–126, as amended. Natural and El Paso state that they are parties to a gas exchange agreement dated September 24, 1973 (1973 Agreement), as amended, whereby Natural delivered up to 65,000 Mcf of natural gas per day to El Paso in Reeves, Pecos and Ward Counties, Texas, Caddo and Washita Counties, Oklahoma, Lea and Eddy Counties, New Mexico and San Juan County, Utah and El Paso delivered equivalent quantities of gas to Natural in Dewey, Beckham, Washita and Grady Counties, Oklahoma, Hansford County, Texas and Eddy, Lea and Roosevelt Counties, New Mexico. They state the exchange was balanced in Ward and Reeves Counties, Texas and Lea County, New Mexico.
- A transportation service for El Paso performed under Natural's Rate Schedule X–46 authorized in Docket No. CP76–86. Natural and El Paso state that they are parties to a gas transportation agreement dated August 25, 1975 (1975 Agreement), whereby El Paso made available on an interruptible basis up to 10,000 Mcf of natural gas per day to Natural at the outlet of Cities Service Oil Company's Bluitt Gasoline Plant in Roosevelt County, New Mexico and Natural redelivered such gas, less fuel, to El Paso in Parmer County, Texas.

By letter agreements dated March 1, 1995, Natural and El Paso agreed to terminate the 1973 Agreement, as amended, and the 1975 Agreement, as of April 1, 1995.

Comment date: June 3, 1996, in accordance with Standard Paragraph F at the end of this notice.

5. NorAm Gas Transmission Company

[Docket No. CP96–514–000]

Take notice that on May 8, 1996, NorAm Gas Transmission Company (NGT), 1600 Smith Street Houston, Texas 77002, filed a request with the Commission in Docket No. CP96–514–000, pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to construct and operate certain facilities in Arkansas authorized in blanket certificate issued in Docket Nos. CP82–384–000 and CP82–384–001, all as more fully set forth in the request on file with the Commission and open to public inspection.

NGT proposes to convert an existing receipt point into a delivery point on NGT's Line OM–1 to transport gas through facilities to be constructed by U S Gas Services, L.L.C. (U S Gas) for delivery of natural gas to Tyson Foods (Tyson). The volumes to be delivered to U S Gas are approximately 7,000 MMBtu per day and 1,825,000 MMBtu per year. The conversion of this receipt point would require minor above ground construction with an estimated cost of $6,843, which would be reimbursed by U S Gas, acting as agent for Tyson.

Comment date: June 27, 1996, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said

filing should on or before the comment date file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 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 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). 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 a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 96–12439 Filed 5–16–96; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5507–2]

Agency Information Collection Activities Under OMB Review; Hazardous Waste Industry Studies Information Collection Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) for the Hazardous Waste Industry Studies Information Collection Request, OMB Control No. 2050–0042, expiration date: 07/31/96, has been forwarded to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before June 17, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 818.06.

SUPPLEMENTARY INFORMATION:

Title: Hazardous Waste Industry Studies Information Collection Request, OMB Control No. 2050–0042; EPA ICR No. 818.06. This is a request for extension of a currently approved collection.

Abstract: Under the Industry Studies Program, EPA's Office of Solid Waste is planning to conduct surveys of various industries during the rest of this fiscal year through FY 1999, primarily for the purpose of developing hazardous waste listing determinations as part of a rulemaking effort under Sections 3001 and 3004 of the Resource Conservation and Recovery Act (RCRA). Information collected under authority of this ICR will be used to establish and expand an information data base with regard to hazardous waste generation and management by industry to support a goal of more effective regulation under Sections 3001 and 3004 of RCRA.

The information acquired through the Industry Studies Program has contributed to the effective development and implementation of the hazardous waste regulatory program. The ICR renewal, once approved, will allow continued and expanded data collection for the following program areas:

- Listing
- Land Disposal Restrictions (LDR) and Capacity
- Source Reduction and Recycling
- Risk Assessment

To support these hazardous waste program areas, EPA has been conducting surveys and site visits for various industries over the past 12 years under authority granted under RCRA Section 3007 and OMB #2050–0042. Responses to these surveys are mandatory and required by EPA to collect data for development of hazardous waste rulemakings as required by a consent decree signed December 9, 1994, which resulted from the *EDF* v. *Reilly* case.

The information collected will be used primarily to determine if wastes from specific industries should be listed as hazardous. In addition, this information also will be used to support other RCRA activities including developing engineering analyses; conducting regulatory impact analyses, economic analyses, and risk assessments; and developing land disposal restrictions treatment standards and waste minimization programs.

Depending on the size and scope of the industry, the information collection will consist either of a census or a representative sample of all the facilities that are included in the specific industries.

EPA anticipates that some data provided by respondents will be claimed as Confidential Business Information (CBI). Respondents may make a business confidentiality claim by marking the appropriate data as CBI. Respondents may not withhold information from the Agency because they believe it is confidential. Information so designated will be disclosed by EPA only to the extent set forth in 40 CFR Part 2.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on January 31, 1996 (61 FR 3395–6). Three comments were received.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 38.4 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize

technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities:

- Paint Production
- Inorganics
- Solvents (users of 21 specific solvents)
- Petroleum Refining
- Chlorinated Aliphatics
- Dyes and Pigments
- Pulp and Paper

Estimated Number of Respondents: 2,446.

Frequency of Response: 1.14 responses for each respondent.

Estiamted Total Annual Hour Burden: 38.4 hours.

Estimated Total Annualized Cost Burden: $1,260,000.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 818.06 and OMB Control No. 2050–0042 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory information Division (2137), 401 M Street, SW., Washington, DC 20460

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

Dated: May 14, 1996.

Joseph Retzer

Director, Regulatory Information Division.

[FR Doc. 96–12481 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–M

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before June 17, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, 202–260–2740, and refer to EPA ICR No. 1626.03.

SUPPLEMENTARY INFORMATION:

Title: ''National Recycling and Emissions Reduction Program'' (OMB Control Number 2060–0256; EPA Control Number 1626.05). This is a request for an extension of a currently approved collection.

Abstract: In 1993, EPA promulgated regulations under Section 608 of the Clean Air Act Amendments of 1990 (Act) for the recycling of CFCs and HCFCs in air-conditioning and refrigeration equipment. These regulations were published in 58 FR 28660, and are codified at 40 CFR Part 82, subpart F (§ 82.150 *et seq.*). The reasons the information is being collected, the way the information is to be used, and whether the requirements are mandatory, voluntary, or required to obtain a benefit, are described below. The ICR renewal does not include any burden for third-party or public disclosures not previously reviewed and approved by OMB. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9. The Federal Register Notice with a 60-day comment period soliciting comments on this collection of information was published on February 13, 1996.

Equipment Testing Organizations

Equipment testing organizations must apply to EPA to become approved. Approved equipment testing organizations must maintain records of the tests performed and their results, and must submit a list of all certified equipment to EPA annually. Testing organizations must notify EPA whenever a new model of equipment is certified or whenever an existing certified model fails a recertification test. Information collected from equipment certifiers is required to ensure that recycling and recovery equipment meets the performance standards of the regulation and that all approved testing laboratories have the equipment and expertise to test equipment to these standards.

Servicing and Disposal Establishments

Persons maintaining, servicing, repairing, or disposing of appliances must certify to EPA that they have acquired certified recycling or recovery equipment and are complying with the requirements of the rule. This certification must be renewed in the event of a change of ownership of the service or disposal establishment. In addition, service establishments are required to maintain adequate documentation of technician certification. These requirements help the Agency to target its enforcement efforts.

Reclaimers

Refrigerant reclaimers must maintain records of the names and addresses of persons sending them material for reclamation as well as the quantity of the material (the combined mass of refrigerant and contaminants) sent. In addition, reclaimers must maintain records of the mass of refrigerant reclaimed and the mass of waste products. Reclaimers must report this information (total quantities) to the Agency annually. This information helps the Agency track refrigerant use to ensure that no refrigerant is vented at service or disposal.

Refrigerant Wholesalers

Wholesalers must maintain records indicating the names of purchasers, dates of sales, and quantities of refrigerant purchased. This information helps the Agency to track refrigerant use and identify points of noncompliance. The Agency believes that wholesalers already maintain such records. In addition to normal business records, wholesalers have to maintain records verifying that purchasers of refrigerant are properly certified. These records will be used by EPA inspectors to ensure that refrigerants are only sold to certified technicians. This is to guarantee that individuals who purchase refrigerant are aware of the legal restrictions on its use.

Disposers

Persons disposing of small appliances, room air conditioners, and MVACs must maintain copies of signed statements attesting that the refrigerant has been removed prior to final disposal of each appliance. This information helps EPA to verify that refrigerant is recovered at some point during the disposal process even if the final disposer does not have recovery equipment.

Technicians

In order for technicians to use recycling and recovery equipment, they have to pass a certification test. Technicians have to maintain a wallet-sized certification card. The test is necessary to ensure that technicians understand refrigerant recovery procedures and regulations. The card is necessary to ensure that only certified technicians perform work on air conditioning and refrigeration equipment or purchase refrigerants.

Technician Certification Programs

Organizations operating technician certification programs have to apply to EPA to have their program approved. Approved technician certification programs have to maintain records including the names of certified technicians and the unique numbers assigned to each technician certified through their programs. Approved technician certification programs also have to submit a report to EPA every six months including the pass/fail rate and testing schedules.

The application process ensures that the technician certification programs meet minimum standards for generating, tracking, and grading tests, and keeping records. Record maintenance allows both the Agency and the certification program to verify certification claims and monitor the certification process. The semiannual reports give the Agency the ability to evaluate certification programs and modify the certification test if necessary.

Refrigeration and Air Conditioning Equipment Owners

Owners of refrigeration or air conditioning equipment that contain more than 50 pounds of refrigerant must maintain records of the quantity of refrigerant used during each service procedure performed for the equipment. This ensures that owners can determine when they are subject to leak repair requirements. In addition, equipment owners who decided not to repair leaks must develop and maintain a record of a plan that states that the equipment will be either retired, replaced or retrofitted. The development of such a plan ensures that equipment owners intend to take action to reduce emissions.

Owners of Industrial Process Refrigeration

Under an amendment to the section 608 rule that was promulgated on August 8, 1995 (60 FR 40420), owners of industrial process refrigeration equipment who wish to receive an extension or exclusion under the leak repair amendment are subject to the following reporting and recordkeeping requirements. (The Office of Management and Budget approved the amendment to the ICR reflecting this amendment on September 28, 1995.)

(1) Those persons wishing to extend leak repair compliance beyond the required 30 days must maintain and submit to EPA information identifying the facility, the leak rate, the method used to determine the leak rate and full charge, the date a leak rate greater than allowable was discovered, the location of the leaks, any repair work completed thus far and date completed, a plan to fix other outstanding leaks to achieve allowable leak rate, reasons why greater than 30 days is needed, and an estimate of when repair work will be completed. Any dates and results of static and dynamic tests must also be maintained and submitted to EPA.

(2) Those persons wishing to extend retrofit compliance beyond the required one year must maintain and submit to EPA information identifying the facility, the leak rate, the method used to determine the leak rate and full charge, the date a leak rate of greater than the allowable rate was discovered, the location of leaks, any repair work that has been completed thus far and date completed, a plan to complete the retrofit or replacement of the system, the reasons why more than one year is necessary, the date of notification to EPA, an estimate of when retrofit or replacement work will be completed, if time changes for original estimates occur, documentation of the reason why, and the date of notification to EPA regarding a change in the estimate of when the work will be completed.

(3) Those persons wishing to exclude purged refrigerants that are destroyed from the annual leak rate calculations must maintain records on-site to support the amount of refrigerant claimed sent for destruction. These records must include flow rate, quantity or concentration of the refrigerant in the vent stream, and periods of purge flow.

(4) Those persons wishing to calculate the full charge of an affected appliance by establishing a range based on the best available data, regarding the normal operating characteristics and conditions for the appliance, must maintain records on-site to support the methodology used in selecting or modifying the particular range.

The sum of these changes represents an increase in reporting requirements only for those persons wishing to receive an extension or exclusion under the leak repair amendment.

These reporting and recordkeeping requirements allow determinations to be made regarding requested extensions and exclusions under the amendments to the leak repair provisions, which were written in response to industry concerns and with the concurrence of industry. Specifically, the amendments allow for persons to extend their compliance deadlines, to exclude destroyed purged refrigerants from leak rate calculations, or to use a range rather than calculate the full charge, when certain circumstances exist. EPA would be unable to make determinations as to the viability of a claim regarding the need for an extension without the information under the recordkeeping and reporting requirements. In negotiating the settlement agreement with members of CMA, those members agreed with the proposed recordkeeping and reporting requirements.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average .18 hours per response. This estimate includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Affected Entities: Entities affected by this action are refrigeration and air conditioning service and repair shops, plumbing, heating, and air conditioning contractors, refrigerated transport service dealers, scrap metal recyclers, and automobile dismantlers and recyclers. Additional entities affected include Clean Air Act Section 608 technician certifications programs, equipment certification programs, refrigerant wholesalers and reclaimers, and other establishments that perform refrigerant removal at service and disposal.

Estimated No. of Respondents: 2,276,142.

Estimated Total Annual Burden on Respondents: 419,546 hours.

Frequency of Collection: Occasional, annual, and semiannual.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the following addresses.

Please refer to EPA ICR No. 1626.05 and OMB No. 2060–0256 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW., Washington, DC 20460 and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

Dated: May 14, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96–12483 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–M

[ER–FRL–5469–5]

Environmental Impact Statements; Notice of Availability (NOA)

RESPONSIBLE AGENCY: Office of Federal Activities, General Information (202) 564–7167 OR (202) 564–7153.

Weekly receipt of Environmental Impact Statements Filed May 06, 1996 Through May 10, 1996 Pursuant to 40 CFR 1506.9.

*Due to a Power Failure Beyond our Control The EPA NOA of EISs Filed during the Week of April 29, 1996 and May 3, 1996 Appeared in the May 13, 1996 Federal Register. The 45 Day Comment Period and the 30 Day Wait Period is Calculated from the Intended May 10, 1996, Federal Register Date.

EIS No. 960223, DRAFT EIS, AFS, AK, Helicopter Landings within Wilderness, Implementation, Tongass National Forest, Chatham, Stikine and Ketchikan Area, AK, Due: July 15, 1996, Contact: Bill Tremblay (907) 772–3841.

EIS No. 960224, DRAFT EIS, USN, Naval Spent Nuclear Fuel Container System Management, Loading, Handling and Dry Storage, Transportation and Storage, Handling and Transportation of certain Associated Radioactive Waste, Implementation, United States, Due: July 03, 1996, Contact: William Knoll (703) 602–8229.

EIS No. 960225, DRAFT EIS, NPS, NY, Manhattan Sites General Management Plans, Implementation, Castle Clinton National Monument, Federal Hall National Memorial, General Grant National Memorial, Saint Paul's Church National Historic Site and Theodore Roosevelt Birthplace National Historic Site, New York and Westchester Counties, NY, Due: July 01, 1996, Contact: Joseph Avery (212) 825–1990.

EIS No. 960226, DRAFT EIS, MMS, AL, TX, MS, LA, Central and Western Planning Areas, Gulf of Mexico 1997 Outer Continental Shelf Oil and Gas Sales 166 (March 1997) and 168 (August 1997) Lease Offering, Offshore Marine Environment and coastal counties, Parishes of Alabama, MS, TX and LA, Due: August 09, 1996, Contact: Archie Melancon (703) 787–5471.

EIS No. 960227, FINAL EIS, MMS, AK, Beaufort Sea Planning Area Proposed 1996 Oil and Gas Lease Sale No. 144, Lease Offerings, Alaska Outer Continental Shelf (OCS), AK, Due: June 17, 1996, Contact: George Valiulis (703) 787–1662.

EIS No. 960228, DRAFT EIS, FHW, MT, US 93 Highway Transportation Improvements, between Hamilton (Milepost) 49.0 to Lolo (Milepost 83.2), Funding and COE Section 404 Permit, Ravalli and Missoula Counties, MT, Due: July 19, 1996, Contact: Dale Paulson (406) 441–1230.

EIS No. 960229, DRAFT EIS, USA, AZ, Western Army National Guard Aviation Training Site Expansion Project, Designation of an Expanded Tactical Flight Training Area (TFTA), Development or use of a Helicopter Gunnery Range and Construction and Operation of various Facilities on the Silver Bell Army Heliport (SBAH), Maricopa, Pima and Pinal Counties, AZ, Due: July 01, 1996, Contact: Ltc. Richard Murphy (520) 682–4590. .

Amended Notices

EIS No. 960067, DRAFT EIS, AFS, CO, Routt National Forest Land and Resource Management Plan, Implementation, Grand, Routt, Rio Blanco, Jackson, Moffat and Garfield Counties, CO, Due: July 01, 1996, Contact: Jerry E. Schmidt (970) 879–1722.

Published FR—02–16–96—Review Period Extended.

EIS No. 960156, DRAFT EIS, NPS, CA, Cabrillo National Monument, General Management Plan/Development Concept Plans, Implementation, San Diego County, CA, Due: June 10, 1996, Contact: Terry DiMattio (619) 557–5450.

Published FR—04–12–96—Due Date Correction.

Dated: May 14, 1996.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 96–12488 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–M

[ER–FRL–5469–6]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared April 29, 1996 Through May 3, 1996 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the OFFICE OF Federal Activities at (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 05, 1996 (61 FR 15251).

Draft EISs

ERP No. D–BLM–K67033–NV Rating EO2, Lone Tree Gold Mine Expansion Project, Plan of Operations Approval and Permit Issuance, Winnemucca District, Humboldt County, NV.

Summary: EPA expressed environmental objections due to potential to degrade groundwater, impacts to wildlife, and uncertainties regarding acid generation. EPA requested additional information on impacts to water quality and habitat in the lower Humboldt River basin and local springs; geochemical characterization; facility design; reclamation, hydrogeologic and geochemical modelling, monitoring; and mitigation.

ERP No. D–DOE–A06178–00 Rating EC2, Programmatic EIS-Stockpile Stewardship and Management Project, Reduced Nuclear Weapons Stockpile in the Absence of Underground Testing, Eight Sites: Oak Ridge Reservation (ORR), Savannah River Site (SRS), Kansas City Plant (KCP) Pantex Plant, Los Alamos Nat'l Lab., Lawrence Livermore Nat'l Lab., Sandia Nat'l and Nevada Test.

Summary: EPA requested that DOE provide additional information and clarity concerning accident risk analysis and environmental justice.

ERP No. D–FHW–J40138–UT Rating EC2, Norman H. Bangerter Highway (Previously Known as the West Valley Highway) 12600 South Street to I–15, Funding and COE Section 404 Permit, in the Cities of Bluffdale, Riverton and Draper, Salt Lake County, UT.

Summary: EPA expressed environmental concerns regarding the extent of wetland impacts, hazardous material spills and the location and effects of borrow. EPA requested that additional information on these issues be included.

ERP No. D–FHW–K40357–CA Rating LO, CA–101/Cuesta Grade Highway Improvements, 1.1 mile north of Reservoir Canyon Road to the Cuesta Grade Overhead, Funding and Permit Issuance, San Luis Obispo County, CA.

Summary: EPA lacked objections to the alternatives and the impacts analysis contained in the draft EIS.

ERP No. D–FHW–L40200–OR Rating EC2, U.S. 101/Oregon Coast Highway Reconstruction, Pacific Way in the City of Gerhart to Dooley Bridge in the City of Seaside, Funding and COE Section 404 Permit, Clatsop County, OR.

Summary: EPA's review has revealed concerns regarding wetlands and water quality. Additional information on this project has been requested for inclusion in the final EIS.

ERP No. D–FRC–K05054–NV Rating No Comment, Blue Diamond South Pumped Storage Hydroelectric (FERC. No. 10756) Project, Issuance of License for Construction, Operation and Maintain, Right-of-Way Grant and Possible COE Section 404 Permit, Clark County, NV.

Summary: Due to the federal furlough of December 18, 1995 through January 5, 1996, the Environmental Protection Agency did not review this EIS.

Final EISs

ERP No. F–BLM–K67025–NV, Cortez Pipeline Gold Deposit Project, Development, Construction and Operation of an Open-Pit Mine, Plan of Operations Approval, Right-of-Way Grants and COE Section 404 Permit, Lander County, NV.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F–FHW–L50009–WA, Elliott Bridge No. 3166 Replacement, from WA–169 (Renton-Maple Valley Highway) across the bridge to the intersection of 154th Place S.E., Funding, U.S. CGD Bridge Permit and Section 404 Permit, Cedar River, City of Renton, King County, WA.

Summary: EPA believed the final EIS addresses the major concerns raised previously and therefore has no objection to the actions as proposed.

Dated: May 14, 1996.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 96–12489 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5505–9]

Availability of FY 95 Grant Performance Reports for Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee

AGENCY: Environmental Protection Agency [EPA].

ACTION: Notice of availability of grantee performance evaluation reports.

SUMMARY: EPA's grant regulations [40 CFR 35.150] require the Agency to evaluate the performance of agencies which receive grants. EPA's regulations for regional consistency [40 CFR 56.7] require that the Agency notify the public of the availability of the reports of such evaluations. EPA recently performed end-of-year evaluations of eight state air pollution control programs [Alabama Department of Environmental Management, Florida Department of Environmental Regulation, Georgia Environmental Protection Division, Kentucky Department for Environmental Protection, Mississippi Bureau of Pollution Control, North Carolina Department of Environment, Health, and Natural Resources, South Carolina Department of Health and Environmental Control and Tennessee Department of Conservation and Environment], and 16 local programs [Knox County Department of Air Pollution Control, Tn—Chattanooga-Hamilton County Air Pollution Control Bureau, Tn—Memphis-Shelby County Health Department, Tn—Nashville-Davidson County Metropolitan Health Department, Tn—Jefferson County Air Pollution Control District, Ky—Western North Carolina Regional Air Pollution Control Agency, NC—Mecklenburg County Department of Environmental Protection, NC—Forsyth County Environmental Affairs Department, NC—Palm Beach County Public Health Unit, Fl—Hillsborough County Environmental Protection Commission, Fl—Dade County Environmental Resources Management, Fl—Jacksonville Air Quality Division, Fl—Broward County Environmental Quality Control Board, Fl—Pinellas County Department of Environmental Management, Fl—City of Huntsville Department of Natural Resources, Al—Jefferson County Department of Health, Al]. These audits were conducted to assess the agencies' performance under the grants made to them by EPA pursuant to Section 105 of the Clean Air Act. EPA Region 4, has prepared reports for the twenty-four agencies identified above and these 105 reports are now available for public inspection.

ADDRESSES: The reports may be examined at the EPA's Region 4 office, 345 Courtland Street, N.E., Atlanta, Georgia 30365, in the Air, Pesticides, and Toxics Management Division.

FOR FURTHER INFORMATION CONTACT: Linda Thomas, (404) 347–3555 vmx4180, at the above Region 4 address, for information concerning States of Alabama, Florida, Mississippi, Georgia, and local agencies. Vera Bowers, (404) 347–3555 vmx4178, at the above Region 4 address, for information concerning the States of Kentucky, North Carolina, South Carolina, Tennessee and local agencies.

Dated: May 9, 1996.

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 96–12344 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–P

[OPP–50821; FRL–5370–6]

Receipt of a Notification to Conduct Small-Scale Field Testing of a Genetically Engineered Microbial Pesticide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received from Dupont Agricultural Products of Delaware a notification (352-NMP-U) of intent to conduct small-scale field testing involving a baculovirus *Autographa californica* Multiple Nuclear Polyhedrosis Virus (AcMNPV) which has been genetically engineered to express a synthetic gene which encodes for an insect-specific toxin from the venom of the scorpion *Leiurus quinquestriatus hebraeus*. Dupont intends to test this microbial pesticide on cotton and cabbage in seven states. Target pests for these field trials include: the cabbage looper (*Tricholplusia ni*), the tobacco budworm (*Heliothis virescens*), the cotton bollworm (*Helicoverpa zea*), the beet armyworm (*Spodoptera exigua*) and the diamondback moth (*Plutella xylostella*). The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11 (a), the Agency is soliciting public comments on this application.

DATES: Written comments should be submitted to EPA by June 17, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field

Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted in ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by docket number OPP–50821. No CBI should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found under the SUPPLEMENTARY unit of this document.

FOR FURTHER INFORMATION CONTACT: Linda Hollis, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 5th Floor, CS #1, 2805 Jefferson Davis Hwy., Arlington, VA, (703) 308–8733; e-mail: hollis.linda@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: A notification of intent to conduct small-scale field testing pursuant to EPA's Statement of Policy entitled, ''Microbial Products subject to the Federal Insecticide, Fungicide, and Rodenticide Act and the Toxic Substances Control Act,'' published in the Federal Register of June 26, 1986 (51 FR 23313), has been received from Dupont Agricultural Products of Delaware (NMP No. 352-NMP-U). The proposed small-scale field trial involves the introduction of a genetically engineered isolate of the baculovirus *Autographa californica* Multiple Nuclear Polyhedrosis Virus (AcMNPV) which has been modified to express a synthetic gene which encodes for an insect-specific toxin from the venom of the scorpion *Leiurus quinquestriatus hebraeus*.

The purpose of the proposed testing will be to assess and compare the efficacy of two genetically modified constructs relative to the wild-type AcMNPV and a chemical insecticide standard against selected lepidoptera pests: *Heliothis virescens*, *Helicoverpa zea*, *Spodoptera exigua*, *Trichoplusia ni*, and *Plutella xylostella*.

The proposed program will consist of one trial per site (except Louisianna) to be conducted in mid-summer 1996 thru fall 1996. Testing will occur in 7 states: Arizona, Georgia, Louisianna, and Mississippi for cotton trials, and Illinois, Maryland, and Texas, for cabbage trials. All sites will be located on secured, fenced research or commercial farmland with limited public access.

There will be a maximum of nine treatments for each trial (cotton and cabbage). The active ingredient will be applied at 5E(12) occlusion bodies/ha (2E(12) occlusion bodies/ac) for three to five applications. There will be a maximum of 5 applications per treatment over a 3 to 4-week period during the growing season. The total amount of active ingredient to be used is 7.2 E12 occlusion bodies.

Treated sites for the cotton trials will each be a total of 4 rows wide by 50 ft. long and replicated 4 times for a total of 800 feet of row per treatment for each trial. Treated sites for the cabbage trials will be a total of 2 rows wide by 25 ft. long and replicated 4 times for a total of 200 feet of row per treatment. The active ingredient will be applied via CO2 backpack sprayer using a hand-held spray broom.

All trials will be surrounded by a 10 ft. minimum unplanted buffer zone. Upon completion of the trials, crops will remain standing in the field for at least 2 weeks prior to destruction and plow down.

Intensive monitoring of the recombinant construct will take place. Soil, leaf, and host insect samples will be collected from all treatments at weekly intervals and monitored for amount and type of virus present until crop destruction. Several assay methods will be employed in order to quantify virus content in soil, plant and host insects. Following review of Dupont's application and any comments received in response to this notice, EPA will decide whether or not an experimental use permit is required.

EPA has established a record for this notice of receipt under docket number OPP–50821 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as (CBI), is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov

The official record for this document, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

List of Subjects in 40 CFR Part 172

Environmental protection and Genetically-engineered microbial pesticides.

Dated: May 9, 1996.

Janet L. Andersen,

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 96–12480 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–F

[OPP–66200A; FRL–5368–1]

Withdrawal of a Notice of Intent to Cancel Registration of Certain Products Containing the Active Ingredient Metam-Sodium

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces that EPA is withdrawing the Notice of Intent to Cancel the registration of certain pesticide products (Vaporooter A Foaming Fumigant (EPA Reg. No. 9993–1), Foam Coat Vaporooter (EPA Reg. No. 9993–2) and Sanafoam Vaporooter II (EPA Reg. No 9993–3)) held by Airrigation Engineering Company of Pleasanton, CA. EPA approved the amendments to the product registrations to change the classification to restricted use on March 1, 1996. The change in classification became effective on March 1, 1996. Because the registrant has complied with the measures specified in the Agency's Notice of Intent to Cancel, EPA is withdrawing the Notice of Intent to Cancel.

FOR FURTHER INFORMATION CONTACT: By mail, Vivian Prunier, Review Manager, Special Review Branch, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Third floor, Westfield Building, 2800

Jefferson Davis Highway, Arlington, VA (703)–308–8034.

SUPPLEMENTARY INFORMATION: In a Federal Register Notice of September 21, 1994 (59 FR 48430), EPA announced its intent to cancel the registrations of certain pesticide products (Vaporooter A Foaming Fumigant (EPA Reg. No. 9993–1), Foam Coat Vaporooter (EPA Reg. No. 9993–2) and Sanafoam Vaporooter II (EPA Reg. No. 9993–3)) held by Airrigation Engineering Company of Pleasanton, CA. The Agency took this action because Airrigation Engineering Company failed to comply with the Agency's decision to classify the products as restricted use pesticides.

Under FIFRA section 3(d)(1)(C), the Administrator may classify a pesticide for restricted use if she determines that the pesticide, when applied in accordance with the directions for use, warnings and cautions, or, in accordance with widespread and commonly recognized practice, may generally cause unreasonable adverse effects on the environment, unless additional regulatory restrictions are employed. Once classified for restricted use, a product can be applied only by or under the direct supervision of a certified applicator (FIFRA sections 3(d)(1)(C), 12(a)(2)(F), 12(a)(2)(G).

EPA has published regulations that establish procedures that EPA will follow when classifying a product for restricted use. Under 40 CFR 152.165(c)(2), the Agency may notify a registrant that it has decided to classify a pesticide as restricted use and require the registrant to submit certain information to comply with the classification decision. If a registrant fails to comply with this notification, the Agency may initiate cancellation proceedings.

The Agency determined that restricted use classification for the use of metam-sodium products in sewers is required because of the elaborate and complicated methods of applying this pesticide and the potential for harmful exposure. The basis for the Agency's determination is given in the September 21, 1994 Notice of Intent to Cancel. The Airrigation Engineering Company products identified above are metam-sodium products used in sewers that are subject to this classification determination. On September 24, 1993, EPA notified Airrigation Engineering Company of its classification decision. Airrigation Engineering Company refused to comply with the Agency's requirement that the metam-sodium products be classified as restricted use. Because the only measure short of cancellation that would reduce the risks posed by these products to an acceptable level was the restricted use classification and because the registrant would not voluntarily change the classification of its products, the Agency initiated cancellation proceedings.

The September 21, 1994 Notice of Intent to Cancel announced that cancellation could be avoided by amending the registrations of the products identified above to change their classification to restricted use; the change in classification for the Airrigation Engineering Company products would become effective at the same time as the change in classification of similar products whose registrants had already agreed to the restricted use classification. Alternatively, Airrigation Engineering Company could request an evidentiary hearing on the Agency's cancellation decision. Procedures for requesting a hearing were given in the September 21, 1994 Notice.

On November 7, 1994, Airrigation Engineering Company submitted a timely and effective hearing request. During the course of the pre-hearing proceedings, the registrant decided to comply with the Agency's classification decision.

On March 1, 1996, the Agency approved label amendments for the products identified above to change their classification to restricted use.

This Notice announces that Airrigation Engineering Company has complied with the Agency's decision to classify the products identified above as restricted use products. Because Airrigation Engineering Company took the steps to avoid cancellation which were identified in the September 21, 1994 Notice, EPA is withdrawing its Notice of Intent to Cancel the product registrations identified above.

Dated: May 9, 1996.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

[FR Doc. 96–12476 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–F

[OPP–30410; FRL–5367–6]

Woodstream Corporation; Applications to Register Pesticide Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any previously registered products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

DATES: Written comments must be submitted by June 17, 1996.

ADDRESSES: By mail, submit written comments identified by the document control number [OPP–30410] and the file symbols (47629–R and 47629–E) to: Public Response and Program Resources Branch, Field Operations Divisions (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Environmental Protection Agency, Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will be accepted on disks in Wordperfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP–30410]. No ''Confidential Business Information'' (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submission can be found below in this document.

Information submitted as a comment concerning this notice may be claimed confidential by marking any part or all of that information as ''Confidential Business Information'' (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Rita Kumar, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. CS51B6, Westfield Building North Tower, 2800 Crystal Drive, Arlington, VA 22202, (703) 308–8291; e-mail: kumar.rita@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA received applications from Woodstream Corporation, 69 N. Locust St., Lititz, PA 17543–0327, to register the pesticide products Victor Roach Bait Stations 1 and Victor Roach Bait Stations 2 (EPA File Symbols 47629–R and 47629–E), containing the active ingredient German cockroach pheromone at 0.004 percent for both products, an active ingredient not included in any previously registered products pursuant to the provisions of section 3(c)(4) of FIFRA. These products are formulated with boric acid and are proposed for use to kill cockroaches in homes and commercial establishments such as hospitals, restaurants and schools. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

Notice of approval or denial of an application to register a pesticide product will be announced in the Federal Register. The procedure for requesting data will be given in the Federal Register if an application is approved.

Comments received within the specified time period will be considered before a final decision is made; comments received after the time specified will be considered only to the extent possible without delaying processing of the application.

A record has been established for this notice under docket number [OPP–30410] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Rm. 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this notice, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

Written comments filed pursuant to this notice, will be available in the Public Response and Program Resources Branch, Field Operations Division at the address provided from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. It is suggested that persons interested in reviewing the application file, telephone this office at (703–305–5805), to ensure that the file is available on the date of intended visit.

Authority: 7 U.S.C. 136.

List of Subjects

Environmental protection, Pesticides and pests, Product registration.

Dated: May 2, 1996.

Janet L. Andersen,

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 96–12479 Filed 5–16–96; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL EMERGENCY MANAGEMENT AGENCY

Public Meeting; Federal Purchase and Stockpile of Potassium Iodide for Use by the General Public in a Radiological Emergency

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice of Public Meeting.

SUMMARY: FEMA announces the following committee meeting:

NAME: Federal Radiological Preparedness Coordinating Committee (FRPCC), Ad Hoc Subcommittee on Potassium Iodide (KI).

DATES: The meeting will be held June 27, 1996. Any individuals or organizations interested in attending the public meeting or making oral presentations must so indicate by 4:00 PM, May 31, 1996.

TIME OF MEETING: 10:00 AM–4:00 PM.

PLACE: Federal Emergency Management Agency, room 401, 500 C Street, SW., Washington, DC 20472.

PROPOSED AGENDA: The meeting will begin at 10:00 AM with a presentation by the Subcommittee on the background of the Federal potassium iodide policy. That presentation will be followed by a statement of the current issues raised in the Petition for Rulemaking submitted to the U.S. Nuclear Regulatory Commission, and in letters to the Director of FEMA. The meeting will then turn to attendees who have indicated that they want to make oral presentations, including response to any questions that may be asked by members of the Subcommittee. The meeting will adjourn after the Subcommittee and attendees have completed their presentations and any interaction on the subject matter.

SUPPLEMENTARY INFORMATION: The FRPCC issued its policy on the use of KI as a thyroid blocking agent on July 24, 1985 (50 FR 30258). On December 6, 1994, the FRPCC adopted a September 15, 1994 report and recommendations of the Ad Hoc Subcommittee on Potassium Iodide after review of the issues affecting the purchase and stockpile of KI by the Federal government. The Ad Hoc Subcommittee found no basis for changing the 1985 Federal policy, which states that KI should be purchased and stockpiled for emergency workers and institutionalized persons, and that the decision on its use as a protective action for the general public resides with the State, and in some cases, with local health authorities.

The FRPCC is again reviewing the issue of the Federal purchase, stockpile and use of KI by the general public in the event of a radiological emergency at a commercial nuclear power plant. The Petition for Rulemaking submitted to the U.S. Nuclear Regulatory Commission requests that 10 CFR Part 50.47(a)(10) be revised to read: ''A range of protective actions, including sheltering, evacuation, and prophylactic use of iodine, have been developed for the plume exposure EPZ [emergency planning zone] for emergency workers and the general public.'' In addition, the same Petitioner requested FEMA to reconsider the 1985 Federal Policy. Accordingly, the Federal Radiological Preparedness Coordinating Committee formed an Ad Hoc Subcommittee to review and re-evaluate the issue.

The meeting will be open to the public with approximately 30 seats available on a first-come, first-served basis. Individuals or representatives of organizations who plan to attend the meeting or make oral presentations should contact William F. McNutt, Chairman, Federal Radiological Preparedness Coordinating Committee, Ad Hoc Subcommittee on Potassium Iodide, room 634, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2857; (facsimile) (202) 646–4183, on or before 4:00 PM, May 31, 1996.

Dated: May 10, 1996.

Kay C. Goss,

Associate Director for Preparedness, Training and Exercises.

[FR Doc. 96–12460 Filed 5–16–96; 8:45 am]

BILLING CODE 6718–06–P

[Docket No. FEMA–REP–2–NY–3]

Approval of the State of New York Radiological Emergency Response Plan Site-specific to the Indian Point Nuclear Power Generating Station

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: FEMA gives notice of its approval of the State of New York Radiological Emergency Response Plan site-specific to the Indian Point Nuclear Power Generating Station located in Westchester County, New York.

DATES: This approval is effective as of May 3, 1996.

FOR FURTHER INFORMATION CONTACT: Regional Director, FEMA Region II, 26 Federal Plaza, room 1337, New York, NY 10278–0002, (facsimile) (212) 225–7281. Please refer to Docket File No. FEMA–REP–2–NY–3.

SUPPLEMENTARY INFORMATION: On May 3, 1996 the Kay C. Goss, Associate Director for Preparedness, Training and Exercises, Federal Emergency Management Agency, reviewed and approved the State of New York Radiological Emergency Response Plan site-specific to the Indian Point Nuclear Power Generating Station, as follows:

''In accordance with the Federal Emergency Management Agency (FEMA) Rule, 44 CFR 350, the State of New York originally submitted the offsite radiological emergency response plans site-specific to the Indian Point Nuclear Power Generating Station, located in Westchester County, New York, to the Regional Director of FEMA Region II on August 17, 1981, for FEMA review and approval. On October 28, 1991, the Region II Director submitted an evaluation and recommendation for formal approval of the offsite plans and preparedness to the Associate Director for State and Local Programs and Support in accordance with Section 350.11 of the FEMA Rule. However, during the Headquarters review process several issues were identified which were referred back to FEMA Region II for clarification.

''The Regional Director subsequently addressed the issues requiring clarification and resubmitted the evaluation to FEMA Headquarters on November 29, 1995. Included in this evaluation was a review of the full participation offsite radiological emergency preparedness exercise conducted on June 15, 1994, in accordance with 44 CFR 350.9.

''Based on the evaluation and recommendation for approval by the FEMA Region II Director, the review by the Federal Radiological Preparedness Coordinating Committee (FRPCC), and the review by the FEMA Headquarters staff in accordance with 44 CFR 350.12, I find and determine that the State of New York and local offsite radiological emergency response plans and preparedness site-specific to the Indian Point Nuclear Power Generating Station are adequate to protect the health and safety of the public living in the vicinity of the plant. The offsite radiological emergency response plans and preparedness are assessed as adequate in that there is reasonable assurance that appropriate protective measures can be taken offsite in the event of a radiological emergency and that the plans are capable of being implemented.

''The prompt alert and notification system installed and operational around the Indian Point Nuclear Power Generating Station was previously approved by FEMA on March 27, 1992, in accordance with the criteria of NUREG–0654/FEMA–REP–1, Rev. 1, Appendix 3, and FEMA–REP–10, ''Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants.''

''Accordingly, I approve the New York State and local offsite radiological emergency response plans and preparedness, site-specific to the Indian Point Nuclear Power Generating Station. FEMA will continue to review the status of offsite plans and preparedness site-specific to the Indian Point Nuclear Power Generating Station in accordance with Section 350.13 of the FEMA Rule.

''For further details with respect to this action, refer to Docket File No. FEMA–REP–2–NY–3 maintained by the Regional Director, FEMA Region II, 26 Federal Plaza, Room 1337, New York, New York 10278–0002.''

Dated: May 3, 1996.

Kay C. Goss,

Associate Director for Preparedness, Training, and Exercises.

[FR Doc. 96–12459 Filed 5–16–96; 8:45 am]

BILLING CODE 6718–06–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have 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 the 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 June 10, 1996.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. Lamartine G. Hardman, Athens, Georgia; to retain a total of 16.6 percent of the voting shares of First Commerce Bancorp, Inc., Commerce, Georgia, and thereby indirectly acquire First National Bank of Commerce, Commerce, Georgia.

Board of Governors of the Federal Reserve System, May 13, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–12401 Filed 5–16–96; 8:45 am]

BILLING CODE 6210–01–F

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

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

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. 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 standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company 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'' (12 U.S.C. 1843). Any request for a hearing 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, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 10, 1996.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Granville Bancshares, Inc., Granville, Illinois; to acquire 100 percent of the voting shares of Sheridan State Bank, Sheridan, Illinois.

B. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Pembroke Bancshares, Inc., Kansas City, Missouri, and Union Bancshares, Inc., Kansas City, Missouri; to acquire 100 percent of the voting shares and merge with Missouri Valley Bancshares, Inc., Mountain Grove, Missouri, and thereby indirectly acquire Citizen's Bank of Southern Missouri, Ava, Missouri.

Board of Governors of the Federal Reserve System, May 13, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–12400 Filed 5–16–96; 8:45 am]

BILLING CODE 6210–01–F

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.25 of Regulation Y (12 CFR 225.25) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. Once the notice 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 the proposal complies with the standards of section 4 of the BHC Act, including 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'' (12 U.S.C. 1843). 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 May 31, 1996.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. VCR Bancorporation LTD, Carlisle, Iowa; to engage *de novo* in making and collecting commercial loans, and acquiring and liquidating low quality commercial, real estate, and consumer loans from affiliated and non-affiliated banks, pursuant to § 225.25 (b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, May 13, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–12402 Filed 5–16–96; 8:45 am]

BILLING CODE 6210–01–F

Board of Governors; Sunshine Act Meeting

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 61 FR 21469–70, May 10, 1996.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., Wednesday, May 15, 1996.

CHANGES IN THE MEETING: The open meeting has been canceled, and the scheduled items were handled via notation voting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204.

Dated: May 15, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–12598 Filed 5–15–96; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions and Delegations of Authority

Part H, Chapter HB (Health Resources and Services Administration) of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (47 FR 39409–24, August 31, 1982, as amended most recently at 61 FR 19942–43, May 3, 1996), is amended to establish an Office of External Affairs within the Health Resources and Services Administration (HRSA).

Under HB–20, Organization and Functions, amend the functional statements for the Office of the Administrator (HBA) by doing the following:

A. Delete the Office of Communications (HBA5) in its entirety and replace it with the following: *Office of External Affairs (HBA5).* Under the direction of Associate Administrator who is a member of the Administrator's immediate staff: (1) Provides leadership and general policy and program direction for, and conducts coordinates communications, public affairs activities of the Health Resources and Services Administration; (2) establishes

and maintains liaison with general public, professional and citizen organizations and public interest groups on a nationwide basis; (3) facilities activities that impact upon the delivery of health care on a national basis; (4) speaks for the Administrator in public meetings and conferences; (5) provides communications assistance to the Agency; writes and prepares speeches for the Administrator, (6) serves as the Agency focal point for women's health (7) serves as the principal advisor for Agency-supported program activities that address women's health and for policy issues internal to and external to the Agency related to the health of women; (8) oversees the coordination and resolution of program and policy issues related to women's health; (9) collects and consolidates data and prepares Agency-level reports, planning and briefing documents on ongoing women's health activities and related accomplishments; (10) identifies and negotiates collaborative women's health efforts within the Agency, PHS, Department and external components; (11) represents the Agency in Departmental, regional, State and National women's health deliberations; chairs and provides support to the HRSA Coordinating Committee on Women's health; (12) services as Federal women's health liaison and resource and assures equity to women in their access to education and training resources and to health/science careers; and (13) coordinates the implementation of Freedom of Information Act for the Agency.

B. Establish within the Office of External Affairs the Division of Communications and Public Affairs (HBA52)—(1) provides communication and public affairs expertise and staff advice and support to the Administrator in program and policy formulations and execution consistent with policy direction established by the Assistant Secretary (Public Affairs); (2) develops and implements policies related to external media relations and internal employee communications; (3) establishes and implements procedures for the development, review, processing, quality control, and dissemination of Administration communications materials; (4) serves as Communications and Public Affairs Officer for the Administrator including establishment and maintenance of productive relationships and with communications media; (5) provides central communications service to all Administration programs; and (6) serves as focal point for coordination of Administration communications activities with those of other health agencies within the Department of Health and Human Services and with field, State, local, voluntary and professional organizations.

C. In the statement for the ''Office of Operations and Management (HBA4), delete item number (4) in its entirety and renumber the remaining items in sequential order.

Section HB–30 Delegations of Authority. All delegations and redelegations of authority to Offices affected by this reorganization which were in effect immediately prior to the effective date of this reorganization will continue in effect in them or their successors pending further redelegation.

This reorganization is effective upon date of signature.

Dated: May 6, 1996.

Ciro V. Sumaya,

Administrator.

[FR Doc. 96–12362 Filed 5–16–95; 8:45 am]

BILLING CODE 4160–15–M

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Integrated Review Schedule.

OMB No.: 0970–0035.

Description: State agencies are required to perform quality control reviews for the AFDC, Food Stamp, and Adult Assistance Programs. The Integrated Review Schedule is jointly designed and used by ACF and FCS. The schedule serves as the comprehensive data entry form for all active quality control reviews in these programs.

Respondents: State Governments.

ANNUAL BURDEN ESTIMATES

Instrument	No. of respondents	No. of responses per respondent	Average burden hours per response	Total burden hours
ACF–4357	55,000	1	1	55,000

Estimated Total Annual Burden Hours: 55,000.

In compliance with the requirements of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, Division of Information Resources Management Services, 370 L'Enfant Promenade, SW., Washington, DC. 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by title.

In addition, requests for copies may be made and comments forwarded to the Resorts Clearance Officer over the Internet by sending message to rkatson@acf.dhhs.gov. Internet message must be submitted as an ASCII file without special characters or encryption.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: May 13, 1996.

Larry Guerrero,

Director, Office of Information Systems Services.

[FR Doc. 96–12462 Filed 5–16–96; 8:45 am]

BILLING CODE 4184–01–M

Health Care Financing Administration

[BPD–868–NC]

Medicare and Medicaid Programs; Announcement of Applications From Hospitals Requesting Waivers for Organ Procurement Service Area

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice with comment period.

SUMMARY: This notice announces applications which HCFA has received since December 1, 1995, from hospitals requesting waivers from dealing with their designated area organ procurement organizations (OPOs) in accordance with section 1138(a)(2) of the Social Security Act. It supplements a notice published in the Federal Register on January 19, 1996, that announced hospital waiver requests received by HCFA as of December 1, 1995. Effective January 1, 1996, a hospital is required to have an agreement with the OPO designated for the area in which it is located unless HCFA grants it a waiver to have an agreement with an alternative, out-of-area OPO. This notice requests comments from OPOs and the general public for our consideration in determining whether such a waiver should be granted.

DATES: Written comments will be considered if we receive them at the appropriate address, as provided below, no later than 5:00 p.m. on July 16, 1996.

ADDRESSES: Mail written comments (one original and three copies) to the following address: Health Care Financing Administration, Department of Health and Human Services, Attention: BPD–868–NC, P.O. Box 7517, Baltimore, MD 21244–0517.

If you prefer, you may deliver your written comments (one original and three copies) to one of the following addresses:

Room 309–G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201, or

Room C5–09–26, 7500 Security Boulevard, Baltimore, MD 21244–1850.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code BPD–868–NC. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 309–G of the Department's offices at 200 Independence Avenue SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (phone: (202) 690–7890).

FOR FURTHER INFORMATION CONTACT: Mark A. Horney (410) 786–4554.

SUPPLEMENTARY INFORMATION:

I. Background

Section 1138(a)(1)(A)(iii) of the Social Security Act (the Act) provides that a hospital or rural primary care hospital that participates in the Medicare or Medicaid programs must establish written protocols for the identification of potential organ donors. Section 155 of the Social Security Act Amendments of 1994 (SSA '94) (Public Law 103–432) amended section 1138 of the Act to require that effective January 1, 1996, a hospital must notify the organ procurement organization (OPO) designated for the service area in which it is located of potential organ donors (sections 1138 (a)(1)(A)(iii) and (a)(3)(B) of the Act). It must also have an agreement to do so only with that designated OPO (sections 1138 (a)(1)(C) and (a)(3)(A)).

The statute also provides that the hospital may obtain a waiver of these requirements from the Secretary. A waiver would allow the hospital to have an agreement with an ''out-of-area'' OPO (section 1138(a)(2)) if it meets conditions specified in the statute (section 1138(a)(2)(A) (i) and (ii)).

The law further states that in granting a waiver, the Secretary must determine that such a waiver: (1) Would be expected to increase donation; and (2) will assure equitable treatment of patients referred for transplants within the service area served by the designated OPO and within the service area served by the out-of-area OPO (section 1138(a)(2)(A)). In making a waiver determination, the Secretary may consider, among other factors: (1) Cost effectiveness; (2) improvements in quality; (3) whether there has been any change in a hospital's designated OPO service area due to the definition of metropolitan statistical areas (MSAs); and (4) the length and continuity of a hospital's relationship with the out-of-area OPO (section 1138(a)(2)(B)). Under section 1138(a)(2)(D) of the Act, the Secretary is required to publish a notice of any waiver applications within 30 days of receiving the application and offer interested parties an opportunity to comment in writing within 60 days of the published notice. Section 155(a)(2) of SSA '94 provides that any hospital that had an agreement with an out-of-area OPO on the date of enactment of that legislation, October 31, 1994, may obtain a temporary or interim waiver of the requirements of sections 1138 (a)(1)(A)(iii) and (a)(1)(C). The statute requires that the hospital must have submitted a waiver request to the Secretary by January 1, 1996. The statute specifically provides that the hospital's existing agreement with the out-of-area OPO would remain in effect pending the Secretary's final determination under section 1138(a)(2) as to whether the hospital should be granted a permanent waiver.

For hospitals that do not meet these conditions, but that entered into agreements with out-of-area OPOs prior to January 1996, we have established a similar process. Under our section 1138(a)(2) authority to grant waivers if statutory conditions are met, we will make a preliminary determination as to whether the hospital's request meets the requirements of section 1138(a)(2)(A) (i) and (ii) based upon an initial review of its waiver request. If we determine that the hospital appears preliminarily to meet those standards, we will grant the hospital a temporary, interim waiver while we consider further the merits of the hospital's waiver request on a permanent basis. In the meantime, the hospital may continue its relationship with the OPO with which it has an agreement.

II. Hospital Requests for Waiver

In October 1995, we issued a Program Memorandum (Transmittal No. A–95–11) that has been supplied to each hospital. This Program Memorandum detailed the waiver process and discussed the information that may be provided by hospitals requesting a waiver. We indicated that upon receipt of the waiver requests, we would publish a Federal Register notice to solicit public comments, as required by law (section 1138(a)(2)(D)).

We will then review the requests and comments received. During the review process, we may consult on an as-needed basis with agencies outside HCFA, including the Public Health Service's Division of Transplantation, the United Network for Organ Sharing, and HCFA regional offices. If necessary, we may request additional clarifying information from the applying hospital or others. We then will make a final determination on the waiver requests and notify the affected hospitals and OPOs.

III. Hospitals That Requested Waivers

On January 19, 1996, we published in the Federal Register (61 FR 1389) a notice that announced the waiver applications that we had initially received from hospitals. The January 1996 notice listed eight hospitals that had agreements on October 31, 1994,

whose waiver requests had been received by December 1, 1995.

This notice supplements the January 1996 notice. It announces an additional 148 hospital waiver requests that we have received. The hospitals whose waiver applications were received after December 1, 1995 are listed below under three distinct groups.

The Group I listing includes the hospitals that submitted waiver requests after December 1, 1995 and that had agreements with the requested out-of-area OPO on or before October 31, 1994. This listing includes 132 hospitals that requested waivers, by the name of the facility, the city and state location of the facility, the requested out-of-area OPO, and the currently designated area OPO.

GROUP I

Name of facility	City	State	Requested OPO [1]	Designated OPO [1]
White River Medical Center	Batesville	AR	AROR	MOMA
Corona Regional Medical Center	Corona	CA	CARO	CAOP
Sierra View District Hospital	Porterville	CA	CADN	CAOP
Mark Twain St. Joseph's Hospital	San Andreas	CA	CAGS	CADN
Cedars-Sinai Medical Center	Los Angeles	CA	CAOP	CARO
Kaweah Delta Health Care District	Visalia	CA	CADN	CAOP
Tulare District Hospital	Tulare	CA	CADN	CAOP
Lindsay District Hospital	Lindsay	CA	CADN	CAOP
Alta District Hospital	Dinuba	CA	CADN	CAOP
Sharp HealthCare Murrieta	Murrieta	CA	CASD	CAOP
Sierra Valley District Hospital	Loyalton	CA	CAGS	CADN
Colusa Community Hospital	Colusa	CA	CAGS	([2])
Sutter Solano Medical Center	Vallejo	CA	CAGS	CADN
Summit Medical Center	Oakland	CA	CAGS	CADN
Indian Valley Hospital District	Greenville	CA	CAGS	CADN
Barstow Community Hospital	Barstow	CA	CARO	CAOP
Bear Valley Community Hospital	Big Bear Lake	CA	CARO	CAOP
Chino Valley Medical Center	Chino	CA	CARO	CAOP
Community Hospital of San Bernadino	San Bernadino	CA	CARO	CAOP
Corona Regional Medial Center	Corona	CA	CARO	CAOP
Desert Hospital	Palm Springs	CA	CARO	CAOP
Desert Valley Hospital	Victorville	CA	CARO	CAOP
Eisenhower Memorial Hospital	Rancho Mirage	CA	CARO	CAOP
Hi-Desert Medical Center	Joshua Tree	CA	CARO	CAOP
Kaiser Foundation Hospitals	Riverside	CA	CARO	CAOP
Kaiser Foundation Hospitals	Fontana	CA	CARO	CAOP
Mountains Community Hospital	Lake Arrowhead	CA	CARO	CAOP
Parkview Community Hospital Medical Center	Riverside	CA	CARO	CAOP
Ridgecrest Community Hospital	Ridgecrest	CA	CARO	CAOP
Riverside Community Hospital	Riverside	CA	CARO	CAOP
San Antonio Community Hospital	Upland	CA	CARO	CAOP
St. Bernardine Medical Center	San Bernardino	CA	CARO	CAOP
St. Mary Regional Medical Center	Apple Valley	CA	CARO	CAOP
Valley Health System	Hemet	CA	CARO	CAOP
Victor Valley Community Hospital	Victorville	CA	CARO	CAOP
Antelope Valley Hospital	Lancaster	CA	CAOP	CARO
Bellwood General Hospital	Bellflower	CA	CAOP	CARO
Beverly Hospital	Montebello	CA	CAOP	CARO
Brotman Medical Center	Culver City	CA	CAOP	CARO
California Hospital Medical Center	Los Angeles	CA	CAOP	CARO
Century City Hospital	Los Angeles	CA	CAOP	CARO
Charter Community Hospital	Hawaiian Gardens	CA	CAOP	CARO
Childrens Hospital	Los Angeles	CA	CAOP	CARO
Daniel Freeman Marina Hospital	Marina del Rey	CA	CAOP	CARO
Daniel Freeman Memorial Hospital	Inglewood	CA	CAOP	CARO
Desert Palms Community Hospital	Palmdale	CA	CAOP	CARO
Doctors Hospital of West Covina	West Covina	CA	CAOP	CARO
Garfield Medical Center	Monterey Park	CA	CAOP	CARO
Henry Mayo Newhall Memorial Hospital	Valencia	CA	CAOP	CARO
High Desert Hospital	Lancaster	CA	CAOP	CARO
Huntington East Valley Hospital	Glendora	CA	CAOP	CARO
Lakewood Regional Medical Center	Lakewood	CA	CAOP	CARO
Lancaster Community Hospital	Lancaster	CA	CAOP	CARO
Lincoln Hospital	Los Angeles	CA	CAOP	CARO
Little Company of Mary Hospital	Torrance	CA	CAOP	CARO
Long Beach Memorial Medical Center/Miller Childrens Hospital	Long Beach	CA	CAOP	CARO
Monterey Park Hospital	Monterey Park	CA	CAOP	CARO
Orthopaedic Hospital	Los Angeles	CA	CAOP	CARO
Pacific Alliance Medical Center	Los Angeles	CA	CAOP	CARO
Pacific Hospital of Long Beach	Long Beach	CA	CAOP	CARO
Pioneer Hospital	Artesia	CA	CAOP	CARO
Presbyterian Intercommunity Hospital	Whittier	CA	CAOP	CARO
Queen of the Valley Hospital	West Covina	CA	CAOP	CARO

GROUP I—Continued

Name of facility	City	State	Requested OPO [1]	Designated OPO [1]
Santa Marta Hospital	Los Angeles	CA	CAOP	CARO
St. Francis Medical Center	Lynwood	CA	CAOP	CARO
St. Joseph Medical Center	Burbank	CA	CAOP	CARO
St. Vincent Medical Center	Los Angeles	CA	CAOP	CARO
Temple Community Hospital	Los Angeles	CA	CAOP	CARO
USC University Hospital	Los Angeles	CA	CAOP	CARO
White Memorial Medical Center	Los Angeles	CA	CAOP	CARO
Woodruff Community Hospital	Long Beach	CA	CAOP	CARO
Day Kimball Hospital	Putnam	CT	CTHH	MAOB
Windham Hospital	Willimantic	CT	CTHH	MAOB
Veterans Memorial Medical Center	Meriden	CT	CTHH	MAOB
Martin Memorial Medical Center, Inc.	Stuart	FL	FLWC	FLMP
Hendry General Hospital	Clewiston	FL	FLSW	FLMP
Phoebe Putney Memorial Hospital	Albany	GA	GALL	GAMC
Palmyra Medical Centers	Albany	GA	GALL	GAMC
St. Francis Hospital	Columbus	GA	GALL	ALOB
Meadows Regional Medical Center	Vidalia	GA	GALL	GAMC
Doctors Hospital	Columbus	GA	GALL	ALOB
Hughston Sports Medicine Hospital	Columbus	GA	GALL	ALOB
The Medical Center, Inc.	Columbus	GA	GALL	ALOB
Athens Regional Medical Center	Athens	GA	GALL	GAMC
Davenport Medical Center	Davenport	IA	IAOP	ILIP
Genesis Medical Center	Davenport	IA	IAOP	ILIP
Jennie Edmundson Memorial Hospital	Council Bluffs	IA	IAOP	NEOR
Swedish American Hospital	Rockford	IL	WIUW	ILIP
Saint Anthony Medical Center	Rockford	IL	WIUW	ILIP
Porter Memorial Hospital	Valparaiso	IN	INOP	ILIP
Franklin Medical Center	Greenfield	MA	CTHH	MAOB
Mary Lane Hospital	Ware	MA	CTHH	MAOB
Baystate Medical Center	Springfield	MA	CTHH	MAOB
Calvert Memorial Hospital	Prince Frederick	MD	MDPC	DCTC
Union Hospital	Elkton	MD	MDPC	PADV
Frederick Memorial Hospital	Frederick	MD	MDPC	DCTC
Marquette General Hospital	Marquette	MI	WIUW	MIOP
Lester E. Cox Medical Center	Springfield	MO	MOMA	MWOB
St. John's Regional Health Center	Springfield	MO	MOMA	MWOB
Skaggs Community Health Center	Branson	MO	MOMA	MWOB
Warren Hospital	Philipsburg	NJ	NJTO	PADV
Our Lady of Lourdes Medical Center	Camden	NJ	NJTO	PADV
Cooper Hospital/University Medical Center	Camden	NJ	NJTO	PADV
Saint Mary's Regional Medical Center	Reno	NV	CADN	NVLV
Washoe Health System	Reno	NV	CADN	NVLV
Arnot Ogden Medical Center	Elmira	NY	NYFL	PATF
Hempstead General Hospital Medical Center	Hempstead	NY	NYRT	NYSB
Long Beach Medical Center	Long Beach	NY	NYRT	NYSB
St. Francis Hospital	Roslyn	NY	NYRT	NYSB
North Shore University Hospital	Manhassett	NY	NYRT	NYSB
Hardin Memorial Hospital	Kenton	OH	OHLP	OHLC
Mercy Hospital	Willard	OH	OHLP	OHLB
Mercy Medical Center	Springfield	OH	OHLP	OHLC
Hood General Hospital	Gransbury	TX	TXGC	TXSB
St. Michael Health Care Center	Texarkana	TX	AROR	TXSB
Darnall Army Community Hospital	Fort Hood	TX	TXSA	TXSB
Metroplex Hospital	Killeen	TX	TXSA	TXSB
Parkview Regional Hospital	Mexia	TX	TXGC	TXSB
Harris Methodist Erath County Hospital	Stephenville	TX	TXGC	TXSB
Hamilton General Hospital	Hamilton	TX	TXGC	TXSB
Palo Pinto General Hospital	Mineral Wells	TX	TXGC	TXSB
Glen Rose Medical Center	Glen Rose	TX	TXGC	TXSB
Decatur Community Hospital	Decatur	TX	TXGC	TXSB
Silsbee Doctors Hospital	Silsbee	TX	TXGC	TXSB
Nan Travis Memorial Hospital	Jacksonville	TX	TXGC	TXSB
Memorial Medical Center	Port Lavaca	TX	TXGC	TXSB
Clinch Valley Medical Center	Richlands	VA	TNET	VAOP
Luther/Midelfort Mayo Health System	Eau Claire	WI	MNOP	WIUW
Door County Memorial Hospital	Sturgeon Bay	WI	WISE	WIUW
Appleton Medical Center	Appleton	WI	WIUW	WISE
Potomac Valley Hospital	Keyser	WV	PATF	MDPC
Weirton Medical Center	Weirton	WV	PATF	OHLP

[1] See Section IV of this notice for keys to the OPO codes and the addresses of the OPOs.

[2] Area not designated.

The Group II listing includes the 11 hospitals that submitted waiver applications after December 1, 1995, and that did not have agreements with the requested out-of-area OPOs on October 31, 1994, but did enter into agreements with the requested OPOs prior to January 1, 1996. We are granting the 11 hospitals included in the Group II listing ''interim waivers'' pending receipt of public comments and our complete review of those comments.

Section 1138(a)(2)(A) of the Act requires that a waiver can be granted only if it is expected to increase donations and equitable treatment of patients referred for transplant within the service area served by the hospital's designated OPO and within the service area served by the OPO with which the hospital seeks to have an agreement under the waiver. These 11 hospitals requesting waiver have asserted that they meet these standards and have provided specific information to support their claims. We have determined on initial review that these hospitals satisfy the statutory criteria for waiver. We have also determined that to force these hospitals to change from their existing OPO arrangements to their designated OPO during our full consideration of the waiver request could disrupt services provided by hospitals and OPOs, impairing their working relationships, and ultimately possibly eroding the supply of organs for the growing list of people awaiting transplant. In accordance with section 1138(a)(2)(D) of the Act, we are publishing a listing of these providers' requests for waiver and are requesting comments on the requests for waiver before making a final determination.

GROUP II

Name of facility	City	State	Requested OPO [1]	Designated OPO [1]
Community Hospital of Sonoma County	Santa Rosa	CA	CAGS	CADN
Santa Rose Memorial Hospital	Santa Rosa	CA	CAGS	CADN
New Milford Hospital	New Milford	CT	CTHH	NYRT
Noble Hospital	Westfield	MA	CTHH	MAOB
Citizens Memorial Hospital	Bolivar	MO	MOMA	MWOB
Springfield Community Hospital and Clinic	Springfield	MO	MOMA	MWOB
Lima Memorial Hospital	Lima	OH	OHLP	OHLC
St. Rita's Medical Center	Lima	OH	OHLP	OHLC
War Memorial Hospital	Berkeley Springs	WV	VAOP	PATF
Carson-Tahoe Hospital	Carson City	NV	CADN	NVLV
Jackson General Hospital	Ripley	WV	OHLP	PATF

[1] See Section IV of this notice for keys to the OPO codes and the addresses of the OPOs.

The Group III listing includes the five hospitals that submitted waiver applications after December 1, 1995, and that did not enter an agreement with the requested OPOs, but are desirous of changing OPOs. The five hospitals in the Group III listing did not have agreements on October 31, 1994, nor did they enter into an agreement by January 1, 1996. These hospitals have submitted requests for change on a prospective basis. Upon receipt of public comments and our review of the comments, HCFA will make a determination of each hospital's request. Any approval of these requests will be prospective. The hospitals have already been informed that their waivers approvals, if granted, will be on a prospective basis.

GROUP III

Name of facility	City	State	Requested OPO [1]	Designated OPO [1]
VacaValley Hospital	Vacaville	CA	CAGS	CADN
NorthBay Medical Center	Fairfield	CA	CAGS	CADN
St. Joseph Hospital	Eureka	CA	CAGS	CADN
Redwood Memorial Hospital	Fortuna	CA	CAGS	CADN
Rockford Memorial Hospital	Rockford	IL	WIUW	ILIP

[1] See Section IV of this notice for keys to the OPO codes, and the addresses of the OPOs.

IV. Keys to the OPO Codes

The keys to the acronyms used in the Group I, II and III listings to identify OPOs and the OPOs' addresses are as follows:

OPO code	OPO name and address
ALOB	ALABAMA ORGAN CENTER, 301 South 20th Street, Suite 1001, Birmingham, AL 35233.
AROR	ARKANSAS REGIONAL ORGAN RECOVERY AGENCY, 1100 N. University, Suite 200, Little Rock, AR 72207.
AZOB	DONOR NETWORK OF ARIZONA, 3877 North Seventh Street, Phoenix, AZ 85014.
CADN	CALIFORNIA TRANSPLANT DONOR NETWORK, 55 Francisco Street, Suite 510, San Francisco, CA 94133–2115.
CAGS	GOLDEN STATE TRANSPLANT SERVICES, 1760 Creekside Oaks Drive, Suite 160, Sacramento, CA 95833.
CAOP	SOUTHERN CALIFORNIA ORGAN PROCUREMENT CENTER, 2100 W. 3rd Street, Suite 350, Los Angeles, CA 90057.
CARO	REGIONAL ORGAN PROCUREMENT AGENCY OF SOUTHERN CALIFORNIA, 10920 Wiltshire Blvd., Suite 910, Los Angeles, CA 90024–6511.

OPO code	OPO name and address
CASD	ORGAN AND TISSUE ACQUISITION CENTER OF SOUTHERN CALIFORNIA, 3500 Fifth Avenue, Suite 203, San Diego, CA 92103.
CORS	COLORADO ORGAN RECOVERY SYSTEMS, INC., 3773 Cherry Creek North Drive, Suite 601, Denver, CO 80209.
CTHH	NORTHEAST OPO AND TISSUE BANK, Hartford Hospital, 80 Seymour Street, Hartford, CT 06102–5037.
DCTC	WASHINGTON REGIONAL TRANSPLANT CONSORTIUM, 8110 Gatehouse Road, Suite 101 W, Falls Church, VA 22042.
FLFH	TRANSLIFE, 2501 North Orange Avenue, Suite 40, Orlando, FL 32804.
FLWC	LIFELINK OF FLORIDA, 2111 West Swann Avenue, Tampa, FL 33606–2486.
FLMP	UNIVERSITY OF MIAMI OPO, University of Miami School of Medicine, P.O. Box 016310, Miami, FL 33101.
FLSW	LIFELINK OF SOUTHWEST FLORIDA, 12573 New Brittany Blvd., Bldg. 23, Ft. Myers, FL 33907.
FLUF	THE OPO AT UNIVERSITY OF FLORIDA, PO Box 100286, Gainesville, FL 32610–0286.
GALL	LIFELINK OF GEORGIA, 3715 Northside Parkway, 100 Northcreek, Suite 300, Atlanta, GA 30327.
GAMC	MEDICAL COLLEGE OF GEORGIA ORGAN AND TISSUE DONOR SERVICES, BA–S1600, 1120 15th Street, Augusta, GA 30912.
HIOP	ORGAN DONOR CENTER OF HAWAII, 1000 Bishop Street, Honolulu, HI 96813.
IAOP	IOWA STATEWIDE ORGAN PROCUREMENT ORGANIZATION, 1165 S. Riverside Drive, Iowa City, IA 52246.
ILIP	REGIONAL ORGAN BANK OF ILLINOIS, 800 South Wells, Suite 190, Chicago, IL 60607.
INOP	INDIANA ORGAN PROCUREMENT ORGANIZATION, INC., 719 Indiana Avenue, Suite 100, Indianapolis, IN 46202.
KYDA	KENTUCKY ORGAN DONOR AFFILIATES, 305 West Broadway, Suite 316, Louisville, KY 40402.
LAOP	LOUISIANA ORGAN PROCUREMENT AGENCY, 3501 N. Causeway Blvd., #940, Metaire, LA 70002–3626.
MAOB	NEW ENGLAND ORGAN BANK, INC., One Gateway Center, Newton, MA 02158.
MDPC	TRANSPLANT RESOURCE CENTER OF MARYLAND, 1540 Canton Center Drive, Suite R, Baltimore, MD 21227.
MIOP	ORGAN PROCUREMENT AGENCY OF MICHIGAN, 2203 Platt Road, Ann Arbor, MI 48104.
MNOP	LIFESOURCE, UPPER MIDWEST ORGAN PROCUREMENT ORGANIZATION, INC., 2550 University Avenue West, Suite 315 South, St. Paul, MN 55114–1904.
MOMA	MID-AMERICA TRANSPLANT ASSOCIATION, 1139 Olivette Executive Parkway, St. Louis, MO 63132.
MSOP	MISSISSIPPI ORGAN RECOVERY AGENCY, INC., 12 River Bend Place, Suite B, Jackson, MS 39208.
MWOB	MIDWEST ORGAN BANK, 1900 W 47th Place, Suite 400, Westwood, KS 66205.
NCBG	CAROLINA LIFE CARE, North Carolina Baptist Hospitals, Inc., Medical Center Boulevard, Winston-Salem, NC 27157.
NCCM	LIFE SHARE OF THE CAROLINAS, Carolinas Medical Center, P.O. Box 32861, Charlotte, NC 28232.
NCNC	CAROLINA ORGAN PROCUREMENT, 702 Johns Hopkins Drive, Greenville, NC 27834.
NEOR	NEBRASKA ORGAN RETRIEVAL SYSTEM, INC., 4060 Vinton Street, Suite 200, Omaha, ME 68105.
NJTO	NEW JERSEY ORGAN & TISSUE SHARING NETWORK, 150 Morris Avenue, Springfield, NJ 07081.
NMOP	NEW MEXICO DONOR PROGRAM, 2715 Broadbent Parkway NE., Suite J, Albuquerque, NM 87107.
NVLV	NEVADA DONOR NETWORK, 4580 Southeastern Avenue, Suite 33, Las Vegas, NV 89119.
NYAP	OPO OF ALBANY MEDICAL COLLEGE, 47 New Scotland Avenue, AP8, Albany, NY 12208.
NYFL	UNIVERSITY OF ROCHESTER ORGAN PROCUREMENT PROGRAM, 601 Elmwood Avenue, P.O. Box Surgery, Rochester, NY 14642.
NYRT	NEW YORK REGIONAL TRANSPLANT PROGRAM, 475 Riverside Drive—Suite 1244, New York, NY 10115.
NYSB	LONG ISLAND TRANSPLANT PROGRAM UNIVERSITY HOSPITAL OPO, State University of New York at Stony Brook, Stony Brook, NY 11794.
NYWN	UPSTATE NEW YORK TRANSPLANT SERVICES, INC., 165 Genesee Street Suite 102, Buffalo, NY 14209.
OHLB	LIFEBANC, 20600 Chagrin Blvd., Suite 350, Cleveland, OH 44122.
OHLC	LIFE CONNECTION OF OHIO, 1545 Holland Road, Suite C, Maumme, OH 43537.
OHLP	LIFELINE OF OHIO, 770 Kinnear Road, Suite 200, Columbus, OH 43212.
OHOV	OHIO VALLEY LIFE CENTER, 2939 Vernon Place, Cincinnati, OH 45219–2430.
OKOP	OKLAHOMA ORGAN SHARING NETWORK, INC., 5801 N. Broadway, Suite 100, Oklahoma City, OK.
ORUO	PACIFIC NORTHWEST TRANSPLANT BANK, 2611 SW Third, Suite 320, Portland, OR 97201–4952.
PADV	DELAWARE VALLEY TRANSPLANT PROGRAM, 2000 Hamilton Street, Suite 201, Philadelphia, PA 19130.
PATF	CENTER FOR ORGAN RECOVERY AND EDUCATION, 204 Sigma Drive, RIDC Park, Pittsburgh, PA 15238.
PRLL	LIFELINK OF PUERTO RICO, LIFELINK FOUNDATION, INC., Texaco Plaza/Metro Office Park, 2 Calle 1, Suite 411, Guaynabo, PR 00968.
SCOP	SOUTH CAROLINA ORGAN PROCUREMENT AGENCY, 1064 Gardner Road, Suite 105, Charleston, SC 29407.
TNDS	TENNESSEE DONOR SERVICES, 1714 Hayes Street, Nashville, TN 37203.
TNET	LIFE RESOURCES DONOR CENTER, 2812 McKinley Road, Johnson City, TN 37604.
TNMS	MID-SOUTH TRANSPLANT FOUNDATION, 956 Court Avenue, Memphis, TN 38163.
TXGC	LIFE GIFT ORGAN DONATION CENTER, 5615 Kirby Drive, Suite 900, Houston, TX 77005.
TXSA	SOUTH TEXAS ORGAN BANK, 8122 Datapoint Drive, Suite 1150, San Antonio, TX 78229.
TXSB	SOUTHWEST ORGAN BANK, 3500 Maple Avenue, Suite 800, Dallas, TX 75219.
UTOP	INTERMOUTAIN ORGAN RECOVERY SYSTEMS, 230 South 500 East, Suite 290, Salt Lake, UT 84102.
VAOP	VIRGINIA ORGAN PROCUREMENT AGENCY, 1527 Huguenot Road, Midlothian, VA 23113.
VATB	LIFE NET, 5809 Ward Court, Virginia Beach, VA 23455.
WANW	NORTHWEST ORGAN PROCUREMENT AGENCY, 700 Broadway, Seattle, WA 98122.

OPO code	OPO name and address
WASH	SACRED HEART ORGAN PROCUREMENT AGENCY, West 101 Eighth Avenue, TAF–C9, Spokane, WA 99220–4045.
WISE	WISCONSIN DONOR NETWORK, Froedtert Memorial Lutheran Hospital, 9200 W. Wisconsin Avenue, Milwaukee, WI 53226.
WIUW	UNIVERSITY OF WISCONSIN OPO, University of Wisconsin Hospital and Clinics, 600 Highland Avenue, Madison, WI 53792.

This notice does not contain any paperwork burden that is subject to approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995. The form used by hospitals to request waivers of designated OPOs is currently approved by the Office of Management and Budget under 0938–0580, with an expiration date of March 31, 1998.

Authority: Section 1138 of the Social Security Act (42 U.S.C. 1320b–8).

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program; No. 93.773 Medicare—Hospital Insurance Program; and No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: April 22, 1996.

Thomas A. Ault,

Director, Bureau of Policy Development, Health Care Financing Administration.

[FR Doc. 96–12463 Filed 5–16–96; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office for Policy Development and Research

[Docket No. FR–4056–N–02]

Proposed Information Collection for Public Comment

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for emergency review and approval, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: The due date for comments is: May 24, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments must be received within seven (7) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Reports Liaison Officer, Office of Policy Development and Research, Department of Housing and Urban Development, 451 7th Street, SW, Room 8126, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Jane Karadbil, Office of University Partnerships—telephone (202) 708–1537. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Karadbil.

SUPPLEMENTARY INFORMATION: This Notice informs the public that the Department of Housing and Urban Development (HUD) has submitted to OMB, for emergency processing, an information collection package with respect to a proposed Notice of Funding Availability for the Community Outreach Partnership Centers Program. HUD seeks to implement this initiative as soon as possible.

The Community Outreach Partnership Centers Program (COPC) is a demonstration program which provides grants to public and private institutions of higher education to assist in establishing or carrying out research and outreach activities addressing the problems of urban areas. In fiscal year 1996, approximately 14 New Grants will be awarded. In addition, up to 11 Institutionalization Grants will also be awarded to existing COPC grantees whose current grants are expiring.

Submission of the information required under this information collection is mandatory in order to compete for and receive the benefits of the program. All materials submitted are subject to the Freedom of Information Act and can be disclosed upon request. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. The OMB control number, when assigned, will be announced by a separate notice in the Federal Register. OMB has been requested to approve this action on or before May 20, 1996.

The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35):

(1) Title of the information collection proposal:

Application Kit—Community Outreach Partnership Centers.

(2) Summary of the collection of information:

Each applicant for the COPC program would be required to submit current information, as listed below as:

1. Transmittal letter signed by the Chief Executive Officer of the institution.

2. OMB Standard Forms 424 (Application for Federal Assistance), Form 424B (Non-Construction Assurances) and Budget.

3. One- to two-page executive summary of the proposed COPC.

4. Narrative Project Management Work Plan.

5. Narrative statement addressing each of the rating factors.

6. Drug-Free Workplace Certification.

7. Form SF–LLL, Disclosure of Lobbying Activities, if applicable.

(7) Financial management and audit information.

(3) Description of the need for the information and its proposed use:

To appropriately determine which Institutions of Higher Education should be awarded COPC grants, certain information is necessary about the applicant's plan, budget, past and future capabilities, and the institutional commitment to the program.

(4) Description of the likely respondents, including the estimated number of likely respondents, and proposed frequency of response to the collection of information:

Respondents will be public and private institutions of higher education. While community-based organizations and local governments are not direct respondents, because the program calls for the creation of partnerships, they will be involved in the preparation of the action plan that forms the basis of the application for a COPC grant. Grantees will also be expected to prepare and submit semi-annual monitoring reports.

The estimated number of respondents submitting applications is 120. The proposed frequency of the response to the collection of information is one-time. The application need only be submitted once. The estimated number of respondents to the monitoring requirements is 25.

(5) Estimate of the total reporting and recordkeeping burden that will result from the collection of information:

Reporting Burden

Number of respondents: 120 for applicants; 25 for monitoring requirements.

Total burden hours: 80 hours per respondent for applications); 80 hours a year per respondent for monitoring requirements.

Total estimated burden hours: 12,800.

Authority: Sec. 3507, Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: May 10, 1996.

David S. Cristy,

Director of IRM Policy and Management Division.

[FR Doc. 96–12424 Filed 5–16–96; 8:45 am]

BILLING CODE 4210–62–M

Office of the Assistant Secretary for Community Planning and Development

[Docket No. FR–3778–N–85]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, Department of Housing and Urban Development, Room 7256, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–1226; TDD number for the hearing- and speech-impaired (202) 708–2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: May 10, 1996.

Jacquie M. Lawing,

Deputy Assistant Secretary for Economic Development.

[FR Doc. 96–12275 Filed 5–16–96; 8:45 am]

BILLING CODE 4210–29–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR–084–06–6310–04: G5–223]

Emergency Closure of Public Lands; Clackamas County, Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Emergency closure of public lands and access roads in Clackamas County, Oregon.

SUMMARY: Notice is hereby given that certain public lands and access roads in Clackamas County, Oregon are temporarily closed to all public use, including vehicle operation, camping, shooting, hiking and sightseeing, from May 9, 1996 through December 31, 1996, The closure is made under the authority of 43 CFR 8364.1.

The public lands affected by this emergency closure are specifically identified as follows:

Willamette Meridian, Oregon

T. 4 S., R. 5 E., Section 30 NW¼NE¼NW¼, Lot 1, Lot 2

T. 5 S., R. 4 E., Section 3 Lot 15, Lot 16, Lot 17, Lot 18, Lot 19, Lot 20, Lot 21, Lot 22, Lot 23

Section 10 Lot 3, Lot 4

Section 12

Section 14

Section 24

The following persons, operating within the scope of their official duties, are exempt from the provisions of this closure order: Bureau employees; Forest Service employees; state, local and federal law enforcement and fire protection personnel; the holders of BLM road use permits that include roads within the closure area; the purchaser of BLM timber within the closure area and its employees and subcontractors. Access by additional parties may be allowed, but must be approved in advance in writing by the Authorized Officer.

Any person who fails to comply with the provisions of this closure order may be subject to the penalties provided in 43 CFR 8360.0–7, which include a fine not to exceed $1,000.00 and/or imprisonment not to exceed 12 months, as well as the penalties provided under Oregon State law.

The public lands and roads temporarily closed to public use under this order will be posted with signs at points of public access.

The purpose of this emergency temporary closure is to protect persons from potential harm from logging operations, protect valuable public timber resources from unauthorized damage, and to facilitate authorized timber harvest operations.

DATES: This closure is effective from May 9, 1996 through December 31, 1996.

ADDRESSES: Copies of the closure order and maps showing the location of the closed lands and roads are available from the Salem District, 1717 Fabry Rd.. SE, Salem, OR 97306.

FOR FURTHER INFORMATION CONTACT: Richard C. Prather, Cascades Area Manager, Salem District Office, at (503) 375–5646.

Date: May 8, 1996.

Richard C. Prather

Cascades Area Manager.

[FR Doc. 96–12417 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–33–P

[OR–030–06–1220–00: GP6–0158]

Notice of Meetings of Southeastern Oregon Resource Advisory Council

AGENCY: Vale District, Bureau of Land Management, Interior.

ACTION: Notice of meetings.

SUMMARY: Notice is given that a meeting of the Southeastern Oregon Resource Advisory Council Rangeland Health Standards and Guides subgroup will be held by teleconference May 23, 1996 from 8:00 p.m. to 9:00 p.m. (Mountain time). Members of the public may observe this meeting by going to the Vale District Office, Bureau of Land Management, 100 Oregon Street, Vale, Oregon. The Subcommittee will discuss rangeland health standards and guidelines on public lands.

Notice is given that a meeting of the Southeastern Oregon Resource Advisory Council will be held June 10, 1996 from 8:00 a.m. to 9:00 p.m. and June 11, 1996 from 8:00 a.m. to 12:00 noon at the Harney County Museum Club Room, 18 West ''D'' Street, Burns, Oregon.

At an appropriate time, the council will recess for approximately one hour for lunch and one and one-half hours for dinner. Public comments will be received from 7:00 p.m. to 7:30 p.m., June 10, 1996. Topics to be discussed during the meeting are administrative activities of the Council, the Southeastern Oregon Resource Management Plan, standards and guidelines for livestock grazing on public lands; and Oregon's clean water regulations.

Notice is given that a meeting of the Southeastern Oregon Resource Advisory

Council will be held July 13, 1996 from 8:00 a.m. to 9:00 p.m. and July 14, 1996 from 8:00 a.m. to 12:00 noon at the Lakeview Interagency Fire Center, 200 North ''E'' St., Lakeview, Oregon. An optional field trip to tour sites of prescribed burns will leave from the Silver Lake Range District office, State Highway 31, Silver Lake, Oregon at 12:00 noon, July 12, 1996.

At an appropriate time, the Council will recess for approximately one hour for lunch and one and one-half hours for dinner. Pubic comments will be received from 7:00 p.m. to 7:30 p.m. July 13, 1996. Topics to be discussed are administrative activities of the Council, the Southeastern Oregon Resource Management Plan, standards and guidelines for livestock grazing on public lands, and noxious weeds.

DATES: The Standard and Guides subgroup teleconference will begin 8:00 p.m. to 9:00 p.m. (Mountain time), May 23, 1996.

The Southeastern Oregon Resource Advisory Council meeting will begin at 8:00 a.m. and run to 9:00 p.m., June 10, 1996 and 8:00 a.m. to 12:00 noon June 11, 1996.

The Southeastern Oregon Resource Advisory Council will begin at 8:00 a.m. and run to 9:00 p.m., July 13 and 8:00 a.m. to 12:00 noon on July 14, 1996.

ADDRESSES: The Rangeland Health Subgroup meeting will take place by teleconference which may, be observed at Vale District Office, Bureau of Land Management, 100 Oregon Street, Vale, Oregon.

The Resource Advisory Council meeting will take place in the Harney County Museum Club Room, 18 West ''D'' Street, Burns, Oregon.

The Resource Advisory Council meeting will take place in the Lakeview Interagency Fire Center, 220 North ''E'' Street, Lakeview, Oregon.

FOR FURTHER INFORMATION CONTACT: Jonne Hower, Bureau of Land Management, Vale District, 100 Oregon Street, Vale, OR 97918, (Telephone 541 473–3144).

James E. May,

District Manager.

[FR Doc. 96–12378 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–33–M

[OR–958–0777–54; GP6–0103; OR 50776]

Order Providing for Opening of Lands; Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action will open 798.34 acres of lands to such forms of disposition as may by law be made of National Forest System lands, mining, mineral leasing, and geothermal leasing. The lands have been eliminated from a Forest Service exchange proposal.

EFFECTIVE DATE: June 24, 1996.

FOR FURTHER INFORMATION CONTACT: Pamela Chappel, BLM Oregon/Washington State Office, P.O. Box 2965, Portland, Oregon 97208, 503–952–6170.

SUPPLEMENTARY INFORMATION: Under the authority of Section 206 of the Federal Land Policy and Management Act of 1976, as amended by the Federal Land Exchange Facilitation Act of 1988, the following described Federal lands have been eliminated from the initial exchange proposal between the Mt. Hood National Forest, Winema National Forest, and Hood River County, Oregon:

Willamette Meridian

Winema National Forest

T. 33 S., R. 7 E.,
Sec. 18, lot 10;
Sec. 19, lots 1 and 2, and SE¼NW¼.
T. 33 S., R. 7 ½ E.,
Sec. 13, lot 8.

Mt. Hood National Forest

T. 1 S., R. 9 E.,
Sec. 36, W½NE¼, N½NW¼, N½S½NW¼, and NW¼SE¼.
T. 1 S., R. 10 E.,
Sec. 2, lots 1 to 4, inclusive, and S½N½.

The areas described aggregate 798.34 acres in Klamath and Hood River Counties.

At 8:30 a.m., on June 24, 1996, the lands will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of records, and the requirements of applicable law. All valid existing applications received at or prior to 8:30 a.m., on June 24, 1996, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

At 8:30 a.m., on June 24, 1996, the lands will be opened to location and entry under the United States mining laws. Appropriation under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. Sec. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

At 8:30 a.m., on June 24, 1996, the lands will be opened to applications and offers under the mineral leasing laws and the Geothermal Steam Act.

Dated: May 8, 1996.

Robert D. DeViney, Jr.

Chief, Branch of Realty and Records Services

[FR Doc. 96–12416 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–33–P

[OR–958–0777–54; GP6–0105; OR–50500]

Public Land Order No. 7184; Withdrawal of National Forest System Land to Protect the Elk River Wild and Scenic Corridor; Oregon; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Correction.

SUMMARY: In Public Land Order No. 7184, 61 FR 5719–5720, published February 14, 1996, as FR Doc. 96–3259, make the following correction:

On page 5719, third column, paragraph 5, under T. 33 S., R. 13 W., which reads ''Secs. 13 to 24, inclusive, secs. 29 and 30,'' is hereby corrected to read ''Secs. 13 to 20, inclusive, secs. 22, 23, 24, 29, and 30.''

Robert D. DeViney, Jr.,

Chief, Branch of Realty and Records Services, Oregon/Washington.

[FR Doc. 96–12415 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–33–P

[COC–59104; CO–050–1430–01]

Notice of Realty Action; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action, proposed permit to authorize use of public lands in Gilpin County, Colorado.

SUMMARY: A Permit under the authority of Section 302 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2762; 43 U.S.C. 1732) (FLPMA) is being considered for short-term use of thirteen (13) small tracts of public land intermingled with municipal land developed as a parking lot. The Permit would allow the government to collect

fair market rental. The land and permittee are as follows:

6th Principal Meridian, Colorado

T. 3 S., R. 73 W.,
Section 13: NW¼ (13 tracts within).

The scattered tracts, totalling approximately 6.79 acres, are located within a parking lot owned and operated by Central City, CO. The parking lot was developed for tourist and gaming visitor use at the famous Colorado mining town. The tracts would be offered noncompetitively to the city under a 3-year nonrenewable permit at no less than fair market rental. The Permit term would allow for the completion of the disposal procedure, at fair market value, to the City under the authority of Section 203 (sale) or 206 (exchange) of FLPMA. Additional tracts located within the above noted legal description may be included in the disposal. The general terms and conditions for permits are found in 43 CFR 2920.7. The City would be required to reimburse the United States for reasonable costs incurred in processing and monitoring the Permit, in accordance with 43 CFR 2920.6.

ADDRESSES: Bureau of Land Management, Canon City District, 3170 East Main Street, Canon City, Colorado 81212.

DATES: Interested parties may submit comments to the District Manager at the above address until July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Lindell Greer, Realty Specialist at (719) 269–8532.

SUPPLEMENTARY INFORMATION: Any adverse comments will be evaluated by the State Director, and he may vacate, modify, or continue this realty action.

Stuart L. Freer,

Associate District Manager.

[FR Doc. 96–12413 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–JB–P

[CO–050–1630–00]

Establishment of Supplementary Rules

AGENCY: Bureau of Land Management, Interior.

ACTION: Establishment of supplementary rules prohibiting the possession and/or consumption of alcoholic beverages by persons under 21 years of age, the possession of a handgun by persons under 18 years of age or the possession of drug paraphernalia by any person while on public lands.

SUMMARY: The possession or consumption of alcoholic beverages by underage persons, the possession of handguns by juveniles and/or the possession of drug paraphernalia are all growing problems on public lands. The implementation and enforcement of these rules by BLM law enforcement officers will help to protect and promote the public peace, health, safety and welfare of the users of public lands and reduce the destruction of natural resources that are associated with these activities.

This rule adopts Colorado Revised Statutes (18–13–122) dealing with the illegal possession or consumption of ethyl alcohol by an underage person, Colorado Revised Statutes (18–12–108.5) dealing with possession of handguns by juveniles, and Colorado Revised Statutes (18–18–428) dealing with possession of drug paraphernalia in a manner consistent with Colorado Revised Statutes on all BLM administered lands within the Canon City District, State of Colorado.

EFFECTIVE DATE: These restrictions will be effective May 17, 1996 and will remain in effect until rescinded or modified by the authorized officer.

ADDRESSES: Canon City District Office, 3170 East Main St., Canon City, Colorado 81212.

FOR FURTHER INFORMATION CONTACT: Jack H. Hagan, District Law Enforcement Ranger, at (719) 269–8535.

SUPPLEMENTARY INFORMATION: The authority for these restrictions is provided in 43 CFR 8365.1–4 and 43 CFR 8365.1–6. Violation of these restrictions are punishable by a fine not to exceed $1,000 and/or imprisonment not to exceed 12 months as authorized in 43 CFR 8360–7.

Stuart L. Freer,

Associate District Manager.

[FR Doc. 96–12414 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–JB–P

[AK–020–06–1220–00]

Notice of Supplemental Rules for Dalton Highway Recreation Area, Northern District, AK

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Supplemental Rules.

SUMMARY: Final Notice is hereby given that all public lands in the Dalton Highway Recreation Management Area (1.1 million acres) will be managed under the following Supplemental Rules and Regulations. The Dalton Highway Recreation Management Area starts at the Yukon River, approximately 130 miles north of Fairbanks, Alaska. The purpose of this notice is to inform the public of uses that require supplemental rules from BLM because of issues addressed in the Dalton Highway Recreation Area Management Plan. Those issues concern safety, health and sanitation; protection of natural resources in the area; promotion and enhancement of recreation facilities and opportunities; and reduction of user conflicts.

DATES: These supplementary rules will take effect June 1, 1996. These Supplementary Rules will remain in effect until rescinded or modified by the authorized official (the Northern District Manager). An appeal of this decision may be filed within 30 days of this notice with the Interior Board of Land Appeals.

Supplementary Rules

Camping: No person shall camp in the same area longer than 14 days in a 28-day period, unless authorized in writing by the Authorized Officer. Area is defined as including lands five miles in any direction from any camp site.

Recreational camping is prohibited within the Toolik Lake Area of Critical Environmental Concern/Research Natural Area, unless authorized in writing by the Authorized Officer.

Minerals: All federal stream segments along the Dalton Highway south of Atigun Pass covered by these rules are available for the recreational extraction of minerals using a pan, pick, shovel, rocker and sluice boxes, and metal detectors. Subject to valid existing rights, all other federal lands within the ''inner Utility Corridor'' are closed to mineral extraction or collection.

For additional information, contact the Northern District Office, Bureau of Land Management, 1150 University Avenue, Fairbanks, AK 99709–3899, or call 1–800–437–7021 or (907) 474–2200.

Livestock: Grazing and quartering of livestock is prohibited within Toolik Lake RNA and within 200 feet of streams, lakes or ponds; or recreational facilities such as campgrounds, developed trails, waysides, etc., and the Dalton Highway. Livestock is defined as any animal used for transportation or packing purposes, excluding dogs.

This decision is consistent with the Utility Corridor Resource Management Plan and Record of Decision, and the Dalton Highway Recreation Area Management Plan, and is authorized in 43 CFR 8365.

FOR FURTHER INFORMATION CONTACT: Dee R. Ritchie, Northern District Manager, 1150 University Ave., Fairbanks, AK 99709–3899.

Dated: May 9, 1996.

Dee R. Ritchie,

District Manager.

[FR Doc. 96–12412 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–JA–P

National Park Service

Notice of Intent To Issue a Prospectus for the Operation of Pack Station Services and Facilities Within Sequoia National Park

SUMMARY: The National Park Service is seeking a concessioner to operate, under a 3-year permit, a pack station providing pack and saddle animal services and facilities within the Mineral King area of Sequoia National Park. These facilities would be operated for the public under the provisions of a Concession Permit. This notice is the formal announcement of the availability of this business opportunity and the initiation of the contracting process.

SUPPLEMENTARY INFORMATION: The pack station is located at an elevation of 7,800 feet in the Southern Sierra Nevada. It is a summer seasonal operation serving visitors to Sequoia National Park. The existing operator does not have a preference in the renewal of this concession permit. The award will be fully competitive based upon the requirements of this Prospectus.

If you are interested in this business opportunity, please ask to be placed on the mailing list by writing or calling: National Park Service, Concession Management Office, Sequoia National Park, Three Rivers, CA 93271 or call: (209) 565–3103—Peggy Williams.

When the Prospectus is issued, submittals will be accepted for a SIXTY (60) day period under terms that will be described in the Prospectus. The release of the Prospectus is expected to occur shortly after the publication of this notice.

Dated: May 3, 1996.

Patricia L. Neubacher,

Acting Field Director, Pacific West Area.

[FR Doc. 96–12490 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–70–P

Notice of Inventory Completion for Native American Human Remains from Lake Winnepesauke, NH, in the Possession of the Hood Museum of Art, Dartmouth College, Hanover, NH

AGENCY: National Park Service.

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003 (d), of the completion of an inventory of human remains and associated funerary objects in the possession of the Hood Museum of Art, Dartmouth College, Hanover, NH.

A detailed assessment of the human remains was made by the Hood Museum of Art professional staff in consultation with representatives of the Penobscot Indian Nation and representatives of the Abenaki Nation of Missisquoi (Western Abenaki) and the Abenaki Family Alliance, two non-Federally recognized Native American groups.

In 1945, human remains representing one individual were recovered from the shore of Lake Winnepesauke in Tuftonboro, NH, and donated to the Hood Museum of Art. No known individuals were identified. No associated funerary objects were present.

Visual examinations conducted when this individual was recovered concluded this is a Native American child buried during the mid-18th century. The Western Abenaki are known to have occupied this area during that time, and the place of recovery of this individual is consistent with known Abenaki internment practice.

Because the Abenaki Nation of Missisquoi is a non-Federally recognized Native American group, the Hood Museum of Art included these remains on the museum's culturally unidentifiable human remains inventory. Pursuant to the Abenaki Nation of Missisquoi's request for repatriation, the Hood Museum of Art requested a finding from the Native American Graves Protection and Repatriation Review Committee for disposition of these human remains. A letter of support from the Penobscot Indian Nation for the Abenaki Nation of Missisquoi's request was included in the documentation presented to the Review Committee.

On December 11, 1995, officials of the Hood Museum of Art were formally notified of the recommendation from the Review Committee stating that the Hood Museum of Art '' * * *publicize the Western Abenaki's (Abenaki Nation of Missisquoi) repatriation request in local newspapers with circulation in New Hampshire and Vermont * * *If after 30 days, no other claimants have expressed interest in repatriating the remains, [the Hood Museum of Art] may proceed with the repatriation process.'' Classified legal notices and/or feature articles publicizing the repatriation request ran in five regional/statewide newspapers between January 31, 1996 and March 24, 1996.

As of April 24, 1996, one response was received from these classified legal notices and articles. The Abenaki Family Alliance has stated that the Alliance represents Abenaki families who do not wish to be represented by the Abenaki Nation of Missisquoi. The Abenaki Family Alliance has further stressed that they do not want to slow down or contest the repatriation process in this instance.

Based on the above mentioned information, officials of the Hood Museum of Art have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of the Hood Museum of Art have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and the Abenaki Nation of Missisquoi.

This notice has been sent to officials of the Penobscot Indian Nation, the Abenaki Nation of Missisquoi (Western Abenaki), and the Abenaki Family Alliance. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Kellen G. Haak, Registrar and Repatriation Coordinator, Hood Museum of Art, Dartmouth College, Hanover, NH 03755, telephone (603) 646–3109 before June 17, 1996. Repatriation of the human remains and associated funerary objects to the Abenaki Nation of Missisquoi may begin after that date if no additional claimants come forward.

Dated: May 9, 1996.

Veletta Canouts,

Acting Departmental Consulting Archeologist,

Deputy Chief, Archeology & Ethnography Program.

[FR Doc. 96–12494 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–70–F

Notice of Inventory Completion for Native American Human Remains from the Straits of Juan de Fuca, WA, in the Control of the Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service.

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003 (d), of the completion of an inventory of human remains from the Straits of Juan de Fuca, WA, in the control of the Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA.

A detailed assessment of the human remains was made by Peabody Museum of Archaeology and Ethnology professional staff in consultation with representatives of the Jamestown S'Klallam Tribe, the Lower Elwa Klallam Tribe, and the Port Gamble S'Klallam Tribe.

In 1868, human remains representing two individuals were removed from two burial locations at New Dungeness, Straits of Juan de Fuca, WA, and donated to the museum by David Mack, Jr. No known individuals were identified. No associated funerary objects are present.

During 1875–1906, Myron Eells stated that the New Dungeness cemetery area was used for S'Klallam community interments identical in manner to the burials of these human remains now in the Peabody Museum of Archaeology and Ethnology's collection. Oral tradition evidence presented by the representatives of the Jamestown S'Klallam Tribe, the Lower Elwa Klallam Tribe, and the Port Gamble S'Klallam Tribe indicates these individuals were removed from known traditional S'Klallam cemetery areas.

Based on the above mentioned information, officials of the Peabody Museum of Archaeology and Ethnology have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of two individuals of Native American ancestry. Officials of the Peabody Museum of Archaeology and Ethnology have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Jamestown S'Klallam Tribe, the Lower Elwa Klallam Tribe, and the Port Gamble S'Klallam Tribe.

This notice has been sent to officials of the Jamestown S'Klallam Tribe, the Lower Elwa Klallam Tribe, and the Port Gamble S'Klallam Tribe. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Barbara Issac, Repatriation Coordinator, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Ave., Cambridge, MA 02138; telephone: (617) 495–2254, before June 17, 1996. Repatriation of the human remains to the Jamestown S'Klallam Tribe, the Lower Elwa Klallam Tribe, and the Port Gamble S'Klallam Tribe may begin after that date if no additional claimants come forward.

Dated: May 8, 1996

Veletta Canouts

Acting Departmental Consulting Archeologist

Deputy Chief, Archeology & Ethnography Program

[FR Doc. 96–12495 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–70–F

Bureau of Land Management

[CA–930–06–1430–00]

Notice of Intent to Prepare a Supplemental Environmental Impact Statement for a Proposed Land Transfer to the State of California for the Purpose of Developing a Low-Level Radioactive Waste Disposal Facility at Ward Valley

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: The Bureau of Land Management (BLM) in California intends to prepare a Supplemental Environmental Impact Statement (SEIS) for a proposed land transfer to the State of California for the purpose of developing a low-level radioactive waste disposal facility at Ward Valley. The SEIS will address new information that has become available and new circumstances that have occurred since the Environmental Impact Statement/Report (EIS/EIR) was completed in April 1991 and the initial SEIS was completed in September 1993. The site of the proposed Federal land transfer is located in San Bernardino County, CA, approximately 20 miles west of the city of Needles.

DATES: The public is invited to submit formal written comments on the scope of the SEIS, or provide new information about the site and proposed actions. All written comments must be received by BLM at the address listed below no later than July 1, 1996.

Three public scoping workshops will also be held, and each will be open to the public at the following dates and locations:

June 3 in Sacramento 2–5 p.m. and 7–9 p.m. at Cal Expo Club, 1600 Exposition Blvd;

June 5 in San Bernardino from 2–5 p.m. and 7–9 p.m. at the National Orange Show Grounds, Arrowhead Avenue, Gate 9, Renaissance Room;

June 12 in Needles from 2–5 p.m. and 7–9 p.m. at Elks Lodge No. 1608, 1000 Lily Hill Drive.

These workshops will provide the public additional opportunities to supply additional information and to identify issues to be addressed in the SEIS. They will be conducted in an open house format; BLM will simply record the issues identified or information offered by the public. Submission of written comments is strongly encouraged to facilitate the sessions.

ADDRESSES: Any written comments or requests to be placed on the mailing list should be sent to Ward Valley Land Transfer Coordinator (CA–930), Bureau of Land Management, 2800 Cottage Way, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT:

Richard F. Johnson or John S. Mills at (916) 979–2820.

SUPPLEMENTARY INFORMATION: The SEIS will focus on new information and circumstances, including the May 1995 National Academy of Sciences Report; the results of tritium and related testing to be conducted at the site; recent U.S. Geological Survey information concerning tritium and other radioactive materials detected in proximity to a closed LLRW facility at Beatty, Nevada, and other evidence of migration of radioactive and other wastes from the Beatty facility; the results of consultation with Native American Tribes; the possible effect of the proposed transfer, construction, and operation of the LLRW facility on areas of cultural importance to nearby Native American Tribes and any Tribal rights recognized by federal law; the designation of Ward Valley by the U.S. Fish and Wildlife Service as critical habitat for the desert tortoise and a 1995 FWS Biological Opinion evaluating the potential impacts of the land transfer and facility on the tortoise and its critical habitat; a report prepared by the U.S. Environmental Protection Agency concerning release of radionuclides into the atmosphere and effects on desert tortoise habitat; a hydrogeologic report on the proposed facility site commissioned by the Metropolitan Water District of Southern California; and other information submitted by the public. Issues that were fully analyzed in the 1991 EIS/EIR and the 1993 SEIS (which was limited to the changed land transfer method from indemnity selection to direct sale), and are not the subject of new information or circumstances, will not be addressed in this SEIS.

A separate public notice will be issued in the near future regarding procedures for the tritium and related testing to be done at the site.

Dated: May 14, 1996.

Ed Hastey,

State Director.

[FR Doc. 96–12592 Filed 5–16–96; 8:45 am]

BILLING CODE 4310–40–M

INTERNATIONAL TRADE COMMISSION

Report to the President on Investigation No. NAFTA–302–1 (Provisional Relief Phase); Broom Corn Brooms [1]

Determinations

On the basis of the statute and available information developed to date in the subject investigation—

Chairman Watson and Commissioner Crawford make a negative determination with respect to whether—

(1) There is clear evidence that, as a result of the reduction or elimination of a duty provided for under the NAFTA, broom corn brooms from Mexico are being imported into the United States in such increased quantities (in absolute terms) and under such conditions so that imports of the article, alone, constitute a substantial cause of serious injury or a threat of serious injury to the domestic industry producing an article that is like, or directly competitive with, the imported article; and

(2) Delay in taking action would cause damage to that industry that would be difficult to repair.

Commissioner Rohr determines—

(1) There is clear evidence that, as a result of the reduction or elimination of a duty provided for under the NAFTA, broom corn brooms from Mexico are being imported into the United States in such increased quantities (in absolute terms) and under such conditions so that imports of the article, alone, constitute a substantial cause of a threat of serious injury to the domestic industry producing an article that is like, or directly competitive with, the imported article; but

(2) Delay in taking action would not cause damage to that industry that would be difficult to repair.

Vice Chairman Nuzum and Commissioners Newquist and Bragg determine—

(1) There is clear evidence that, as a result of the reduction or elimination of a duty provided for under the NAFTA, broom corn brooms from Mexico are being imported into the United States in such increased quantities (in absolute terms) and under such conditions so that imports of the article, alone, constitute a substantial cause of a threat of serious injury (Vice Chairman Nuzum, Commissioners Newquist and Bragg) to the domestic industry producing an article that is like, or directly competitive with, the imported article; and

(2) Delay in taking action would cause damage to that industry that would be difficult to repair.

Background

Following receipt of a petition filed on March 4, 1996, on behalf of the U.S. Cornbroom Task Force and its individual members, the Commission instituted investigation No. NAFTA–302–1 to determine whether, as a result of the reduction or elimination of a duty provided for under the NAFTA, broom corn brooms from Mexico are being imported into the United States in such increased quantities (in absolute terms) and under such conditions so that imports of the article, alone, constitute a substantial cause of serious injury, or a threat of serious injury, to the domestic industry producing an article that is like or directly competitive with the imported article. In addition, the petitioner asserted that critical circumstances exist and requested, pursuant to section 302(a)(2) of the NAFTA Implementation Act (19 U.S.C. § 3352(a)(2)), that provisional relief be provided.

Notice of the institution of the Commission's investigation was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the Federal Register of March 18, 1996 (61 F.R. 11061).

The Commission transmitted its determination in this investigation to the President on May 3, 1996. The views of the Commission are contained in USITC Publication 2963 (May 1996), entitled ''Broom Corn Brooms: Investigation No. NAFTA 302–1 (Provisional Relief Phase).''

Issued: May 10, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–12409 Filed 5–16–96; 8:45 am]

BILLING CODE 7020–02–P

[1] Broom corn brooms are provided for in subheadings 9603.10.05, 9603.10.15, 9603.35, 9603.10.40, 9603.10.50, and 9603.10.60 of the Harmonized Tariff Schedule of the United States.

[Investigation No. 731–TA–748 (Preliminary)]

Engineered Process Gas Turbo-Compressor Systems From Japan

AGENCY: United States International Trade Commission.

ACTION: Institution and scheduling of a preliminary antidumping investigation.

SUMMARY: The Commission hereby gives notice of the institution of preliminary antidumping investigation No. 731–TA–748 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from Japan of engineered process gas turbo-compressor systems, provided for in subheadings 8414.80.20, 8414.90.40, 8419.60.50, 8406.81.10, 8406.82.10, 8406.90.20 through 8406.90.45, and 9032.89.60 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. Unless the Department of Commerce extends the time for initiation pursuant to section 732(c)(1)(B) of the Act (19 U.S.C. § 1673a(c)(1)(B)), the Commission must complete preliminary antidumping investigations in 45 days, or in this case by June 24, 1996. The Commission's views are due at the Department of Commerce within five business days thereafter, or by July 1.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

EFFECTIVE DATE: May 8, 1996.

FOR FURTHER INFORMATION CONTACT: Larry Reavis (202–205–3185), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (http://www.usitc.gov or ftp://ftp.usitc.gov).

SUPPLEMENTARY INFORMATION:

Background

This investigation is being instituted in response to a petition filed on May 8, 1996, by Dresser-Rand Company, Corning, NY.

Participation in the Investigation and Public Service List

Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the Federal Register. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this preliminary investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made not later than seven days after the publication of this notice in the Federal Register. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference

The Commission's Director of Operations has scheduled a conference in connection with this investigation for 9:30 a.m. on May 29, 1996, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Parties wishing to participate in the conference should contact Larry Reavis (202–205–3185) not later than the day preceding the conference to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

Written Submissions

As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before June 3, 1996, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: The investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: May 13, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–12410 Filed 5–16–96; 8:45 am]

BILLING CODE 7020–02–P

[Investigation Nos. 332–350 and 332–351]

Monitoring of U.S. Imports of Tomatoes and Peppers

AGENCY: International Trade Commission.

ACTION: Notice that Commission will not publish monitoring reports in 1996.

EFFECTIVE DATE: May 9, 1996.

FOR FURTHER INFORMATION CONTACT: Timothy McCarty (202–205–3324) or Lowell Grant (202–205–3312), Agriculture and Forest Products Division, Office of Industries, or William Gearhart (202–205–3091), Office of the General Counsel, U.S. International Trade Commission. Hearing impaired persons can obtain information on these studies by contacting the Commission's TDD terminal on (202–205–1810).

Background

Section 316 of the North American Free Trade Agreement (NAFTA) Implementation Act (19 U.S.C. 3381) directs the Commission to monitor imports of fresh or chilled tomatoes (HTS heading 0702.00) and fresh or chilled peppers, other than chili peppers (HTS subheading 0709.60.00), until January 1, 2009, as if a request for such monitoring had been made under section 202(d) of the Trade Act of 1974 (19 U.S.C. 2252(d)), for purposes of expediting an investigation concerning provisional relief under section 202 of the Trade Act of 1974. In response, the Commission instituted Investigation No. 332–350, Monitoring of U.S. Imports of Tomatoes (59 F.R. 1763, January 12, 1994) and Investigation No. 332–351, Monitoring of U.S. Imports of Peppers (59 F.R. 1762, January 12, 1994). Although section 316 of the NAFTA Implementation Act does not require the Commission to publish reports on the results of its monitoring activities, the Commission's notices announcing the investigations stated that the Commission planned to publish annual statistical reports of certain trade data through the year 2008.

The Commission has recently instituted two investigations concerning imports of tomatoes and/or peppers, Investigation No. TA–201–66, Fresh Tomatoes and Bell Peppers (61 F.R. 13875, March 28, 1996), under section 202(b) of the Trade Act of 1974 (19 U.S.C. 2252(b)); and preliminary antidumping Investigation No. 731–TA–747 (Preliminary), Fresh Tomatoes from Mexico (61 F.R. 15968, April 10, 1996), under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)). To avoid possible public confusion due to the release of multiple reports containing different data series, the Commission will not publish reports on the results of monitoring in 1996. The Commission will continue to monitor as required by section 316 of the NAFTA Implementation Act and will consider at a later date whether to resume publication of monitoring reports in 1997 and later years.

Issued: May 13, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–12408 Filed 5–16–96; 8:45 am]

BILLING CODE 7020–02–P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Advisory Committee on Actuarial Examinations; Invitation for Membership on Advisory Committee

The Joint Board for the Enrollment of Actuaries (Joint Board) established under the Employment Retirement Income Security Act of 1974 (ERISA), is responsible for the enrollment of

individuals who wish to perform actuarial services under ERISA. The Joint Board has established an Advisory Committee on Actuarial Examinations (Advisory Committee) to assist in its examination duties mandated by ERISA. The term of the current Advisory Committee will expire on November 1, 1996. This notice describes the Advisory Committee and invites applications from those interested in service on it.

1. General

To qualify for enrollment to perform actuarial services under ERISA, an applicant must have requisite pension actuarial experience and must satisfy knowledge requirements as provided in the Joint Board's regulations. The knowledge requirements may be satisfied by successful completion of Joint Board examinations in basic actuarial mathematics and methodology and in actuarial mathematics and methodology relating to pension plans qualifying under ERISA.

The Joint Board, the Society of Actuaries and the American Society of Pension Actuaries jointly offer examinations acceptable to the Joint Board for enrollment purposes and acceptable to those actuarial organizations as part of their respective examination programs.

2. Purposes

The Advisory Committee plays an integral role in the examination program by assisting the Joint Board in offering examinations which will enable examination candidates to demonstrate the knowledge necessary to qualify for enrollment. The purpose of the Advisory Committee, as renewed, will remain that of assisting the Joint Board in fulfilling this responsibility. The Advisory Committee will discuss the philosophy of such examinations, will review topics appropriately covered in them, and will make recommendations relative thereto. It also will recommend to the Joint Board proposed examination questions. The Joint Board will maintain liaison with the Advisory Committee in this process to ensure that its views on examination content are understood.

3. Function

The manner in which the Advisory Committee functions in preparing examination questions is intertwined with the jointly administered examination program. Under that program, the participating actuarial organizations draft questions and submit them to the Advisory Committee for its consideration. After review of the draft questions, the Advisory Committee selects appropriate questions, modifies them as it deems desirable, and then prepares one or more drafts of actuarial examinations to be recommended to the Joint Board. (In addition to revisions of the draft questions, it may be necessary for the Advisory Committee to originate questions and include them in what is recommended.)

4. Membership

The Joint Board will take steps to ensure maximum practicable representation on the Advisory Committee of points of view regarding the Joint Board's actuarial examination extant in the community at large and from nominees provided by the actuarial organizations. Since the members of the actuarial organizations comprise a large segment of the actuarial profession, this appointive process ensures expression of a broad spectrum of viewpoints. All members of the Advisory Committee will be expected to act in the public interest, that is, to produce examinations which will help ensure a level of competence among those who will be accorded enrollment to perform actuarial services under ERISA.

Membership normally will be limited to actuaries previously enrolled by the Joint Board. However, individuals having academic or other special qualifications of particular value for the Advisory Committee's work also will be considered for membership. The Advisory Committee will meet about four times a year. Advisory Committee members should be prepared to devote from 100 to 150 hours, including meeting time, to the work of the Advisory Committee over the course of a year. Members will be reimbursed for Advisory Committee travel, meals and lodging expenses incurred in accordance with applicable government regulations.

Actuaries interested in serving on the Advisory Committee should express their interest and fully state their qualifications in a letter addressed to: Joint Board for the Enrollment of Actuaries, c/o Office of Director of Practice, Internal Revenue Service, Suite 600, 801 Pennsylvania Avenue, NW., Washington, DC 20004.

Any questions may be directed to the Joint Board's Executive Director at 202–376–1421.

The deadline for accepting applications is September 3, 1996.

Dated: May 9, 1996.

Robert I. Brauer,

Advisory Committee Management Officer, Joint Board for the Enrollment of Actuaries.

[FR Doc. 96–12492 Filed 5–16–96; 8:45 am]

BILLING CODE 4830–01–U

Advisory Committee on Actuarial Examinations; Meeting

Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet in Conference Room A of the Office of Director of Practice, Suite 600, 801 Pennsylvania Avenue, NW, Washington, DC, on Monday and Tuesday, July 8 and 9, 1996, from 8:30 a.m. to 5 p.m. each day.

The purpose of the meeting is to discuss topics and questions which may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in Title 29 U.S. Code, section 1242(a)(1)(B) and to review the May 1996 Joint Board examinations in order to make recommendations relative thereto, including the minimum acceptable pass score. Topics for inclusion on the syllabus for the Joint Board's examination program for the November 1996 pension actuarial examination and the May 1997 basic actuarial examinations will be discussed. In addition, establishing examination guidelines and credit for unanswered questions on the examinations will be addressed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act (Pub. L. 92–463) that the portions of the meeting dealing with the discussion of questions which may appear in the Joint Board's examinations and review of the May 1996 Joint Board examinations fall within the exceptions to the open meeting requirement set forth in Title 5 U.S. Code, section 552(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The portion of the meeting dealing with the discussion of the other topics will commence at 1:30 p.m. on July 8 and will continue for as long as necessary to complete the discussion, but not beyond 3 p.m. This portion of the meeting will be open to the public as space is available. Time permitting, after discussion of the program, interested persons may make statements germane to this subject. Persons wishing to make oral statements are requested to notify the Committee Management Officer in writing prior to the meeting in order to aid in scheduling the time available, and should submit the written

text, or, at a minimum, an outline of comments they proposed to make orally. Such comments will be limited to ten minutes in length. Any interested person also may file a written statement for consideration by the Joint Board and Committee by sending it to the Committee Management Officer. Notifications and statements should be mailed no later than June 19, 1996, to Mr. Robert I. Brauer, Joint Board for the Enrollment of Actuaries, c/o Office of Director of Practice, Internal Revenue Service, Suite 600, 801 Pennsylvania Avenue, NW, Washington, DC 20004 or by facsimile transmission to 202–376–1420.

Dated: May 9, 1996.

Robert I. Brauer,

Advisory Committee Management Officer, Joint Board for the Enrollment of Actuaries.

[FR Doc. 96–12491 Filed 5–16–96; 8:45 am]

BILLING CODE 4830–01–U

DEPARTMENT OF JUSTICE

[AG Order No. 2029–96]

Summary of the Provisions of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

AGENCY: Department of Justice.

ACTION: Notice.

SUMMARY: In accordance with the requirement of section 302(a)(8) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, The United States Department of Justice is publishing this notice summarizing the provisions of Title III of the Act. Title III makes persons who knowingly and intentionally ''traffic'' in confiscated properties, as defined in the Act, subject to private civil damage suits in Federal district court.

EFFECTIVE DATE: This notice is effective May 17, 1996.

FOR FURTHER INFORMATION CONTACT: David E. Bradley, Chief Counsel, Foreign Claims Settlement Commission, Department of Justice, Washington DC 20579, (202) 616–6975.

SUPPLEMENTARY INFORMATION: On March 12, 1996, President Clinton signed into law the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, P.L. 104–114 (also known as the ''Helms-Burton Act''). Title III of the Act discourages foreign investment in properties that were expropriated by the Cuban Government on or after January 1, 1959, without compensation, from persons who are now Untied States nationals. Title III makes persons who knowingly and intentionally ''traffic'' in such confiscated properties subject to private civil damage suits in Federal district court.

The Act defines ''trafficking'' broadly, with several exceptions, as set forth below. A trafficker may be liable to the U.S. claimant for the value of the claim, plus interest, reasonable attorney's fees and court costs. In addition, under certain circumstances described below, a person who trafficks in U.S. claimed property may be liable to the claimant for triple the amount of the value of the claim, excluding interest, fees and court costs.

Title III is scheduled to take effect on August 1, 1996. However, the law does not immediately permit U.S. claimants to bring suit to recover from traffickers. First, traffickers will have a three month ''grace period'' beginning on the effective date during which they may dispose of their interest in the claimed property and avoid liability under Title III. Under the scheduled effective date, therefore, traffickers who dispose of their interests in confiscated property before November 1, 1996, will not be subject to liability to the owner of the claim. Second, until March 13, 1998, only those persons with claims that were certified by the Foreign Claims Settlement Commission (''FCSC'') may bring a Title III lawsuit. Third, the Act provides the President with the authority to suspend the effective date for six months, and for additional six month periods, if he determines suspension is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba. Additional requirements and conditions are described below.

Section 302(a)(8) of the Act requires the Attorney General to publish in the Federal Register not later than sixty days after enactment ''a concise summary of the provisions of this title, including a statement of the liability under this title of a person trafficking in confiscated property, and the remedies available to United States nationals under this title.'' This notice and the accompanying Summary of the provisions of Title III fulfill the Attorney General's obligations under this section. The Department has coordinated the issuance of this Summary with the Department of State.

Interested persons should refer to the text of the Act itself or consult a private attorney for further information and clarification.

For the reasons set forth in the preamble, and by the authority vested in me as Attorney general, I hereby issue the following Summary of the Provisions of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996:

Summary of the Provisions of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

1. Liability Under Title III

(a) Under section 302(a)(1) of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAF) Act of 1996 (hereinafter ''Title III'') subject to certain requirements, conditions, and possible suspensions, a United States national with a claim to property expropriated by the Government of Cuba on or after January 1, 1959, may bring a private lawsuit in U.S. federal district court against a person who trafficks in that property beginning three months after Title III's effective date. The scheduled effective date is August 1, 1996, subject to the President's authority to suspend Title III.

(b) Section 4(13) of the Act defines a trafficker as a person who knowingly and intentionally:

(i) Sells, transfers, distributes, dispenses, brokers, manages, or otherwise disposes of confiscated property, or purchases, leases, receives, possesses, obtains control of, manages, uses, or otherwise acquires or holds an interest in confiscated property;

(ii) Engages in a commercial activity using or otherwise benefiting from confiscated property; or

(iii) Causes, directs, participates in, or profits from trafficking by another person, or otherwise engages in trafficking through another person, without the authorization of any United States national who holds a claim to the property.

(c) Trafficking under section 4(13) does not include:

(i) The delivery of international telecommunication signals to Cuba;

(ii) The trading or holding of securities publicly traded or held, unless the trading is with or by a person determined by the Secretary of the Treasury to be a specially designated national;

(iii) Transactions and uses of property incident to lawful travel to Cuba, to the extent that such transactions and uses of property are necessary to the conduct of such travel; or

(iv) Transactions and uses of property by a person who is both a citizen and a resident of Cuba, and who is not an official of the Cuban Government or the ruling political party in Cuba.

(d) Section 4(11) defines ''person'' for purposes of the Libertad Act as any person or entity, including any agency or instrumentality of a foreign state.

(e) For purposes of Title III, ''United States national'' is defined under

section 4(15) to mean (i) any United States citizen, or (ii) any other legal entity which is organized under the laws of the United States, or of any state, the District of Columbia, or any commonwealth, territory, or possession of the United States, and which has its principal place of business in the United States.

2. Remedies Available Under Title III

(a) Section 302(a)(1)(A) provides that, in addition to attorney's fees and court costs, a trafficker will be liable for money damages to the U.S. national who owns the claim to property being trafficked in the greater of the following amounts:

(i) The amount certified by the Foreign Claims Settlement Commission (''FCSC'') plus interest;

(ii) If the claim has not been certified by the FCSC, the amount determined by the court in the course of a Title III action, plus interest; or

(iii) The fair market value of the property calculated according to either the current value of the property or the value of the property when confiscated plus interest, whichever is greater.

Interest is to be calculated from the date of confiscation of the property involved to the date on which the action is brought.

(b) Section 302(a)(2) establishes a presumption that the amount for which a person is liable to a U.S. national owning a claim certified by the FCSC is the amount so certified. This presumption will be rebuttable by clear and convincing evidence that one of the other measures of liability under section 302(a)(1)(A) is appropriate.

(c) Under section 302(a)(3), a person who trafficks in property which either serves as the basis for a claim certified by the FCSC or is the subject of written notice at least thirty days before the initiation of an action will be subject to treble damages. Such person's liability, in addition to court costs and reasonable attorney's fees, will thus be triple the amount determined under section 302(a)(1)(A). The notice required under section 302(a)(3) must be in writing and be posted by certified mail or personally delivered. It must contain a statement of intention to commence a Title III action or to join the person as a defendant, the reasons for such action, a demand that the trafficking cease immediately, and a copy of this summary.

(d) Under section 302(a)(7), a Title III action may be settled and a judgment enforced without obtaining any license or permission of an agency of the U.S. Government. This section does not apply to assets blocked pursuant to authorities under section 5(b) of the Trading With the Enemy Act that were being exercised on July 1, 1977. In addition, no claim against the Cuban Government will be considered a property interest the transfer of which requires a license or permission of an agency of the United States.

3. Requirements and Conditions for a Title III Action

(a) Under section 302(a)(4), if the property was confiscated before March 12, 1996, the U.S. national bringing the claim must have owned the claim before March 12, 1996. If the property was confiscated on or after March 12, 1996, a U.S. national who acquires ownership of a claim to the property after its confiscation by assignment for value may not bring a lawsuit under Title III.

(b) Under section 302(a)(5), a U.S. national who was eligible to file a claim with the FCSC but did not do so may not bring an action under this title. Where the FCSC denied a U.S. national's claim that now serves as the basis for a Title III action, the court hearing the action will accept the FCSC's findings as conclusive. A U.S. national bringing an action on the basis of a claim that was not certified by the FCSC may not file a Title III lawsuit until March 13, 1998. Any person bringing an action under Title III whose claim has not been certified by the FCSC has the burden of proving to the court that the interest in the property that is the subject of the claim is not the subject of a claim so certified.

(c) Section 302(b) establishes that, in order for an action to be brought under Title III, the amount in controversy must exceed $50,000, not including interest, costs, and attorneys fees. This amount is exclusive of the increased liability damages under section 302(a)(3).

(d) Under section 302(c), title 28 of the United States Code and the rules of court generally applicable to actions brought under section 1331 of title 28 govern the procedure to be followed in Title III actions. Service of process on an agency or instrumentality of a foreign state in the court of a commercial activity or against individuals acting under color of law shall be made in accordance with section 1608 of title 28 of the United States Code.

(e) Under section 302(d), any judgment entered under Title III shall not be enforceable against an agency or instrumentality of either a transition government in Cuba or a democratically elected government in Cuba.

(f) Section 302(e) amends section 1611 of title 28 of the United States Code by adding a new section, which states that the property of a foreign state shall be immune from attachment and from execution in an action brought under section 302 to the extent that the property is a facility or installation used by an accredited diplomatic mission for official purposes.

(g) Under section 302(f)(1), a U.S. national who brings an action under Title III may not bring any other action seeking monetary or nonmonetary compensation by reason of the same subject matter.

(h) Section 302(f)(2)(A) establishes limits on further recovery by a U.S. national with a FCSC-certified claim depending on whether such Title III action leads to a recovery of a greater, equal or lesser amount than certified by the FCSC. If the claimant's recovery under Title III is equal to or greater than the amount certified by the FCSC, the U.S. national may not recover any payment on the claim under any claims settlement agreement between the United States and Cuba. If the U.S. national in a Title III action recovers less than the amount certified by the FCSC, the U.S. national may only receive payment in any claims settlement agreement between the United States and Cuba to the extent of the difference between the certified claim and the recovery. If there is no recovery, the U.S. national may still receive payment in a claims settlement agreement between the United States and Cuba and will be treated as any other certified claimant who does not bring an action under Title III.

(i) Section 302(f)(2)(B) provides that in the event some or all Title III actions are consolidated by judicial or other action so as to create a pool of assets available to satisfy such claims, FCSC-certified claims will be entitled to payment in full from such pool before any payment is made from such pool with respect to any claim not so certified.

(j) Under section 302(g), if the United States and the Government of Cuba reach a claims settlement agreement settling FCSC-certified claims, any amount paid by Cuba in such an agreement in excess of the payments made under section 302(f)(2) shall be deposited in the U.S. Treasury.

(k) Under section 302(h), the rights created pursuant to Title III may be suspended upon a presidential determination under section 203 that a transition government in Cuba is in place and may be terminated upon a presidential determination that a democratically elected government in Cuba is in power. Neither of these actions shall affect suits commenced before the dates of suspension or termination. While pending suits may proceed to judgment, such judgments

will not be enforceable against a transition or democratically elected government in Cuba under section 302(d).

(l) Claimants bringing an action under Title III will be required to pay a uniform filing fee, to be established by the Judicial Conference of the United States, pursuant to section 302(i).

(m) Section 302(a)(6) provides that no court of the United States shall decline, based upon the act of state doctrine, to make a determination on the merits in an action brought under Title III.

(n) Section 305 provides that actions under section 302 may not be brought more than two years after the trafficking giving rise to the action has ceased to occur.

4. Proof of Ownership of a Claim to Confiscated Property

(a) Section 303(a) provides that certification of a claim by the FCSC is conclusive proof of ownership. In all other cases, the court has the discretion to appoint a special master, including the FCSC, to make determinations of the amount and ownership of the claim. Determinations made by administrative agencies or courts of a foreign government or international organization shall not be conclusive unless made pursuant to binding international arbitration to which the United States or the claimant submitted the claim.

(b) Section 303(b) amends the International Claims Settlement Act of 1949 by authorizing a U.S. district court to refer to the FCSC factual questions under Title III involving the amount and ownership by a U.S. national of a claim to confiscated property in Cuba.

5. Consistency With International Claims Practice

(a) Section 303(c) emphasizes that nothing in the LIBERTAD Act shall be construed to require or otherwise authorize the claims of Cuban nationals who became U.S. citizens after their property was confiscated to be included in a future negotiation and espousal of U.S. claims with a friendly government in Cuba when diplomatic relations are restored. Section 303(c) also states that the LIBERTAD Act shall not be construed as superseding, amending, or otherwise altering certifications that have been made under the FCSC's Cuba Claims Program.

(b) Section 304 amends the International Claims Settlement Act of 1949 to state that no person other than a certified claimant shall have a claim to, participate in, or otherwise have an interest in the compensation proceeds paid to a U.S. national by virtue of a certified claim.

6. Presidential Suspension Authority

(a) Section 306(a) provides that, subject to the President's suspension authority, Title III takes effect on August 1, 1996.

(b) Section 306(b) provides the President with the authority to suspend the effective date of Title III beyond August 1, 1996, for up to six months, and for additional extensions up to six months, upon a determination and report to the appropriate congressional committees that a suspension is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba. An initial determination and report must be submitted to the appropriate congressional committees at least 15 days before August 1, 1996. Additional suspensions or extensions are subject to the same reporting and determination requirements.

(c) Section 306(c) provides the President with the authority to suspend the right to bring an action under Title III after its effective date for up to six months, and for additional extensions up to six months, upon a determination and report that a suspension is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba. Section 306(c) also emphasizes that after the effective date no persons may acquire a property interest in any potential or pending Title III action, nor shall pending actions commenced before the date of suspension be affected by a suspension.

(d) Section 306(d) provides that the President may rescind any suspension made under section 306(b) or section 306(c) upon reporting to the appropriate congressional committees that doing so will expedite a transition to democracy in Cuba.

Dated: May 11, 1996.

Janet Reno,

Attorney General.

[FR Doc. 96–12407 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By notice dated August 14, 1995, and published in the Federal Register on August 22, 1995 (60 FR 43613), Ganes Chemicals, Inc., Industrial Park Road, Pennsville, New Jersey 08070, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of methylphenidate.

A registered manufacturer of bulk methylphenidate filed a comment alleging that DEA's notice of application, published in the Federal Register, did not comply with notice and comment rulemaking requirements of the Administrative Procedure Act (APA). In addition, the commentor stated that Ganes' registration would be contrary to the public interest under 21 U.S.C. 823(a).

The commentor maintains that DEA ''has deprived [the commentor] and other registered manufacturers and applicants of the opportunity to offer fully-informed comments on Ganes' application.'' In support of its position, the commentor submits that ''registration of bulk manufacturers of schedule I–II controlled substances is subject to notice and comment rulemaking.'' For the reasons provided below, this conclusion is an incorrect interpretation of the APA. First, the commentor ignores the basic definitions set forth in the APA and, in so doing, confuses notice and comment rulemaking with agency licensing proceedings. The commentor argues that DEA proceedings to grant or deny an application for registration as a bulk manufacturer are rulemakings. However, the clear language of the definition of a ''rule'' exposes the error of this analysis. The APA defines ''rule making'' to mean an ''agency process for formulating, amending, or repealing a rule.'' 5 U.S.C. 551(5).

The APA defines a ''rule'' as:

> The whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefore or of valuations, costs, or accounting, or practices bearing on any of the foregoing.

5 U.S.C. 551(4).

Review of the APA's definitions of license [1] and licensing [2] reveals that the granting or denial of a manufacturer's application for registration is a licensing action, not a rulemaking. Courts have

---

[1] Section 551(8) of the APA defines license as ''the whole or a part of an agency permit, certificate, approval, *registration*, charter, membership, statutory exemption or other form of permission.'' (emphasis added).

[2] Licensing is defined as ''agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license.'' 5 U.S.C. 551(9).

frequently distinguished between agency licensing actions and rulemaking proceedings. *See, e.g., Gateway Transportation Co.* v. *United States,* 173 F. Supp. 822, 828 (D.C. Wis. 1959); *Underwater Exotics, Ltd.* v. *Secretary of the Interior,* 1994 U.S. Dist. LEXIS 2262 (1994). Since courts have interpreted agency action relating to licensing as not falling within the APA's rulemaking provisions, it is probably not an oversight that the commentor has not cited any cases in which an agency action on a license was required to comport with § 553 of the APA.

In *Underwater Exotics,* the United States District Court for the District of Columbia drew the distinction between an agency placing conditions on a license and agency creation of a rule. In that case, the Fish and Wildlife Service (Service) imposed certain conditions on the plaintiff's import/export license; the plaintiff sued, arguing, *inter alia,* that the Service failed to comply with the APA's rulemaking requirements.

The court looked to the APA's definitions of ''licensing'' and ''rule'' and concluded that ''the Service's imposition of these conditions on a license did not violate the APA, because the Service's actions did not involve the creation of a rule.'' 1994 U.S. Dist. LEXIS 2262, *26. The court explained that:

> The Service's imposition of conditions on the plaintiff's import/export license clearly fall within the definitions of ''license'' and ''licensing,'' * * * this agency action is not a ''rule making.'' Absent specific statutory direction otherwise, a court should not force an agency to employ a certain procedural format * * *.

Id.

Since the registration of bulk manufacturers is not a ''rule,'' DEA is not required to follow traditional notice and comment rulemaking procedures when granting or denying applications for such registration. In fact, the D.C. Circuit, in a case cited by the commentor, clearly supported this analysis in a decision in which the court stated that ''agency action that clearly falls outside the definition of 'rule' is also freed from rulemaking procedures.'' *Batterton* v. *Marshall,* 648 F. 2d 694, 701 n. 25 (D.C. Cir. 1980).

In a final rule which amended 21 CFR § 1301.43(a), effective July 20, 1995, DEA eliminated the right of current bulk manufacturers or applicants to request a hearing on an application to bulk manufacture a Schedule I or II controlled substance. In the regulation as amended, however, DEA continued to invite comments and objections from such manufacturers or applicants on a pending application. (60 FR 32099 (June 20, 1995)). The commentor claims that DEA voluntarily adopted the APA's notice and comment procedures when it changed the third party hearing regulation in the final rule of June 20, 1995. This contention, however, is not supported by either the notice of proposed rulemaking (59 FR 3055) or the final rule. In fact, while the final rule does invite written comments from current manufacturers and applicants, nowhere in this rule does DEA state, implicitly or explicitly, that it intended to follow notice and comment rulemaking procedures when acting upon a bulk manufacturer's application. DEA simply stated in the final rule that it would take into account such written comments when deciding whether to grant a particular registration or whether to issue an Order to Show Cause proposing to deny an application.

The commentor contends that ''[w]ithout access to * * * Ganes' application, any reports of DEA inspections of Ganes, or DEA's assessment of how it might apply the statutory public interest test, it is impossible for [the commentor] and other registered manufacturers to offer fully-informed comments on Ganes' fitness for registration.'' Nowhere in the final rule was it contemplated that DEA would turn over information in its files in order for others to determine whether to object or not. DEA is well aware of what it has in its own files and will supplement that information with any comments filed in rendering a decision whether or not to grant an application. In determining whether an applicant meets the public interest standard, DEA is perfectly capable of analyzing its own investigative reports. Therefore, it is not necessary for DEA to turn over information it has gathered on a particular applicant to another registered manufacturer.

Moreover, under 21 U.S.C. 824(a), only the Attorney General has the discretion to decide whether or not to file an Order to Show Cause. The rule amending 21 CFR 1301.43 did not and, indeed, could not, authorize a third party to exercise such discretion in light of the clear statutory mandate to place such decisions exclusively with the Attorney General.

If DEA determines, based upon its own investigation and upon information provided to it through written comments, that the registration of an applicant would not be in the public interest, an Order to Show Cause will be issued. If the applicant requests a hearing, the ensuing adjudicatory proceedings will comply with the APA. DEA's decision to address applications via individual adjudication, and not by notice and comment rulemaking, is within its discretion and in conformity with both the APA and the Controlled Substances Act (CSA). Courts have held that agencies have this discretion to determine whether to proceed by rulemaking or individual adjudication. *See PBW Stock Exchange* v. *Securities and Exchange Commission,* 485 F. 2d 718, 731 (3d Cir. 1973), *cert. denied* 94 S. Ct. 1992.

Finally, the commentor's citation to *Rodway* v. *USDA,* 514 F. 2d 809 (D.C. Cir. 1975) and *Heron* v. *Heckler,* 576 F. Supp. 218 (N.D. Cal. 1983) is inappropriate. In those cases, as the commentor itself acknowledges, the agencies in question had either promulgated a regulation or adopted a policy statement specifically espousing the APA's notice and comment requirements. DEA has done neither.

The commentor also submitted that the sixty day comment period was inadequate because that commentor needed more time to obtain and assess documents from DEA and the U.S. Department of Health and Human Services, Food and Drug Administration. The regulation, as amended June 20, 1995, contemplated that DEA would receive information from qualified third parties that is already available and known to such parties. As explained above, the intent of the regulation never was to have other bulk manufacturers or applicants become an independent investigative branch. Under these circumstances, the sixty-day comment period is adequate.

DEA's action upon a bulk manufacturer's application is not a rulemaking action. DEA is therefore not required to follow notice and comment rulemaking when considering these applications. Neither the APA nor the CSA requires DEA to follow notice and comment rulemaking when acting upon bulk manufacturer applications. While DEA invites comments from other bulk manufacturers and applicants, such invitation does not translate into an implicit adoption of notice and comment rulemaking. Consequently, the sixty day comment in which to file comments is reasonable and adequate.

On February 14, 1996, the Commentor filed a belated, additional comment. This comment maintained that the dictum set forth in *MD Pharmaceutical, Inc.* v. *Drug Enforcement Administration,* No. 95–1267 (D.C. Cir. January 2, 1996) required DEA to set forth the reasons why DEA intends to register Ganes under certain factors set forth in 21 U.S.C. 823(a). Whether or not the Commentor's interpretation is correct or not, DEA will adequately address the commentor's objections and

set forth the reasons why DEA believes Ganes' application should be granted under the factors pursuant to 21 U.S.C. 823(a) as set forth below.

In stating that Ganes Chemicals, Inc.'s application to manufacture methylphenidate would be contrary to the public interest under 21 U.S.C. 823(a), the commentor argues that Ganes would lack effective controls against diversion of methylphenidate; that Ganes' past experience in the manufacture of controlled substances and experience in the establishment of effective control against diversion were questionable; that there is currently an adequate and uninterrupted supply of methylphenidate under adequately competitive conditions; and that there were other relevant factors to indicate that Ganes' registration would be contrary to the public health and safety.

In support of the contentions that Ganes lacks effective controls to prevent diversion and that Ganes' past experience in this regard was questionable, the commentor states that as a result of an Order to Show Cause issued by DEA and a Civil Complaint filed in the United States District Court for the District of New Jersey charging Ganes with various security and record-keeping violations and with manufacturing controlled substances in excess of quotas, Ganes entered into a Consent Agreement in December 1980, agreeing to withdraw its application to bulk manufacture methaqualone and not reapply until 1984 and pay a $25,000 fine.

Ganes' application is based on the firm's request to add methylphenidate to its existing registration as a bulk manufacturer. Ganes has been and is currently registered with DEA as a bulk manufacturer of other Schedule II controlled substances. Both the Order to Show Cause and the civil complaint occurred over fifteen years ago. The firm has been investigated by DEA on a regular basis since that time to determine if the firm maintains effective controls against diversion and if its continued registration is consistent with the public interest. These investigations have included, in part, inspection and testing of the firm's physical security, audits of the firm's records, verification of compliance with state and local law and a review of the firm's background and history. The investigations have found Ganes to be in compliance with the CSA and its implementing regulations.

The commentor argues that there is an adequate and uninterrupted supply of methylphenidate under adequately competitive conditions. In support of this argument, the commentor asserts that the present bulk manufacturers are adequate for this purpose, that quota restrictions have been eased sufficiently since 1988, and that the commentor sells methylphenidate in dosage form to itself and other distributors.

Under Title 21, CFR 1301.43(b), DEA is not required to limit the number of manufacturers solely because a smaller number is capable of producing an adequate supply, provided effective controls against diversion are maintained. DEA has determined that effective controls against diversion will be maintained by Ganes.

The commentor, in support of its argument that Ganes' registration would be contrary to the public health and safety, cites Ganes' manufacture of the List I chemicals, ephedrine and pseudoephedrine. The commentor states that DEA has reported that ephedrine and pseudoephedrine are used in the clandestine manufacture of methamphetamine and methcathinone and that companies such as Ganes may be the source of these chemicals.

With respect to Ganes' manufacture of ephedrine and pseudoephedrine, there is no evidence of any violations of the Chemical Diversion and Trafficking Act (CDTA) and the Domestic Chemical Diversion Control Act (DCDCA).

Another factor which the commentor claims is relevant is that the Food and Drug Administration (FDA) has made various inspections of Ganes' two production centers between 1980 and 1994, and noted various problems with record keeping, manufacturing practices and product-complaint procedures. The commentor states that some of these findings pertain to controlled substances.

The FDA violations are based on the practices of another federal agency within another department of government operating under the authority of distinctly different statutes. Moreover, DEA has verified with FDA that Ganes' drug registration under the Federal Food, Drug and Cosmetic Act is current, that the nature of the indicated (or noted) FDA citations against Ganes and the FDA actions to ensure compliance do not warrant a finding that Ganes' compliance with Federal laws is so lacking or inadequate as to warrant denial under the CSA.

It is within DEA's sole discretion to decide whether or not to file an Order to Show Cause after reviewing all of the evidence, including the comments and objections provided to DEA under 21 CFR 1301.43(a). After reviewing all the evidence, including the comment filed, DEA has determined, pursuant to 21 U.S.C. 823(a), that it is consistent with the public interest to grant Ganes' application to manufacture methylphenidate at this time. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: May 13, 1996.

Gene R. Haislip,

Deputy Assistant Administrator Office of Diversion Control Drug Enforcement Administration.

[FR Doc. 96–12429 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA–W) issued during the period of May, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–32,177; EMI Co., Erie, PA

TA–W–32,097; International Paper, Gardiner, OR
TA–W–31,981; Sealright Packaging Co., Inc., Desoto, KS
TA–W–32,119; Jasper Yarn Processing, Inc., Jasper, GA
TA–W–32,190 & A; Northeast Lumber Co., Inc., Chester, ME
TA–W–32,115; Fox Point Sportswear, Inc., Merrill, WI

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA–W–32,209; Chic By HIS, Henry I. Siegel Co., Inc., Clinton, KY
TA–W–32,219; Pelican Seafoods, Inc., Pelican, AK
TA–W–32,110; Cowtown Boot Co., Inc., El Paso, TX
TA–W–32,127; Pennsylvania Power Co., Bruce Mansfield Plant, Shippingport, PA
TA–W–31,985; United Technologies, Hamilton Standard Commercial Aircraft Products, Mesa, AZ

Increased imports did not contribute importantly to worker separations at the firm.

TA–W–32,075; Coach Leatherware, Carlstadt, NJ
TA–W–32,167; Red Kap Industries, Inc., Tupelo, MS
TA–W–32,235; Zenith Electronics Corp., El Paso, TX
TA–W–31,990; L. Bonfanti, Inc., Salem, MA
TA–W–32,128; Permian Basin Community Center, Midland, TX
TA–W–32,045; Noram Gas Transmission, Shreveport, LA

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA–W–32,005; The McGraw Hill Co., Blue Ridge Summit, PA

The investigation revealed that criterion (2) and criterion (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

TA–W–31,997; Morton International Adhesives & Chemical Specialties, Danvers, MA

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–32,149; Vanity Fair Mills, McAllen, TX

The investigation revealed that criterion (1) has not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification.

TA–W–32,196; Liz Clairborne, Inc., (Headquarters Building—1 Liz Clairborne Avenue), North Bergen, NJ

The investigation revealed that criterion (1) and criterion (2) have not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification. Sales or production did not decline during the relevant period as required for certification.

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name and location for each determination references the impact date for all workers for such determination.

TA–W–32,060; Rhubarb Fashions, Jersey City, NJ: February 28, 1995.
TA–W–32,073; Rust Evader Corp., Altoona, PA: March 4, 1995.
TA–W–32,087; Vans, Inc., Orange, CA: February 6, 1995.
TA–W–32,131; Ranick Ltd, Athens, GA: March 25, 1995.
TA–W–32,132; Ranick Ltd, Washington, GA: March 25, 1995.
TA–W–32,178 & A; Kentucky Apparel LLP, Burkesville, KY, & El Paso, TX: March 11, 1995.
TA–W–32,260; Buster Brown Apparel, Inc., Garmet Finished Department, Chatanooga, TN: April 15, 1995.
TA–W–32,146; Tex Mex Sportswear International, Inc., El Paso, TX: March 14, 1995.
TA–W–32,099; Stapleton Garmet Co. (Knight Industries), Stapleton, GA: March 11, 1995.
TA–W–32,171; L. Chessler, Inc., Philadelphia, PA: March 25, 1995.
TA–W–32,080; Award Lighting, Miami Lakes, FL: February 19, 1995.
TA–W–32,024; GEM II, Inc., Florala, AL: February 22, 1995.
TA–W–32,181; Century Pine Products, Inc., Redmond, OR: March 25, 1995.
TA–W–32,160; Casablanca Fan Co., City of Industry, CA: March 12, 1995.
TA–W–32,156; Lucia, Inc., Winston-Salem, NC: March 21, 1995.
TA–W–32,070 & A; Marcraft, Bloomsburg, PA & Sewcomp, Inc., New Berling, PA: March 11, 1995.
TA–W–32,245; Super Craft, Garfield, NJ: April 11, 1995.
TA–W–32,124; Mayr Bros. Logging Co., Inc., Hoquiam, WA: March 14, 1995.
TA–W–32,276; Early Manufacturing Co., Blakely, GA: April 18, 1995.
TA–W–32,109; Branch Oil & Gas, Shelby, MT: February 29, 1995.
TA–W–32,184; Timber Products Co., Grove Lumber Div., Springfield, OR: March 19, 1995.
TA–W–31,966; Dreher, Inc., Newark, NJ: January 29, 1995.
TA–W–32,042; Dye-Tex Limited, Roanoke, VA: March 5, 1995.
TA–W–31,999; Beco Well Service, Co., Cement, OK: February 29, 1995.
TA–W–32,272; Teleflex Automotive, Martinsburg, WV:
TA–W–32,255; General Electric Co., Residential Transformer, Hickory, NC: March 20, 1995.
TA–W–32,180; Majester Production Co., Austin, TX: March 20, 1995.
TA–W–32,151; Western Publishing Co., Inc., Racine, WI: May 18, 1996.
TA–W–32,215; Pike Manufacturing Corp., Troy, AL: March 29, 1995.
TA–W–32,186; OSRAM Sylvania, Inc., General Lighting Div., Incandescent Lamp Manufacturing Plant, St. Mary's PA: March 26, 1995.
TA–W–32,114; Forte Cashmere Co., Inc., Woonsocket, RI: March 16, 1995.
TA–W–32,004; Wrangler, Inc., Silver Lake Div. of the Alameda Plant, El Paso, TX: January 10, 1995.
TA–W–32,189; Meren Industries, Inc., Newark, NJ: April 2, 1995.
TA–W–32,176; Advance Transformer Co., Platteville, WI: March 26, 1995.

Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.L. 103–182) concerning transitional adjustment assistance hereinafter called (NAFTA–TAA) and in accordance with Section 250(a) Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA–TAA issued during the month of May, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA–TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number of proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases in imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA–TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA–TAA–00934; Vanity Fair Mills, McAllen, TX
NAFTA–TAA–00905; Jasper Yarn Processing, Inc., Jasper, GA
NAFTA–TAA–00901; Pennsylvania Power Co., Bruce Mansfield Plant, Shippingport, PA
NAFTA–TAA–00910; Syracuse Lithographing Co., Syracuse, NY
NAFTA–TAA–00895; EMI Co., Erie, PA
NAFTA–TAA–00886; International Paper, Gardiner, OR
NAFTA–TAA–00916; Chic By H.I.S., Henry I. Siegel Co., Inc., Clinton, KY
NAFTA–TAA–00915; Shirts Elite, Inc., Glens Falls, NY
NAFTA–TAA–00912; Vans, Inc., Orange, CA
NAFTA–TAA–00892 & A; Ranick, Ltd, Athens, GA & Washington, GA

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

NAFTA–TAA–00955; Puchi's Family Fashion Centers, Tucson, AZ
NAFTA–TAA–00918; Permian Basin Community Center, Midland, TX
NAFTA–TAA–00909; Zenith Electronics Corp., El Paso, TX
NAFTA–TAA–00881; Alemeda Equipment Co., Inc., Master Equipment Center, Amherst, NY

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

Affirmative Determinations NAFTA–TAA

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

NAFTA–TAA–00914; Terminal Fabrication, Inc., Freeport, IL: February 28, 1995.
NAFTA–TAA–00890 & A; Kentucky Apparel LLP, Burkesville, KY & EL Paso, TX: March 6, 1995.
NAFTA–TAA–00896; Branch Oil & Gas, Shelby, MT: February 29, 1995.
NAFTA–TAA–00948; Irvin Automotive Products, Inc., Del Rio Trim, Del Rio, TX: March 18, 1995.
NAFTA–TAA–00942; Century Pine Products, Inc., Redmond, OR: March 25, 1995.
NAFTA–TAA–00931; Casablanca Fan Co., City of Industry, CA: March 12, 1995.
NAFTA–TAA–00932; Timber Products Co., Grove Lumber Div., Springfield, OR: March 19, 1995.
NAFTA–TAA–00940; OSRAM Sylvania, Inc., General Lighting Div., Incandescent Lamp Manufacturing Plant, St. Mary's PA: March 26, 1995.
NAFTA–TAA–00936; Advance Transformer Co., Platteville, WI: March 26, 1995.
NAFTA–TAA–00922; Western Publishing Co., Inc., Racine, WI: March 22, 1995.
NAFTA–TAA–00935; Majestic Products Co., Austin, TX: March 20, 1995.
NAFTA–TAA–00919; Flexitallic, Inc., Pennsauken, NJ: March 12, 1995.
NAFTA–TAA–00911; Mayr Bros. Logging Co., Inc., Hoquiam, WA: March 14, 1995.
NAFTA–TAA–00933; McGill Electric Switch Product Group, a Div. of Therm-O-Disc, Inc., Valparaiso, IN: March 28, 1995.
NAFTA–TAA–00963; Dolphin International Ltd, The Dalles, OR: April 1, 1995.
NAFTA–TAA–00913; TxMx Sportswear International, Inc., El Paso, TX: March 14, 1995.

I hereby certify that the aforementioned determinations were issued during the month of May 1996. Copies of these determinations are available for inspection in Room C–4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: May 9, 1996.

Russell Kile,

Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96–12443 Filed 5–16–96; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–30,472A]

Exxon Company, U.S.A., a/k/a Exxon Corporation, Houston/Corpus Christi Production Division, Including the Marketing Division, Houston, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on December 15, 1994, applicable to all workers of Exxon Company, U.S.A., Houston/Corpus Christi Production Division, Houston, Texas. The notice was published in the Federal Register on January 20, 1995 (60 FR 4195). The notice was subsequently amended to reflect a name change from Exxon Company U.S.A. to Exxon Corporation, and published in the Federal Register on March 31, 1995 (60 FR 16677).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The State reports that some of the workers of the subject firm are being denied eligibility to apply for TAA because they were in the Marketing Division of Exxon in Houston. Findings show that when the certification was issued it was the Department's intent to include workers of the subject firm engaged in employment related to the exploration and drilling for crude oil, and the administrative, technical and support staff. Accordingly, the Department is amending the certification to specifically include the Marketing Division of the subject firm.

The amended notice applicable to TA–W–30,472A is hereby issued as follows:

All workers of Exxon Company U.S.A., a/k/a Exxon Corporation, Houston/Corpus Christi Production Division, including the Marketing Division, Houston, Texas who became totally or partially separated from employment on or after October 23, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 9th day of May 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96–12440 Filed 5–16–96; 8:45 am]

BILLING CODE 4510–30–M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Program Manager of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Program Manager, Office of Trade Adjustment Assistance, at the address show below, not later than May 28, 1996.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than May 28, 1996.

The petitions filed in this case are available for inspection at the Office of the Program Manager, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC this 29th day of April, 1996.

Russell Kile,

Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

APPENDIX.—PETITIONS INSTITUTED ON 4/29/96

TA–W	Subject firm (petitioners)	Location	Date of petition	Product(s)
32,265	Whirlpool Corporation (IUE)	Evansville, IN	04/10/96	Refrigerators.
32,266	O.I. Brockway, Inc. (GMP)	Brockway, PA	04/16/96	Glass Containers.
32,267	O.I. Brockway, Inc. (GMP)	Crenshaw, PA	04/16/96	Glass Containers.
32,268	Casablanca Fan Company (Co.)	City of Industry, CA	03/12/96	Ceiling Fans.
32,269	Sylray, Inc. (Wkrs)	Orwigsblury, PA	04/15/96	Ladies' Lingerie.
32,270	Ithaca Industries (Wkrs)	Vidalia, GA	03/13/96	Knit Shirts—Distribution.
32,271	Manhattan Shirt Company (Wkrs)	Americus, GA	04/16/96	Shirts.
32,272	Teleflex Automotive (Wkrs)	Martinsburg, WV	04/18/96	Actuation/Control Cable Assemblies.
32,273	Stevenson Manufacturing (Co.)	Stevenson, AL	04/16/96	Children's Apparel.
32,274	Lucent Technologies (IBEW)	Montgomery, IL	04/17/96	Printed Circuit Boards.
32,275	American Stud Co. (Wkrs)	Olney, MT	04/15/96	Lumber.
32,276	Early Manufacturing Co. (Co.)	Blakely, CA	04/18/96	Men's & Ladies' Coats & Sport Blazers.
32,277	Motor Wheel Corporation (UAW)	Mendota, IL	04/16/96	Steel Wheels.
32,278	Team, Inc. (Wkrs)	Fulton, MS	04/15/96	Children's Knitted Sleepers.
32,279	Pants Plus (UNITE)	New York, NY	04/17/96	Ladies' Sportswear.
32,280	Alstyle Apparel (Wkrs)	Lebanon, KY	04/10/96	T-Shirts.
32,281	Williams Advance Material (Wkrs)	Buffalo, NY	03/30/96	Computer Fame Lid Parts.
32,282	Karl Schmidt UNISIA, Inc. (Wkrs)	South Haven, MI	04/15/96	Aluminum Pistons—Automobile.
32,283	Apparel Creations of Amer (Co.)	Notasulga, AL	04/15/96	Ladies' Sportswear.
32,284	United Technologies Auto (Wkrs)	Newton, IL	03/21/96	Wiring Harnesses.
32,285	Alcoa Fujikura LTD (Wkrs)	Dearborn Height, MI	04/12/96	Prototype Vehicle Wireing Harnesses.
32,286	Metric Products Inc. (Wkrs)	Culver City, CA	04/17/96	Wire for Garments.
32,287	Crown Vantage (Co.)	Parchment, MI	04/23/96	Food & Communication Paper.
32,288	Continental General Tire (USWA)	Mayfield, KY	04/16/96	Tires.

[FR Doc. 96–12442 Filed 5–16–96; 8:45 am]
BILLING CODE 4510–30–M

[NAFTA–00646 et al.]

Pacific Power a/k/a PacifiCorp, a/k/a Utah Power, Casper, Wyoming, and Other Locations Within Wyoming and Other Locations Within Various States; Amended Certification Regarding Eligibility To Apply for NAFTA Transitional Adjustment Assistance

In accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), the Department of labor issued a Certification for NAFTA Transitional Adjustment Assistance on December 1, 1995, applicable to all workers of Pacific Power, located in Casper, Wyoming, and operating at various locations in the State of Wyoming. The notice was published in the Federal Register on January 26, 1996 (61 FR 2538).

At the request of the company, the Department reviewed the certification for workers of the subject firm. New information provided by the company shows that worker separations have occurred at other production facilities of the subject firm at various locations within the States of Washington, Oregon, California, Montana, Idaho and Utah. The workers are engaged in employment related to the production of electrical power. The company reports that PacifiCorp was formed to combine Pacific Power and Utah Power. Consequently, some of the workers may have had their Unemployment Insurance (UI) wages reported under either PacifiCorp, Pacific Power or Utah Power tax accounts. Other findings show that workers of Pacific Power in Centralia, Washington are covered under an existing NAFTA–TAA certification, NAFTA–00655, and are specifically excluded from this amendment.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased imports from Canada or Mexico. Accordingly, the Department is amending the certification to reflect that in addition to Pacific Power, the workers UI wages may have been paid under PacifiCorp or

Utah Power; and to cover worker separations at the other locations of the subject firm.

The amended notice applicable to NAFTA–00646 is hereby issued as follows:

All workers of Pacific Power, a/k/a PacifiCorp, a/k/a Utah Power, Casper, Wyoming and at other locations within Wyoming (NAFTA–00646); and other locations within the following States, who became totally or partially separated from employment on or after October 16, 1994 are eligible to apply for NAFTA–TAA under Section 250 of the Trade Act of 1974:

NAFTA–00646A Washington (Excluding Centralia)
NAFTA–00646B Oregon
NAFTA–00646C California
NAFTA–00646D Montana
NAFTA–00646E Idaho
NAFTA–00646F Utah.

Signed at Washington, D.C. this 8th day of May 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96–12441 Filed 5–16–96; 8:45 am]

BILLING CODE 4510–30–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Computer and Information Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Computer and Information Science and Engineering.

Date and Time: June 5, 1996; 8:30 a.m. to 5:00 p.m.; June 6, 1996; 8:30 a.m. to 2:30 p.m.

Place: 4201 Wilson Blvd., Arlington, VA 22230, Room 1235.

Type of Meeting: Open.

Contact Person: Odessa Dyson, Administrative Officer, Office of the Assistant Director, Directorate for Computer and Information Science and Engineering, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 306–1900.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To advise NSF on the impact of its policies, programs and activities on the CISE community; to provide advice to the Assistant Director/CISE on issues related to long range planning, and to form ad hoc subcommittees to carry out needed studies and tasks.

Agenda:

(1) Discuss reports of CISE Research and Education and Human Resources Review Teams
(2) Review status of CISE Organizational Review Committee Report
(3) Discuss status of CISE and NSF Strategic Planing.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12398 Filed 5–16–95; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Design, Manufacture, and Industrial Innovation; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Design, Manufacture, and Industrial Innovation—(1194).

Date and Time: June 7, 1996, 8:00 a.m.–5:00 p.m.

Place: Rooms 310, 320, 340, 365, 370, 380, 390, 565, and 580, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. George A. Hazelrigg, Program Director, Design Integration Engineering, (703) 306–1330, and Dr. Warren DeVries, Program Director, Manufacturing Processes and Equipment, (703) 306–1330, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to the NSF for financial support.

Agenda: To review and evaluate unsolicited proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 USC 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12393 Filed 5–16–96; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Engineering Education and Centers; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel Engineering Education and Centers (#173).

Date/Time: June 6–7, 1996, 8:00 a.m.–5:30 p.m.

Place: National Science Foundation, Room 375, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Mary Poats, Program Manager, Engineering Education and Centers Division, National Science Foundation, Room 585, 4201 Wilson Boulevard, Arlington, VA 22230.

Purpose of Meeting: To provide advice and recommendations concerning concept papers submitted to NSF for financial support.

Agenda: To review and evaluate concept papers submitted to the Combined Research-Curriculum Development Program.

Reason for Closing: The concept papers being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

These matters are exempt under 5 U.S.C. 552b.(c) (4) and (6) of the Government in the Sunshine Act.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12395 Filed 5–16–96; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Human Resource Development; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Foundation announces the following meeting.

Name and Committee Code: Special Emphasis Panel in Human Resource Development (#1199).

Date and Time: May 30–31, 1996, 8:00 a.m. to. 5:00 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Room 370, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. Bobby Wilson, Program Director, Human Resource Development Division, Room 815, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230 Telephone: (703) 306–1634.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for Continuation of financial support.

Agenda: Review for the Minority Research Centers for Excellence Reverse Site Visit.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12397 Filed 5–16–96; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Networking and Communications Research and Infrastructure (NCRI); Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Networking and Communications (#1207)

Date and Time: June 3–4, 1996; 8:30 am to 5:00 pm

Place: Room 1175, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230

Type of Meeting: Closed

Contact Person: Dr. Darleen Fisher, National Science Foundation, Room 1175, Arlington, VA 22230 (703–306–1950).

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review & evaluate proposals submitted for the Networking and Communications Program.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals.

These matters are exempt under 5 U.S.C. 552 b.(c) (4) and (6) of the Government in the Sunshine Act.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12394 Filed 5–16–96; 8:45 am]

BILLING CODE 7555–01–M

Advisory Committee for Small Business Industrial Innovation; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Small Business Industrial Innovation (SBIR)–(61)

Date and Time: June 3–4, 1996, 8:00 a.m.–5:00 p.m.

Type of Meeting: Open

Place: Room 390, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230

Contact Person: Cheryl Albus, SBIR Program Coordinator, (703) 306–1390, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Minutes: May be obtained from the contact person listed above.

Purpose of Committee: To provide advice and recommendations concerning research programs pertaining to the small business community.

Agenda:

June 3, 1996, Room 390

10:00 a.m. to 10:30 a.m.—Welcome and Introductions
10:30 a.m. to 12:30 p.m.—Review and Discussion of Programs
12:30 p.m. to 1:30 p.m.—Lunch
1:30 p.m. to 3:30 p.m.—Discussion of Program Issues
3:30 p.m. to 3:45 p.m.—Break
3:45 p.m. to 5:00 p.m.—Further Discussion of Program Issues
5:00 p.m.—Adjourn

June 4, 1996, Room 390

8:30 a.m. to 10:30 a.m.—Discussion of Future Directions
10:30 a.m. to 12:00 noon—Preparation of Committee Report
12:00 noon–1:00 p.m.—Lunch
1:00 p.m. to 3:00 p.m.—Preparation of Committee Report (continued) Recommendations to NSE (Committee Chair)
3:00 p.m.—Adjourn.

Dated: May 13, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96–12396 Filed 5–16–96; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket Number 40–6622]

Pathfinder Mines Corp.; Amendment of Source Material License

AGENCY: Nuclear Regulatory Commission.

ACTION: Amendment of Source Material License SUA–442 to include reclamation milestone dates.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission has amended Pathfinder Mines Corporation's (PMC's) Source Material License SUA–442 to include reclamation milestone dates. This amendment was requested by PMC by its letter dated March 26, 1996, and the receipt of the request by NRC was noticed in the Federal Register on April 5, 1996.

The license amendment adds License Condition 50 to include completion dates for various site-reclamation milestones. The schedule proposed by PMC and accepted by the NRC staff is as follows:

(1) Windblown tailings retrieval and placement on the tailings pile, December 31, 1997.

(2) Placement of an interim cover over tailings, December 31, 1997.

(3) Placement of final radon barrier, December 31, 1999.

(4) Placement of erosion protection, December 31, 2000.

(5) Completion of groundwater corrective actions, December 31, 2005.

An environmental assessment is not required since this action is categorically excluded under 10 CFR 51.22(c)(11), and an environmental report from the licensee is not required by 10 CFR 51.60(b)(2).

SUPPLEMENTARY INFORMATION: PMC's amended license, and the NRC staff's technical evaluation of the amendment request are being made available for public inspection at the Commission's Public Document Room at 2120 L Street NW (Lower Level), Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: Mohammad W. Haque, Uranium Recovery Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415–6640.

Dated at Rockville, Maryland, this 10th day of May 1996.

Daniel M. Gillen,

Acting Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety, and Safeguards.

[FR Doc. 96–12406 Filed 5–16–96; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 50–146 (License No. DPR–4)]

Saxton Nuclear Experimental Corporation (Saxton Nuclear Experimental Facility); Order Approving Transfer

I

On November 15, 1961, pursuant to 10 CFR Part 50, Provisional Operating License No. DPR–4 was issued to Saxton Nuclear Experimental Corporation (SNEC) for the Saxton Nuclear Experimental Facility (SNEF) located in Saxton, Bedford County, Pennsylvania. On February 29, 1964, the provisional operating license was replaced with a full-term operating license. On February 11, 1967, an order was issued that extended the expiration date of the license from April 13, 1967, to December 31, 1968. On December 27, 1968, Amendment No. 4 was issued to Operating License No. DPR–4 which

extended the expiration date of the license to December 31, 1972. On August 15, 1972, Amendment No. 8 was issued to Amended Facility License No. DPR–4 that changed the license status to possession-only. On January 10, 1974, Amendment No. 9 was issued to Amended Facility License No. DPR–4 which extended the expiration date of the license to February 11, 2000.

II

By letter dated November 21, 1995, as supplemented on March 13, 1996, pursuant to 10 CFR 50.80 and 50.90, SNEC submitted a request for consent to transfer control of the license and approval of amendments to the SNEF Amended Facility License No. DPR–4 and Technical Specifications appended thereto that would add GPU Nuclear Corporation (GPU Nuclear) as a possession-only licensee for the SNEF and would transfer from SNEC to GPU Nuclear all management-related responsibilities for the SNEF. SNEC's responsibilities as a licensee would not otherwise be affected. The NRC published a ''Notice of Consideration of Issuance of Amendment to Facility License and Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing'' in the Federal Register on January 31, 1996 (61 FR 3502), and published a ''Notice of Transfer of Control of License'' in the Federal Register on March 19, 1996 (61 FR 11231).

The transfer of control of Amended Facility License No. DPR–4 is subject to the NRC's approval under 10 CFR 50.80. On the basis of information provided by SNEC in the letters of November 21, 1995, and March 13, 1996, and other information before the Commission, the NRC staff has concluded that GPU Nuclear is qualified to be a joint holder of Amended Facility License No. DPR–4 to the extent and for the purposes described above and that the proposed transfer, subject to the conditions set forth herein, is otherwise consistent with the applicable provisions of law, regulations, and orders issued by the Commission. This proposed action was evaluated by the staff as documented in a Safety Evaluation, dated May 10, 1996.

III

By June 10, 1996, any person adversely affected by this order may file a request for a hearing with respect to issuance of the Order. Any person requesting a hearing shall set forth with particularity how such person's interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is to be held, the Commission will issue an Order designating the time and place of such hearing.

If a hearing is held concerning this Order, the issue to be considered at any such hearing will be whether this Order should be sustained.

Any request for a hearing must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Copies should also be sent to the Office of the General Counsel and to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Ernest L. Blake, Jr., Esquire; Shaw, Pittman, Potts, and Trowbridge; 2300 N Street NW., Washington, DC 20037.

IV

Accordingly, pursuant to sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(b), 2201(i), and 2234, and 10 CFR 50.80, it is hereby ordered that the Commission consents to the proposed transfer of control of Amended Facility License No. DPR–4 to GPU Nuclear to the extent and for the purposes described herein subject to the following: (1) the approval of the amendment proposed in the SNEC submittals dated November 21, 1995, and March 13, 1996, which, when issued by the NRC, would become effective as of the date of issuance, and (2) should the transfer of the license as set forth above to GPU Nuclear not be completed by August 9, 1996, this Order shall become null and void unless upon application and for good cause shown, this date is extended.

For further details with respect to this action, see the application for amendment and transfer of license dated November 21, 1995, as supplemented on March 13, 1996, which is available for public inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20037, and at the Local Public Document Room located at the Saxton Community Library, 911 Church Street, Saxton, Pennsylvania 16678.

Dated at Rockville, MD., this 10th day of May 1996.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 96–12405 Filed 5–16–96; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 50–244]

Rochester Gas and Electric Corporation; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DRP–18 issued to Rochester Gas & Electric Corporation (RG&E) for operation of the R. E. Ginna Nuclear Power Plant located in Wayne County, New York. The proposed amendment would modify the Technical Specifications to correct several typographical errors that were implemented in the Ginna Station Improved Technical Specifications (ITS) at Ginna Station per Amendment No 61.

On February 24, 1996, RG&E implemented the ITS. Currently, Ginna Station is in a defueled condition while in the performance of a steam generator replacement project. While in this condition, several typographical errors have been discovered within the ITS by various plant staff personnel. In general, these errors are minor and are readily apparent. However, several errors could lead to confusion and a potential incorrect application of a requirement. The correction of these more limiting errors is required prior to entering MODE 2 which is scheduled to occur on June 2, 1996. Failure to correct these known errors would therefore prevent a scheduled resumption in power operation. The proposed changes would permit the Ginna Station to enter MODE 2 as planned. Exigent action is justified in order to avoid an unnecessary delay in reactor startup.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards

consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Operation of Ginna Station in accordance with the proposed changes does not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed changes only correct various typographical errors within the technical specifications. The errors were discovered during use of the new improved technical specifications and do not involve any technical issues when compared to NUREG–1431 or the ''old'' technical specifications. As such, these changes are administrative in nature and do not impact initiators or analyzed events or assumed mitigation of accident or transient events. Therefore, these changes do not involve a significant increase in the probability or consequences of an accident previously analyzed.

2. Operation of Ginna Station in accordance with the proposed changes does not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed changes do not involve a physical alteration of the plant (i.e., no new or different type of equipment will be installed) or changes in the methods governing normal plant operation. The proposed changes will not impose any new or different requirements. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Operation of Ginna Station in accordance with the proposed changes does not involve a significant reduction in a margin of safety. The proposed changes will not reduce a margin of plant safety because the changes are administrative in nature. As such, no question of safety is involved, and the change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the Federal Register a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By June 17, 1996, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Rochester Public Library, 115 South Avenue, Rochester, New York 14610. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The

contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1–(800) 248–5100 (in Missouri 1–(800) 342–6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Jocelyn A. Mitchell, Acting Director, Project Directorate I–1, petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Nicholas S. Reynolds, Winston & Strawn, 1400 L Street, NW., Washington, DC 20005, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated May 8, 1996, as supplemented May 10, 1996, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Rochester Public Library, 115 South Avenue, Rochester, New York.

Dated at Rockville, Maryland, this fourteenth day of May 1996.

For the Nuclear Regulatory Commission.

Guy S. Vissing,

Senior Project Manager, Project Directorate I–1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96–12616 Filed 5–16–96; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC–21956; 812–9920]

Blue Chip Value Fund, Inc.; Notice of Application

May 14, 1996.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the ''Act'').

APPLICANT: Blue Chip Value Fund, Inc.

RELEVANT ACT SECTIONS: Exemption requested under section 6(c) of the Act that would grant an exemption from section 19(b) of the Act and rule 19b–1 thereunder.

SUMMARY OF APPLICATION: Applicant requests an order to make up to four distributions of long-term capital gains in any one taxable year, so long as applicant maintains in effect a distribution policy calling for quarterly distributions of a fixed percentage of its net asset value.

FILING DATES: The application was filed on January 2, 1996, and amended on April 18, 1996.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on June 10, 1996, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street N.W., Washington, D.C. 20549. Applicant, 1225 Seventeenth Street, 26th Floor, Denver, Colorado 80202.

FOR FURTHER INFORMATION CONTACT: Elaine M. Boggs, Staff Attorney, at (202) 942–0572, or Alison E. Baur, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is closed-end management investment company organized as a Maryland corporation. Applicant's investment objective is to seek a high level of total investment return, comprised of capital appreciation and current income, through investment primarily in a diversified portfolio of equity securities.

2. From 1989 to April 1994, applicant had a fixed distribution policy calling for four quarterly distributions of an amount equal to 2.5% of its net asset value at the time of the declaration, for a total of approximately 10% of its net asset value per year. Any realized capital gains from 1989 through 1993 were offset by capital loss carryforwards. On April 4, 1994, applicant announced a change in its distribution policy to three quarterly distributions of net investment income, followed by a fourth distribution of an amount equal to the greater of 10% of net asset value less the prior three distributions or the sum of applicant's net investment income and net capital gains.

3. Applicant requests relief to permit it to make up to four distributions of net long-term capital gains in any one taxable year, so long as it maintains in effect a distribution policy calling for quarterly distributions of a fixed percentage of its net asset value (the ''Pay-Out Policy'').

Applicant's Legal Analysis

1. Section 19(b) provides that registered investment companies may not, in contravention of such rules, regulations, or orders as the SEC may prescribe, distribute long-term capital gains more often than once every twelve months. Rule 19b–1 limits the number of capital gains distributions, as defined in section 852(b)(3)(C) of the Internal Revenue Code of 1986, as amended, (the ''Code''), that applicant may make with respect to any one taxable year to one, plus a supplemental distribution made pursuant to section 855 of the Code not exceeding 10% of the total amount distributed for the year, plus one additional long-term capital gains distribution made to avoid the excise tax under section 4982 of the Code.

2. Rule 19b–1, by limiting the number of net long-term capital gain distributions that applicant may make with respect to any one year, has prevented the operation of the Pay-Out Policy because applicant's realized net long-term capital gains in any year may exceed the total of the fixed quarterly distributions that under rule 19b–1 may include such capital gains. In that situation, the rule effectively forces the fixed quarterly distributions, that under the rule may not include such capital gains, to be funded with returns of capital (to the extent net investment income and realized short-term capital gains are insufficient), even though net realized long-term capital gains would otherwise be available therefor. The long-term capital gains in excess of the fixed quarterly distributions permitted by the rule then must either be added as an ''extra'' on one of the permitted capital gains distributions, thus exceeding the total annual amount called for by the Pay-Out Policy, or be retained by applicant (with applicant paying taxes thereon).

3. Applicant believes that granting the required relief would limit applicant's return of capital distributions to that amount necessary to make up any shortfall between applicant's guaranteed distribution and the total of its investment income and capital gains. The likelihood that applicant's shareholders would be subject to additional tax return complexities involved when applicant retains and pays taxes on long-term capital gains would therefore be avoided.

4. One of the concerns leading to the adoption of section 19(b) and rule 19b–1 was that shareholders might be unable to distinguish between frequent distributions of capital gains and dividends from investment income. In accordance with rule 19a–1, a separate statement showing the source of the distribution (net investment income, net realized capital gains, or returns of capital) will accompany each distribution (or the confirmation of the reinvestment thereof under applicant's dividend reinvestment plan). In addition, a statement showing the amount and source of distributions received during the year will be included with applicant's IRS Form 1099–DIV reports sent to each shareholder who received distributions during the year (including shareholders who sold shares during the year). This information will also be included in applicant's annual report to shareholders. Through these disclosures and other communications with shareholders, applicant states that its shareholders will understand that applicant's fixed distributions are not tied to its investment income and realized capital gains and will not represent yield or investment return.

5. Another concern that led to the adoption of section 19(b) and rule 19b–1 was that frequent capital gain distributions could facilitate improper fund distribution practices, including the practice of urging an investor to purchase fund shares on the basis of an upcoming dividend (''selling the dividend''), where the dividend results in an immediate corresponding reduction in net asset value and is in effect a return of the investor's capital. Applicant believes that this concern does not apply to closed-end investment companies, such as applicant, which do not continuously distribute shares. Although, to date, applicant has completed one rights offering of additional shares to shareholders, the rights offering was short in duration and involved a relatively small number of new shares. The rights in the rights offering were non-transferable and offered only to existing shareholders. The rights were offered only by means of the statutory prospectus, without solicitation by brokers and without payment of any commission or other underwriting fee.

6. Applicant states that another concern leading to the adoption of section 19(b) and rule 19b–1, increase in administrative costs, is not present because applicant will continue to make quarterly distributions regardless of what portion thereof is composed of capital gains.

7. Section 6(c) of the Act provides that the SEC may exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provisions of the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. For the reasons stated above, applicant believes that the requested exemption meets the standards set forth in section 6(c).

Applicant's Condition

Applicant agrees that the order granting the exemption shall terminate upon the effective date of a registration statement under the Securities Act of 1933 for any future public offering by applicant of its shares other than: (i) a non-transferable rights offering to shareholders of applicant, provided that such offering does not include solicitation by brokers or the payment of any commissions or underwriting fee; and (ii) an offering in connection with a merger, consolidation, acquisition, or reorganization.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12465 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC—21952; 812–10064]

Emerging Markets Growth Fund, Inc. et al.; Notice of Application

May 10, 1996.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: Emerging Markets Growth Fund, Inc. (''EMGF''), New World Investment Fund (''NWIF''), IBM Retirement Plan Trust (''Trust I''), and General Motors Employees Global Group pension Trust (''Trust II'').

RELEVANT ACT SECTIONS: Order requested under section 17(b) of the Act granting an exemption from section 17(a).

SUMMARY OF APPLICATION: Applicants request an order to permit EMGF to acquire all of the assets of NWIF. Because of certain affiliations, the two funds may not rely on rule 17a–8 under the Act.

FILING DATES: The application was filed on March 28, 1996 and amended on May 9, 1996.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by

mail. Hearing requests should be received by the SEC by 5:30 p.m. on June 4, 1996, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicants: EMGF and NWIF c/o The Capital Group Companies, Inc. 11100 Santa Monica Boulevard, Los Angeles, California 90025; and Trust I and Trust II c/o Chase Manhattan Bank, N.A., Chase Metro Tech Center, Brooklyn, New York 11245.

FOR FURTHER INFORMATION CONTACT: Marianne H. Khawly, Staff Attorney, at (202) 942–0562, or Alison E. Baur, Branch Chief, at (202) 942–0564 (Office of Investment Company Regulation, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicants' Representations

1. EMGF is a closed-end management investment company organized as a Maryland corporation and registered under the Act. NWIF is a closed-end management investment company organized as a Massachusetts business trust and registered under the Act. Capital International, Inc. (the ''Adviser'') serves as investment adviser to EMGF and NWIF. The Adviser is an indirect, wholly-owned subsidiary of The Capital Group Companies, Inc.

2. The International Business Machines Corporation established Trust I to provide monthly income to eligible retired employees. General Motors Corporation (''GM'') created Trust II for the benefit of certain employee benefit plans of GM and its subsidiaries. Trust I and Trust II each owns greater than 5% of the outstanding shares of each of EMGF and NWIF.

3. Applicants propose that NWIF (the ''Acquired Fund'') be combined with and into EMGF (the ''Acquiring Fund'' and together with the Acquiring Fund, the ''Funds'') in a tax-free reorganization (the Reorganization''). In the Reorganization, the Acquiring Fund will acquire all of the assets and liabilities, of the Acquired Fund in exchange for shares of the Acquiring Fund, which then will be distributed *pro rata* to former shareholders of the Acquired Fund. The transfer of the assets of the Acquired Fund to the Acquiring Fund, and in exchange the issuance of the Acquired Fund's shares, will be based on the relative net asset values of each of the Funds as of the close of the New York Exchange on the last business day immediately preceding the effective date of the Reorganization. Each Fund will bear its own expenses in connection with the Reorganization.

4. Shares of the Acquired Fund are offered to the public on a continuous basis to investors meeting the Acquired Fund's investor suitability and minimum purchase requirements. The Acquiring Fund's investor suitability requirement provides that each prospective investor that is a ''company'', as defined in the Act, must have total assets in excess of $5 million. Each prospective investor that is a natural person must be an ''accredited investor'' within the meaning of Regulation D under the Securities Act of 1933. Shares of the Acquired Fund are offered to the public on a continuous basis under the same conditions and subject to the same suitability limitations.

5. At a meeting on January 26, 1996, the board of directors of the Acquiring Fund, including the disinterested directors, approved the Reorganization. Also on January 26, 1996, the board of trustees of the Acquired Fund, including the disinterested trustees, approved the Reorganization. Each board made the findings required under rule 17a–8 and determined that participation in the Reorganization is in the best interests of its registered investment company and that the interests of existing shareholders of its registered investment company will not be diluted as a result of its effecting the Reorganization. Such findings, and the basis upon which such findings were made, are recorded fully in the minute books of each registered investment company. In addition, the board of trustees of the Acquired Fund considered (a) the potential benefits of the Reorganization to the shareholders of the Acquired Fund, (b) the investment objectives, policies, restrictions, and investment holdings of the Funds, (c) the terms and conditions of the Reorganization that might affect the price of the outstanding shares of the Acquired Fund, and (b) the direct or indirect costs to be incurred by the Acquired Fund or shareholders thereof.

6. In considering the compatibility of the two Funds, the boards noted that the investment objectives of the Funds are similar, in that both Funds seek capital appreciation and income. The principal difference in objectives is that the Acquired Fund concentrates its investments in Latin American countries, and is permitted to invest a greater percentage of its assets in debt securities, while the Acquiring Fund invests in a broader range of emerging market countries, with a greater percent of its assets in equity securities. Nevertheless, the Acquiring Fund's investment policies permit it to invest in substantially all of the securities in which the Acquired Fund may invest.

7. The expected advantages of the Reorganization include: the benefit to shareholders of the Acquired Fund of the Acquiring Fund's lower expense ratio; the elimination of certain duplicative expenses of separate funds, such as separate audit and legal fees; a larger asset base; and enhanced liquidity and portfolio diversification. In addition, shareholders of the Acquiring Fund should benefit from the Reorganization in that it will permit the Acquiring Fund to acquire portfolios securities in the amount of the assets of the Acquired Fund without incurring the expenses that would normally be associated with purchasing such securities in the open market. The Adviser estimates the potential cost savings to the Acquiring Fund to be $344,000.

8. The consummation of the Reorganization is subject to certain conditions, including that the parties shall have received from the SEC the order requested herein, and the receipt of an opinion of tax counsel that the Reorganization will qualify as a tax-free reorganization under the Internal Revenue Code of 1986 and will not result in the recognition of any taxable gain or loss to the Acquiring Fund or the Acquired Fund, or to any shareholders thereof. In addition, applicants agree not to make any material changes to the reorganization agreement that affect the application without the prior approval of the SEC. Applicants also agree not to waive, amend, or modify any provision of the reorganization agreement that is required by state or federal law in order to effect the Reorganization.

9. A registration statement on Form N–14 with respect to the Reorganization will be filed with the SEC. A special meeting of shareholders of the Acquired Fund will be held to consider and act upon the Reorganization.

Applicants' Legal Analysis

1. Section 17(a), in pertinent part, prohibits an affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, from selling to or purchasing from such registered company, or any company controlled by

such registered company, any security or other property.

2. Section 2(a)(3)(A) of the Act provides that any person directly or indirectly owning, controlling, or holding with power to vote 5% or more of the outstanding voting securities of any other person is an affiliated person of that person. Section 2(a)(3)(B) provides that any person 5% or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote by another person is an affiliated person of that person.

3. Rule 17a–8 exempts from the prohibitions of section 17(a) mergers, consolidations, or purchases or sales of substantially all of the assets of registered investment companies that are affiliated persons solely by reason of having a common investment adviser, common directors, and/or common officers, provided that certain conditions set forth in the rule are satisfied.

4. As noted above, the Funds have a common investment adviser. Thus, the Reorganization would be exempt from the provisions of section 17(a) by virtue of rule 17a–8, but for the fact that the Funds may be affiliated for reasons other than those set forth in the rule. As previously stated, Trust I and Trust II each owns more than 5% of the outstanding voting securities of each of the Funds. Because of this greater than 5% holding, Trust I and Trust II each is an affiliated person of each of the Funds under section 2(a)(3)(A) and each of the Funds is an affiliated person of each of Trust I and Trust II under section 2(a)(3)(B). Therefore, the Acquiring Fund is an affiliated person of an affiliated person of the Acquired Fund and vice versa.

5. Section 17(b) provides that the SEC may exempt a transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company concerned and with the general purposes of the Act.

6. Applicants submit that the Reorganization meets the standards for relief under section 17(b), in that the terms of the Reorganization, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; the Reorganization is consistent with the investment policy of the Funds; and the Reorganization is consistent with the general purposes of the Act. In addition, applicants submit that each board made the determinations under rule 17a–8 that the Reorganization is in the best interests of its registered investment company and that the interests of existing shareholders of its registered investment company will not be diluted as a result of its effecting the Reorganization.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12386 Filed 5–16–95; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–21951; No. 812–9978]

John Hancock Mutual Life Insurance Company, et al.

May 10, 1996.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of Application for an Order pursuant to the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: John Hancock Mutual Life Insurance Company (''John Hancock Mutual''), John Hancock Variable Life Insurance Company (''John Hancock Variable,'' together with John Hancock Mutual, the ''Companies''), John Hancock Variable Annuity Account JF (the ''Account''), and John Hancock Funds, Inc. (''JHFI'').

RELEVANT ACT SECTIONS: Order requested pursuant to Section 6(c) of the Act granting exemptions from the provisions of Sections 26(a)(2)(C) and 27(c)(2) thereof.

SUMMARY OF APPLICATION: Applicants seek an order permitting the deduction of mortality and expense risk and certain optional benefit rider charges from the assets of: (a) the Account in connection with the offer and sale of certain variable annuity contracts (''Existing Contracts''); (b) the Account in connection with the issuance of variable annuity contracts that are materially similar to the Existing Contracts (''Future Contracts,'' together with Existing Contracts, the ''Contracts''); and (c) any other separate account established in the future by the Companies (''Future Account'') in connection with the issuance of Contracts, for which JHFI or certain other broker-dealers may act as distributor and principal underwriter. To the extent the Contracts are issued on a group basis, the term ''Contract,'' when used herein, includes any individual certificates or other participations thereunder.

FILING DATE: The application was filed on February 5, 1996.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request, personally or by mail. Hearing requests must be received by the Commission by 5:30 p.m. on June 4, 1996, and must be accompanied by proof of service on Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

ADDRESSES: Secretary, Securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20549. Applicants, c/o Sandra M. DaDalt, Associate Counsel, John Hancock Mutual Life Insurance Company, John Hancock Place, Post Office Box 111, Boston, Massachusetts 02117.

FOR FURTHER INFORMATION CONTACT: Kevin M. Kirchoff, Senior Counsel, or Patrice M. Pitts, Special Counsel, Office of Insurance Products (Division of Investment Management), at (202) 942–0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from the public Reference Branch of the Commission.

Applicants' Representations

1. John Hancock Variable, a stock life insurance company incorporated under the laws of the Commonwealth of Massachusetts, is a wholly-owned subsidiary of John Hancock Mutual, a mutual life insurance company organized under the laws of the Commonwealth of Massachusetts.

2. John Hancock Variable is the depositor of the Account, and will serve as depositor for Future Accounts.

3. The Account was established as a separate investment account under the laws of the Commonwealth of Massachusetts on November 13, 1995, pursuant to a resolution of the Board of Directors of John Hancock Variable. The Future Accounts will be separate accounts of either John Hancock Mutual or John Hancock Variable and will be registered with the Commission under the Act.

4. JHFI, an indirect, wholly-owned subsidiary of John Hancock Mutual, is

registered as a broker-dealer under the Securities Exchange Act of 1934 (''1934 Act''), and is a member of the National Association of Securities Dealers, Inc. (''NASD''). JHFI will serve as the distributor and principal underwriter of the Existing Contracts and may also serve as the distributor and principal underwriter of Future Contracts.

5. Broker-dealers other than JHFI may also serve as distributors or principal underwriters of Existing Contracts as well as Future Contracts to the extent that Existing Contracts or Future Contracts are sold through alternate distribution channels. Any such other broker-dealer will be registered under the 1934 Act as a broker-dealer and will be a member of the NASD.

6. The Accounts, which will have a number of subaccounts (''Subaccounts''), will invest premium payments received under the Contracts in shares of one or more of the corresponding funds of the John Hancock Declaration Trust and/or such other registered investment companies as the Companies may make available under the Contracts from time to time (each, a ''Series Trust''), or any combination thereof. Each Series Trust will be a diversified, open-end management investment company registered under the Act, and may have a number of classes or series.

7. The Contracts are flexible premium deferred annuity contracts that may be issued in group or individual form. Premium payments are subject to certain limits that may be waived by the Companies. The owner of a Contract (''Owner'') can allocate premium payments, less any applicable premium taxes, to one or more of the Subaccounts of the Account, and to one or more of the guarantee periods (''Guarantee Periods'') of a market value adjustment fixed account (''MVA Fixed Account'').

8. Prior to the date on which annuity payments commence (''Date of Maturity''), an Owner may surrender all or a portion of the Surrender Value (defined below), or transfer all or a portion of the accumulated value of the Contract (the total value of the Owner's interest in all Subaccounts and Guarantee Periods under a Contract, the ''Accumulated Value''), (a) from one Subaccount to another Subaccount or to a Guarantee Period, or (b) from one Guarantee Period to another Guarantee Period or to a Subaccount. After the Date of Maturity, only transfers among Subaccounts are permitted. ''Surrender Value'' is the Accumulated Value, adjusted by any applicable market value adjustment (''Market Value Adjustment''), less any applicable contingent deferred sales load (''CDSL''), any applicable Contract fee, any applicable deduction for income taxes withheld, and any applicable premium or similar taxes.

9. The Contract provides for a series of annuity payments beginning on the Date of Maturity. The Owner may select from several annuity options which provide periodic annuity payments on a fixed or variable basis.

10. In the event that the Annuitant dies prior to the Date of Maturity, a death benefit is payable under the Contract. The standard death benefit is equal to the greater of:

(a) The Accumulated Value, adjusted by any Market Value Adjustment, next determined following receipt by the servicing agent of the Companies of due proof of death, together with any required instructions as to the method of settlement, and

(b) the aggregate amount of the premium payments made under the Contract, less any partial withdrawals and CDSL.

11. In addition, certain optional benefit riders are available at an additional charge under the Contracts. These optional benefit riders must be elected at the time the Contract is applied for, and none are available after a Contract has been issued.

12. The Owner may elect a one year stepped-up death benefit rider (the ''Enhanced Death Benefit rider''), designed to enhance the standard death benefit payable to the beneficiary. Under this rider, upon the death of the Annuitant prior to the Date of Maturity, the death benefit payable will be the greater of: (a) The standard death benefit, and (b) the highest Accumulated Value, as adjusted by any Market Value Adjustment, as of any Contract anniversary preceding the date of receipt of due proof of death, together with any required settlement instructions, and preceding the Contract anniversary nearest the Annuitant's 81st birthday, plus any premium payments, less any prior partial withdrawals and related CDSL, since such Contract anniversary. The minimum described in clause (b) of the preceding sentence is initially established on the first Contract anniversary and may increase on any future Contract anniversary as a result of additional premium payments or favorable investment performance, but it will never decrease unless partial withdrawals are made. This benefit cannot be purchased by applicants 80 years of age or older

13. An Accidental Death Benefit rider (the ''ADB rider'') may be elected. Under this rider, upon the accidental death (as defined in the rider) of the Annuitant prior to the Date of Maturity, the beneficiary will receive, in addition to any other death benefit, an amount equal to the Accumulated Value, as of the date of the accident that results in Annuitant's death, up to a maximum of $200,000. This benefit cannot be purchased by applicants 80 years of age or older and ceases, along with applicable charges, at age 80.

14. The Owner may elect a Nursing Home Waiver of CDSL rider (the ''Nursing Home rider''), under which the CDSL, if otherwise applicable, will be waived on any withdrawals if, beginning at least 90 days after the date of issue, the Owner becomes confined to a nursing home facility for at least 90 consecutive days, subject to certain conditions. This benefit cannot be purchased by applicants 75 years of age or older, or applicants who were confined to a nursing home within the prior two years.

15. The Contracts and optional benefit riders provide for certain charges described below. Except for the Companies' reservation of right to increase the annual Contract Fee (described below), none of such charges may be increased during the life of a Contract. The Companies may waive or reduce any of the charges under the Contracts, in accordance with their rules, as permitted by the Act, rules thereunder, and applicable Commission orders or staff positions.

16. The Companies deduct an annual fee of $30 per Contract year (''Contract Fee'') on all Contracts having an Accumulated Value of less than $10,000. The Contract Fee will be deducted at the beginning of each Contract year after the first and at a full surrender during a Contract year (''Contract Year''). The Companies reserve the right to increase the Contract Fee up to a maximum of $50.

17. The Companies also deduct a daily administrative charge from the assets of the Accounts. This charge is equal to an annual rate of 0.35 percent of the net assets of Contracts with an initial premium payment of less than $250,000, and 0.10 percent of the net assets of Contracts with an initial premium payment of $250,000 or more. The difference between these rates reflects the cost of administering larger Contracts, which is lower in proportion to their Accumulated Value than that of relatively smaller Contracts. The Companies do not anticipate deriving any profit from these administrative charges, and will deduct them in reliance upon, and in compliance with, Rule 26a–1 under the Act.

18. Several states and local governments impose a premium or similar tax on annuities. Currently, such

taxes range up to 5 percent of the Accumulated Value applied to an annuity option. Ordinarily, any state-imposed premium or similar tax will be deducted from the Accumulated Value only at the time of annuitization. The Companies will deduct a charge for these taxes from the Accumulated Value at the time of annuitization, death, surrender, or withdrawal. For Contracts issued in South Dakota, the Companies pay a tax on each premium payment and deduct the charge therefor at the time the payment is made.

19. No sales charge is deducted from any premium payment. However, a CDSL may be assessed on premium payments whenever any amount is withdrawn from a Contract prior to the Date of Maturity. This charge is used to cover expenses relating to the offer and sale of the Contracts, including commissions and other distribution costs and sales-related expenses. The CDSL percentage charge depends upon the number of years that have elapsed from the date of the premium payment to the date of its withdrawal, as follows:

Years from date of premium payment to date of withdrawal or surrender	CDSL (percent)
7 or more	0
6 but less than 7	2
5 but less than 6	3
4 but less than 5	4
3 but less than 4	5
2 but less than 3	5
Less than 2	6

20. Whenever a CDSL is imposed, it is deducted from each Subaccount of the Accounts and each Guarantee Period of the MVA Fixed Account in the proportion that the amount subject to the CDSL in each bears to the total amount subject to the CDSL. In calculating the CDSL, all amounts withdrawn plus all Contract Fees and CDSL are assumed to be deducted first from the earliest purchase payment, and then from the next earliest purchase payment, and so forth until all payments have been exhausted, satisfying the first-in/first-out method of accounting.

21. No CDSL is assessed on amounts applied to provide an annuity or to pay a death benefit. Amounts withdrawn to satisfy the minimum distribution requirements for tax qualified plans also are not subject to a CDSL. In addition, no CDSL will apply to certain withdrawals if an Owner has elected the Nursing Home rider.

22. In any Contract Year, an Owner may withdraw up to 10 percent of the Accumulated Value as of the beginning of the Contract Year without the assessment of any CSDL. If, in any Contract Year, the Owner withdraws an aggregate amount in excess of 10 percent of the Accumulated Value as of the beginning of the Contract Year, the excess amount withdrawn is subject to a CDSL, to the extent it is attributable to premium payments made within seven years of the date of withdrawal or surrender.

23. The Companies do not anticipate that the CDSL will generate sufficient revenues to pay the cost of distributing the Contracts. If the CDSL is insufficient to cover such costs, the deficiency will be met from the general account assets of John Hancock Mutual or John Hancock Variable, as the case may be, which may include profits, if any, derived from the charge for mortality and expense risks.

24. The Companies bear a mortality risk that arises from their contractual obligation to make annuity payments (determined in accordance with the guaranteed annuity tables and other provisions contained in the Contract) regardless of how long all Annuitants or any individual Annuitant may live. This undertaking assures that neither an Annuitant's own longevity, nor an improvement in general life expectancy, will adversely affect the periodic guaranteed annuity payments that the Annuitant will receive under the Contract. The Companies also incur a mortality risk inherent in the standard death benefit, because the benefit payable could be more than the Accumulated Value. The Companies assume an additional mortality risk, since no CDSL is imposed on the payment of the standard death benefit.

25. The expense risk assumed by the Companies is the risk that their actual administrative costs will exceed the amount recovered through the administrative charges. The administrative services to be provided by the Companies, directly or through their affiliates, include: processing applications and issuing the Contracts, processing premium payments, transfers and surrenders, processing purchases and redemptions of fund shares, furnishing confirmations and reports, maintaining records, administering annuity payments, providing account and valuation services, and providing actuarial, financial accounting, regulatory and reporting services.

26. The Companies impose a daily charge to compensate them for bearing mortality and expense risks in connection with the Contracts. This charge is equal to an effective annual rate of 0.90 percent of the value of the net assets in the Account, and is guaranteed not to increase. Of that amount, approximately 0.45 percent is attributable to expense risks and approximately 0.45 percent is attributable to mortality risks. The Companies reserve the right to revise the allocation of the charge between mortality and expense risks.

27. If the administrative charges and the mortality and expense risk charge are insufficient to cover actual expenses and costs assumed, the loss will be borne by the Companies. Conversely, if the charges are more than sufficient, the excess will be profit to the Companies. The Companies currently anticipate that they will derive a profit from the mortality and expense risk charge.

28. Separate monthly charges are made for the Enhanced Death Benefit rider, the ADB rider, and the Nursing Home rider. In each case, the charge for the rider is made through a pro-rata reduction in Accumulation Units of the Subaccounts and dollar amounts in the Guarantee Periods, based on relative values. The charge, made at the beginning of each month, is equal to the Accumulated Value at that time multiplied by 1/12th of the following applicable annual percentage rates: Enhanced Death Benefit rider, 0.15 percent; ADB rider, 0.10 percent; Nursing Home rider, 0.05 percent. Applicants represent that the charges for these optional benefit riders will never exceed these annual rates.

29. Just as the Companies assume a mortality risk through their obligation to make annuity payments and provide the standard death benefit, they also assume certain insurance risks associated with the three optional benefit riders.

30. Under the Enhanced Death Benefit rider, the Companies assume an increased mortality risk because the benefit is potentially greater than that provided by the standard death benefits. A mortality risk also is assumed by the Companies under the Enhanced Death Benefit rider since, as under the standard death benefit, no CDSL is imposed upon the payment of the benefit.

31. The Companies assume a traditional life insurance mortality risk under the ADB rider, and the entire amount of the benefit is payable from the general account assets of John Hancock Mutual or John Hancock Variable, as the case may be.

32. By waiving the CDSL when an Owner becomes confined to a nursing home facility (as provided in the Nursing Home rider), the Companies assume an insurance risk to the extent that any reduced CDSL revenues will not be available to defray marketing expenses incurred in the offer and sale of the Contracts. To compensate the

Companies for the risk associated with this potential revenue loss, a charge is made in connection with the benefit provided.

33. The charges for the Enhanced Death Benefit, ADB, and Nursing Home riders are designed to cover the anticipated cost of the benefits provided and the risks assumed, and do not include an element of profit.

Applicants' Legal Analysis

1. Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from the provisions of the Act and the rules promulgated thereunder if, and to the extent that, such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

2. Section 26(a)(2)(C) provides that no payment to the depositor of, or principal underwriter for, a registered unit investment trust shall be allowed the trustee or custodian as an expense compensation, exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative duties normally performed by the trustee or custodian. Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments on such certificates, other than sales loads, are deposited with a trustee or custodian having the qualifications prescribed in Section 26(a)(1), and are held by such trustee or custodian under an agreement containing substantially the provisions required by Sections 26(a)(2) and 26(a)(3) of the Act.

3. Applicants request an order pursuant to Section 6(c) of the 1940 Act exempting them from Sections 26(a)(2)(C) and 27(c)(2) thereof to the extent necessary to permit the deduction of the mortality and expense risk and optional benefit rider charges from the assets of the Account and any Future Accounts in connection with the Contracts, for which JHFI or certain other broker-dealer may act as distributor and principal underwriter.

4. The Companies represent that the 0.90 percent mortality and expense charge assessed under the Contracts is/will be within the range of industry practice of comparable annuity products. This representation is/will be based upon their analysis of publicly available information about similar industry products, taking into consideration such factors as current charge levels, existence of charge level guarantees, guaranteed death benefits and guaranteed annuity rates. The Companies will maintain at their home office and make available to the Commission memoranda setting forth in detail the products analyzed in the course of, and the methology and result of, their comparative surveys.

5. Applicants submit that the charges equal to an annual rate of 0.15 percent, 0.10 percent, and 0.05 percent of the Accumulated Value, taken at the beginning of the Contract month, for Contracts issued with the Enhanced Death Benefit rider, the ADB rider, and/or the Nursing Home rider, respectively, are reasonable in relation to the risks assumed by the Companies under each of the optional benefit riders. In arriving at this determination, the Companies projected their expected costs in providing these benefits at different issue ages to determine the expected cost of the optional benefit riders.

6. For the Enhanced Death Benefit rider, the Companies conducted a large number of trials, and hypothetical asset returns were projected using generally-accepted actuarial simulation methods. For each asset return pattern generated, hypothetical accumulated values were calculated by applying the projected asset returns to the initial value in a hypothetical account. Each accumulated value so calculated was compared to the amount of the Enhanced Death Benefit payable in the event of the hypothetical annuitant's death during the year in question. By analyzing the results of a statistically valid number of such simulations, the Companies were able, actuarially, to reasonably estimate the level costs of providing the benefits.

7. For the ADB rider, a set of mortality rates was developed for accidental death at each attained age, based on the 1994 Statistical Abstract of the United States and using accepted actuarial techniques. A single weighted average mortality rate was then developed by applying the expected sales distribution by age and premium amount to the accidental death benefit rates derived above. This single rate was then converted into a reasonable charge, again using accepted actuarial techniques.

8. For the Nursing Home rider, a set of probabilities of entering a nursing home based on the 1985 National Nursing Home Survey was developed for quinquenal issue ages. These probabilities were then applied to the amounts of insurance expected to be in force during the CDSL period to calculate the expected loss of CDSL for those issue ages. An appropriate weighted average charge for all issue ages was derived by applying an expected sales distribution percentage varying by age to the present value of the lost CDSLs using accepted actuarial techniques. The weighted average charge was divided by the average premium and the result amortized to derive a Nursing Home rider charge.

9. Applicants note that the .30 percent aggregate amount of charges for the optional benefits, when added to the 0.90 percent mortality and expense risk charge, results in a total charge of 1.20 percent, which Applicants represent is within the industry range for mortality and expense risk charges. Applicants also state that the unbundling of these optional benefits provide the Owner with greater flexibility. The Companies will maintain at their home office and make available to the Commission memoranda setting forth in detail the methodology used in determining that each of the three above-described optional benefit riders is reasonable in relation to risks assumed by the Companies under the Contracts.

10. Applicants acknowledge that, to the extent the mortality experience and unreimbursed expenses of the Companies are less than anticipated, the charge for mortality and expense risks may be a source of profit, which would increase the respective general assets of the Companies available to pay the distribution expenses that the Companies must bear. Under such circumstances, the charge for mortality and expense risks might be viewed as being used to pay cost related to distribution of the Contracts. The Companies have concluded that there is a reasonable likelihood that the proposed distribution financing arrangements will benefit the Accounts, the Future Accounts, and Owners of the Contracts. The basis for this conclusion will be set forth in memoranda maintained by the Companies at their home office and made available to the Commission.

11. The Companies represent that the Account and Future Accounts will invest only in management investment companies which undertake, in the event any such company adopts a plan under Rule 12b–1 of the Act to finance distribution expenses, to have a board of directors, a majority of whom are not ''interested persons'' of the investment company (as defined under Section 2(a)(19) of the Act), formulate and approve any such plan.

12. Applicants submit that their request for exemptive relief would promote competitiveness in the variable annuity contract market by eliminating the need for redundant exemptive

applications, thereby reducing the administrative expenses of Applicants and maximizing the efficient use of their resources. Applicants further submit that the delay and expense involved in having repeatedly to seek exemptive relief would impair their ability effectively to take advantage of business opportunities as they arise. Further, if Applicants were required repeatedly to seek exemptive relief with respect to the same issues addressed in this application, investors would not receive any benefit or additional protection.

Conclusion

For the reasons summarized above, Applicants represent that the exemptions requested are necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12387 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–21953; File No. 812–9796]

SAFECO Life Insurance Company, et al.

May 13, 1996.

AGENCY: U.S. Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for approval under the Investment Company Act of 1940 (''1940 Act'').

APPLICANTS: SAFECO Life Insurance Company (''SAFECO''), SAFECO Separate Account C (''Account C''), SAFECO Securities, Inc. (''SSI''), Princor Financial Services Corporation (''Princor''), and Principal Marketing Services, Inc. (''Principal Marketing'').

RELEVANT 1940 ACT SECTION: Section 11(a) of the 1940 Act.

SUMMARY OF APPLICATION: Applicants seek an order pursuant to Section 11(a) of the 1940 Act approving the terms of an offer to exchange interests in certain variable annuity contracts issued by Principal Mutual Life Insurance Company (''Principal Mutual Contracts'') for variable annuity contracts issued by SAFECO (''SAFECO Contracts'').

FILING DATE: The application was filed on October 3, 1995 and amended and restated on May 6, 1996.

HEARING OR NOTIFICATION OF HEARING: An order will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the Secretary of the SEC and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on June 7, 1996, and should be accompanied by proof of service on Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549; Applicants: SAFECO, Account C and SSI, 15411 N.E. 51st Street, Redmond, Washington 98052; Princor and Principal Marketing, The Principal Financial Group, Des Moines, Iowa 50392–0200.

FOR FURTHER INFORMATION CONTACT: Edward P. Macdonald, Staff Attorney, or Wendy Friedlander, Deputy Chief (Office of Insurance Products), Division of Investment Management at (202) 942–0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application. The complete application is available for a fee from the Public Reference Branch of the SEC.

Applicants' Representations

1. SAFECO is a stock life insurance company organized under the laws of the state of Washington. SAFECO is licensed to sell individual and group life, accident and health insurance and annuities in the District of Columbia and all states except New York. SAFECO is a wholly-owned subsidiary of SAFECO Corporation, a holding company whose subsidiaries are engaged primarily in insurance and financial service businesses.

2. Account C is a separate account of SAFECO established pursuant to Washington State insurance law and registered with the SEC as a unit investment trust. Account C is divided into sub-accounts, each of which invests exclusively in one of the available portfolios of SAFECO Resource Series Trust or Scudder variable Life Investment Fund.

3. SSI is a wholly-owned subsidiary of SAFECO that is registered with the SEC as a broker-dealer and is a member of the National Association of Securities Dealers, Inc. (''NASD''). SSI is the principal underwriter for the SAFECO Contracts.

4. Princor, an indirect wholly-owned subsidiary of Principal Mutual Life Insurance Company, is registered with the SEC as a broker-dealer. Princor is a member of the NASD and is the principal underwriter of the Principal Mutual Contracts. In connection with the proposed exchange offer and pursuant to a selling agreement with SSI, Princor will act as a selling broker in the sale of the SAFECO Contracts.

5. Principal Marketing, a wholly-owned subsidiary of Principal Mutual, is a licensed general insurance agent in approximately 34 states. Principal Marketing is unaffiliated with SAFECO. Principal Marketing sells variable annuity and variable life insurance contracts of insurance companies unaffiliated with Principal Mutual, but is not registered as a broker-dealer with the SEC.[1]

The SAFECO Contracts

6. The SAFECO Contracts are individual, flexible purchase payment, deferred variable annuity contracts that provide for accumulation of contract values and payment of monthly annuity amounts on a fixed and variable basis. They are designed to be used in retirement plans qualifying under Section 403(b) of the Internal Revenue Code of 1986, as amended, (''Code'') and individual retirement programs, such as individual retirement accounts pursuant to Section 408 of the code.

7. Under the SAFECO Contracts a contract holder may withdraw up to 10% of contract value per year without penalty. The SAFECO Contracts have a contingent deferred sales load (''CDSL'') that declines over an eight year period from 8% to 0% of the amount withdrawn, in excess of the 10% free withdrawal amount. The CDSL deducted will never exceed 8.5% of the purchase payments made under that particular SAFECO Contract. A withdrawal charge of the lesser of $25 or 2% of the amount withdrawn will apply to each partial withdrawal after the first in any contract year.

8. The SAFECO Contracts have a mortality and expense risk charge of 1.25% of the average daily net asset value of Account C, an asset-based administration charge of 0.15% of the average daily net asset value of Account

[1] Principal Marketing obtained a letter from the SEC's Division of Market Regulation agreeing not to seek enforcement action if Principal Marketing did not register as a broker-dealer based on certain representations including, *e.g.*, that all such sales will be made by insurance agents and brokers of Principal Mutual who are also registered representatives of Princor and that Princor will be responsible for monitoring and controlling the activities of those registered representatives with respect to their sales of variable annuity and variable life insurance contracts. Principal Marketing Services, Inc. (pub. avail. June 2, 1988).

C, and an annual administration fee, currently $30, which is deducted only if contract value is less than $50,000. The SAFECO Contracts reserve the right to increase the $30 administration fee to $35.

9. A transfer charge of the lesser of $10 or 2% of the amount transferred applies to each transfer exceeding 12 in any contract year (not counting automatic transfers that take place over a period of six months or more).

10. Portfolio expenses for the portfolios available under the SAFECO Contracts range from approximately 0.65% to approximately 1.08% on an annual basis. State premium taxes are deducted at annuitization of from purchase payments, as required by state law.

The Principal Mutual Contract

11. The Principal Mutual Contracts are group variable annuity contracts issued by Separate Account B of Principal Mutual, a mutual life insurance company unaffiliated with SAFECO. Although the Principal Mutual Contracts have no fixed account investment option, they permit a participant to exchange the participation certificate for an associated fixed-dollar annuity contract issued by Principal Mutual

12. The Principal Mutual Contracts have a CDSL that declines over a ten year period from 7% to 0% of the amount withdrawn. The CDSL will never exceed 9% of purchase payments relating to the amounts withdrawn.

13. The Principal Mutual contracts have an administration charge of $25 per year for each participant plus an asset-based administrative charge which is 0.50% of the first $50,000 of contract value of any participant, divided by the total contract value of the participant. If purchase payments for a participant under a Principal Mutual Contract are made as part of a retirement plan sponsored by, or program of, a participant's employer and Principal Mutual receives all of that portion of the purchase payments under such a plan or program directed to annuity contracts for all employees participating in the plan or program, then the percentage of the asset-based administration charge will be computed by dividing 0.50% of the first $50,000 of contract value of a participant by the total contract value of all that employer's participants. In some cases, employers pay all or a portion of the administration charges for their participants.

14. A mortality and expense risk charge of up to 2% of the assets of Account B may be deducted under the Principal Mutual Contracts. Currently the charge is 1.4965% (1.0001% for rollover individual retirement annuities).

15. Although there is no transfer charge under the Principal Mutual Contracts, transfers are limited to two per twelve-month period, absent Principal Mutual's consent. State premium taxes are deducted at annuitization or from purchase payments, in accordance with applicable state law. The respective total expenses of the three investment companies in which Separate Account B assets are invested are .51%, .55%, and .60% on an annual basis.

The Proposed Exchange Offer

16. Applicants state that Principal Mutual supports this application because it no longer intends to offer the Principal Mutual contracts. SAFECO Contracts will be offered to holders of participation certificates issued under Principal Mutual Contracts in connection with a 403(b) Plan. Any exchange pursuant to the offer will be at relative net asset values, *i.e.*, immediately after the exchange, the cash value of a SAFECO Contract acquired will be identical to the participant's cash value under the Principal Mutual Contract immediately prior to the exchange. No administrative fee, sales charge or any other charge will be imposed at the time of the exchange.

17. Surrenders of, or partial withdrawals from, a SAFECO Contract acquired in exchange for a Principal Mutual Contract will be subject to the SAFECO Contract's CDSL. In calculating the amount of the CDSL actually imposed in such a situation, each purchase payment made under the Principal Mutual Contract exchanged will be treated as if it had been made under the SAFECO Contract at the same time and in the same amount as actually made under the Principal Mutual Contract. Aggregate CDSL deductions upon surrender of or partial withdrawals from a SAFECO Contract acquired by exchange will not exceed 8.5% of the sum of the purchase payments made for the Principal Mutual Contract exchanged and the SAFECO Contract acquired.

18. The proposed exchange offer will be conveyed to offerees by written materials and by telephone contact by registered representatives of Princor. Each offeree who expresses interest in the exchange offer will be mailed a prospectus for the SAFECO Contracts. Accompanying that prospectus will be a cover letter and sales literature that has been filed with the NASD. The sales literature and cover letter will highlight the differences between the Principal Mutual Contracts and the SAFECO Contracts and the terms of the exchange offer. Interested offerees will then be contacted again by telephone by registered representatives of Princor. Administrative details of effecting exchanges will be handled by Princor.

19. Pursuant to the terms of a selling agreement authorizing Principal Marketing to solicit sales of SAFECO Contracts in connection with the proposed exchanges, SSI will pay Principal Marketing 3% of amounts exchanged (the SSI Commissions). Principal Marketing will then pay 1% of the amounts exchanged to the registered representatives of Princor responsible for the exchanges.[2]

20. Applicants represent that the exchanges will not have adverse tax consequences for offerees who accept the exchange offer.

Applicants' Legal Analysis

1. Section 11(a) of the 1940 Act makes it unlawful for any registered open-end company, or principal underwriter for such a company, to make or cause to be made an offer to the holder of a security of such company, to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities, unless the terms of the offer have first been submitted to and approved by the SEC or are in accordance with SEC rules adopted under Section 11 of the 1940 Act.

2. Section 11(c) of the 1940 Act requires that any offer of exchange of the securities of a registered unit investment trust for the securities of any other investment company must be approved by the Commission or satisfy applicable rules adopted under Section 11 of the 1940 Act, regardless of the basis of the exchange.

3. Applicants state that because the legislative history of Section 11 indicates a concern with ''switching,''[3] applications for orders under Section 11(a) have focused on sales loads or sales load differentials and administrative fees to be imposed as a result of a proposed exchange.

4. Rule 11a–2 permits certain types of exchange offers of one variable annuity

[2] In connection with other sales of SAFECO Contracts not included in the proposed exchange offer, Applicants state that SSI may pay its registered representatives or other distributors up to 5.8% of purchase payments, excluding bonuses and overrides, in commissions.

[3] ''Switching'' is the practice of inducing security holders of one investment company to exchange their securities for those of a different investment company ''solely for the purpose of exacting additional selling charges.'' H. Rep. 2639, 76th Cong., 3d Sess., 8 (1940).

contract for another. Exchanges are permitted by Rule 11a–2 provided the only variance from relative net asset value is an administrative fee disclosed in the offering account's registration statement, and a sales load or sales load differential calculated according to methods prescribed in the rule.

5. Applicants assert that the terms of the proposed exchange offer would satisfy all of the requirements of Rule 11a–2, except that SAFECO and Principal Mutual are not affiliated and Rule 11a–2 is limited by paragraph (b) to affiliated offerors. The proposed exchange would be made on the basis of relative net asset values, *i.e.*, immediately after the exchange the cash value of a SAFECO Contract acquired will be identical to the participant's cash value under the Principal Mutual Contract immediately prior to the exchange. No administrative fees or sales load would be deducted at the time of the exchange; and any CDSL subsequently deducted upon surrender of, or partial withdrawal from, a SAFECO Contract acquired in an exchange would be calculated as if: (i) the contract holder of that SAFECO Contract had been a contract holder from the date on which he became a participant under the Principal Mutual Contract exchanged; and (ii) each purchase payment for the Principal Mutual Contract exchanged had been made under the Principal Mutual Contract. The total CDSL deducted under a SAFECO Contract acquired by exchange would not exceed 8.5% of the sum of the purchase payments made for the Principal Mutual Contract exchanged and the SAFECO Contract acquired.

6. Applicants assert that the proposed exchange offer would be permitted under Rule 11a–2 if SAFECO and Principal Mutual were affiliated with one another. Applicants also assert that the staff of the SEC in a no-action letter granted to Alexander Hamilton Funds (pub. avail. July 20, 1994) has, in interpreting Section 11(a), stated that the lack of affiliation between two investment companies and their depositors creates fewer Section 11 concerns than the presence of affiliation between two investment companies and their depositors. Therefore, Applicants argue that the lack of affiliation between SAFECO and Principal Mutual does not create any additional concerns under Section 11 and the exchange offer would be permitted under Rule 11a–2 were it not for their lack of affiliation.

7. Applicants argue that while the CDSL for the SAFECO Contracts is nominally higher than that of the Principal Mutual Contracts for the first four contract years, the SAFECO Contracts permit up to 10% of contract value to be withdrawn without the imposition of a CDSL. Accordingly, the CDSL actually imposed upon a full surrender would be slightly greater for the SAFECO Contracts only during the first contract year, and even then it might be less for the SAFECO Contracts if investment performance were sufficient to affect the guaranteed maximum CDSLs of the two contracts. Moreover, the CDSL for the SAFECO Contracts endures for only eight years as opposed to ten years for the CDSL of the Principal Mutual Contracts.

8. Applicants also argue that the expenses of the underlying investment company portfolios to which Principal Mutual Contract assets may be allocated are somewhat lower than those to which SAFECO Contracts assets may be allocated, but the SAFECO Contracts offer seven investment alternatives as compared to only three for the Principal Mutual Contracts. Accordingly, individuals may differ in whether they prefer the lower expenses of the funds available under the Principal Mutual Contracts or the broader range of investment options of the funds available under the SAFECO Contracts.

9. Applicants state that permitting investors to evaluate the relative merits of the two contracts and to select the one that best suits their circumstances and preferences is consistent with the public interest and the protection of investors. Therefore, Applicants assert that the terms of the proposed offer of exchange do not offer any of the ''switching'' abuses that led to the adoption of Section 11 of the 1940 Act and that approving the exchange offer would be consistent with the precedent established by the SEC's adoption of Rule 11a–2 thereunder.

Conclusion

For the reasons set forth above, Applicants represent that approval of the exchange offer is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12466 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37195; File No. SR–Amex–96–12]

Self-Regulatory Organizations; Order Granting Accelerated Approval To Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval to Amendments Nos. 1 and 2 To Proposed Rule Change by the American Stock Exchange, Inc., Relating to Listing and Trading of Warrants Based on the Select Technology Stock Index

May 10, 1996.

I. Introduction

On April 9, 1996, the American Stock Exchange, Inc. (''Amex'' or ''Exchange'') submitted to the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade warrants based on the Select Technology Stock Index (''Index'').[3]

The proposed rule change appeared in the Federal Register on April 23, 1996.[4] No comments were received on the proposed rule change. The Amex subsequently filed Amendment No. 1 to the proposed rule change on May 2, 1996[5] and Amendment No. 2 on May 8, 1996.[6] The Amex has requested

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] 17 CFR 240.19b–4.

[3] The Amex has clarified that the name of the index will be the Select Technology Stock Index. Telephone Conversation between Michael T. Bickford, Vice President, Capital Markets Group, Amex, and Matthew S. Morris, Attorney, Derivatives Regulation, Office of Self-Regulatory Oversight, Division of Market Regulation (''Division''), Commission, on May 3, 1996.

[4] *See* Securities Exchange Act Release No. 37122 (April 17, 1996), 61 FR 17931 (April 23, 1996).

[5] In Amendment No. 1, the Amex amended its rule filing to clarify that the Commission will be notified if: (1) the number of components in the Index decreases to less than nine; (2) the three highest weighted components represent more than 60 percent of the weight of the Index; or (3) the trading volume of any of the components falls below 500,000 shares for each of the last six months. In Amendment No. 1, the Amex also changed the manner in which the value of the Index will be calculated from a price-weighted to an equal-dollar weighted methodology. In addition, the Amex replaced component securities C-Cube Microsystems, Inc., Computer Sciences Corporation, and General Motors Corporation (Class E) with Adaptec Inc., Hewlett Packard Co., and Sun Microsystems. *See* letter from Michael T. Bickford, Vice President, Capital Markets Group, Amex, to Michael Walinskas, Branch Chief, Derivatives Regulation, Office of Self-Regulatory Oversight, Division, Commission, dated May 2, 1996 (''Amendment No. 1'').

[6] In Amendment No. 2, the Amex removed Applied Materials, Inc. as a component security of the Index. *See* letter from Michael T. Bickford, Vice President, Capital Markets Group, Amex, to Michael Walinskas, Branch Chief, Derivatives Regulation, Office of Self-Regulatory Oversight, Division, Commission, dated May 8, 1996 (''Amendment No. 2'').

accelerated approval for the proposal. This order approves the Amex's proposal, as amended, on an accelerated basis and solicits comments from interested persons on Amendment Nos. 1 and 2.

II. Description

The purpose of the proposed rule change is to permit the Exchange to list and trade cash-settled index warrants based on the Select Technology Stock Index (''Index Warrants''). The Exchange has represented that the listing and trading of warrants based on the Index will comply in all respects with Amex Rules 1100 through 1110, Amex Rule 462, and Section 106 of the Amex Company Guide.

A. Design of the Index

The Exchange has also represented that the Index is narrow-based and comprised of the stocks of 23 technology companies.[7] The Index is equal-dollar weighted and is therefore designed to ensure that each of the component securities is represented in an approximate ''equal'' dollar amount. Accordingly, each of the 23 companies included in the Index will represent approximately 4.347 percent of the weight of the Index at the time of issuance of the warrant. The Index multipliers will be determined to yield the benchmark value of 100.00 on the date the warrant is priced for initial offering to the public.

The Exchange has stated that the total market capitalization of the Index was approximately $339.7 billion on April 29, 1996. The median capitalization of the companies in the Index on that date was $5.2 billion, and the average market capitalization of these companies was $14.8 billion. The individual market capitalization of the companies ranged from $730 million to $59 billion. In addition, during the six-month period from October 1995 through March 1996, average monthly trading volume in the Index stocks ranged from approximately 9.1 million shares to approximately 229.6 million shares.

It is currently contemplated that the Select Technology Stock Index will be used as the basis for only one index warrant, which has a term of two-years. If the Exchange wishes to list and trade other products based on the Select Technology Stock Index, including other index warrants, the Exchange will advise the Commission to determine whether an additional filing pursuant to Rule 19b–4 of the Act is necessary or appropriate.

B. Maintenance of the Index

The Exchange represents that it will monitor the component securities in the Index on a monthly basis. In this regard, the Exchange will notify the Commission if: (1) Less than 75 percent of the component securities are eligible for standardized options trading;[8] (2) the number of components in the Index decreases to less than nine; (3) the three highest weighted components represent more than 60 percent of the weight of the Index; or (4) the trading volume of any of the components falls below 500,000 shares for each of the last six months.

Shares of a component stock may be replaced (or supplemented) with other securities under certain limited circumstances, such as the conversion of a component stock into another class of security or the spin-off of a subsidiary. Accordingly, all replacement or supplemental Index component securities will be related to the original component stock. Moreover, if a change in the composition of the Index is contemplated for reasons other than those set forth above, the Exchange will notify the Commission to determine whether a rule filing pursuant to section 19(b) of the Act will be required.

If the stock remains in the Index, the multiplier of that security may be adjusted to maintain the component's relative weight in the Index immediately prior to the corporate action. In the event that a security in the Index is removed due to a corporate consolidation and the holders of such security receive cash, the cash value of such security will be included in the Index and will accrue interest at LIBOR to term.

C. Trading of the Index Warrants

The Index Warrant will be a direct obligation of the issuer, subject to cash-settlement in U.S. dollars and either exercisable throughout its life (*i.e.*, American-style) or exercisable only immediately prior to its expiration date (*i.e.*, European-style). If the Index Warrant is structured as a ''put,'' upon exercise (or at the warrant expiration date if the warrant has an European-style exercise), the holder will receive payment in U.S. dollars to the extent that the value of the Index has declined below a pre-stated cash settlement value. Conversely, if the Index Warrant is structured as a ''call,'' upon exercise (or at the warrant expiration date if the warrant has an European-style exercise), the holder will receive payment in U.S. dollars to the extent that the value of the Index has increased above the pre-stated cash settlement value. If the Index Warrant is ''out-of-the-money'' at the time of expiration it will expire worthless.

D. Calculation and Dissemination of the Value of the Index

The Index value will be continuously calculated and will be publicly disseminated every fifteen seconds over the Consolidated Tape Association's Network B.

In addition, the multiplier of each component stock remains fixed except in the event of certain types of corporate actions such as the payment of a dividend other than an ordinary cash dividend, stock distribution, stock split, reverse stock split, rights offering, distribution, reorganization, recapitalization, or similar event. The multiplier of each component stock may also be adjusted, if necessary, in the event of a merger, consolidation, dissolution, or liquidation of an issuer, or in certain other events such as the distribution of property by an issuer to shareholders.

E. Listing Standards and Customer Safeguards

As stated above, the listing and trading of the proposed warrants on the Select Technology Stock Index will comply in all respects with Amex Rules 1100 through 1110, Amex Rule 462, and Section 106 of the Amex Company Guide. These provisions will govern all aspects of the listing and trading of the Index Warrants, including, issuer eligibility,[9] position and exercise limits,[10] reportable positions,[11] automatic exercise,[12] settlement value,[13] margin,[14] and trading halts and suspensions.[15]

Additionally, these warrants will be sold only to accounts approved for the

[7] The component securities of the Index are as follows: Adc Telecommunications, Inc.; America Online, Inc.; Adaptec Inc.; Cisco Systems, Inc.; Computer Associates International, Inc.; Dell Computer Corporation; Digital Equipment Corporation; First Data Corporation; Gateway 2000, Inc.; Hewlett-Packard Co.; Informix Corporation; Intel Corporation; International Business Machines Corp.; Lsi Logic Corporation; Microsoft Corporation; Oracle Systems Corporation; Qualcomm, Inc.; Sun Microsystems; Tencor Instruments; Texas Instruments, Inc.; Vishay Intertechnology, Inc.; Xerox Corporation; and Xilinx Inc.

[8] *See* Amex Rule 915. Currently, 100 percent of the components are eligible for standardized options trading.

[9] *See* Section 106 of the Amex Company Guide.

[10] *See* Amex Rules 1107 and 1108.

[11] *See* Amex Rule 1110.

[12] *See* Section 106(f) of the Amex Company Guide.

[13] *See* Section 106(e) of the Amex Company Guide.

[14] *See* Amex Rule 462.

[15] *See* Amex Rule 1109.

trading of standardized options[16] and, the Exchange's options suitability standards will apply to recommendations regarding Index Warrants.[17] The Exchange's rules regarding discretionary orders will also apply to transactions in Index Warrants.[18] Finally, prior to the commencement of trading, the Amex will distribute a circular to its membership calling attention to specific risks associated with warrants on the Index.

III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b).[19] Specifically, the Commission finds that the trading of warrants based on the Select Technology Stock Index will serve to protect the public interest and will help to remove impediments to a free and open market by providing investors holding positions in some or all of the securities underlying the Index with a means to hedge exposure to the market risk associated with their portfolios.[20]

Nevertheless, the trading of warrants on the Index raises several concerns relating to the design and maintenance of the Index, customer protection, surveillance, and market impact. The Commission believes, however, for the reasons discussed below, that the Amex has adequately addressed these concerns.[21]

A. Design and Maintenance of the Index

The Commission finds that it is appropriate and consistent with the Act for the Amex to designate the Index as narrow-based for warrant trading as the Index is comprised of a limited number of technology stocks.[22] The Commission also believes that the liquid markets, large capitalizations, and relative weightings of the Index's component stocks significantly minimizes the potential for manipulation of the Index. First, the stocks that comprise the Index are actively-traded, of which nine trade on the New York Stock Exchange, Inc. (''NYSE'') and fifteen trade through the facilities of the National Association of Securities Dealers (''NASD'') Automated Quotation system (''Nasdaq'') and are reported national market system securities (''Nasdaq/NMS''). During the six-month period from October 1995 through March 1996, average monthly trading volume in the Index stocks ranged from approximately 9.1 million shares to approximately 229.6 million shares. Second, the market capitalization of the stocks comprising the Index are very large. Specifically, the total capitalization of the Index, as of April 29, 1996, was approximately $339.7 billion, with the market capitalization of the individual stocks in the Index ranging from approximately $730 million to approximately $59 billion. In addition, the median capitalization of the companies in the Index on that date was $5.2 billion, and the average market capitalization of these companies was $14.8 billion. Third, no one particular stock dominates the Index. Specifically, no single stock accounts for more than approximately 4.347 percent of the Index's value, and the percentage weighting of the three largest issues in the Index account for approximately 13.041 percent of the Index's value.

The Commission notes that with respect to the maintenance of the Index, shares of a component stock will only be replaced (or supplemented) under certain limited circumstances, such as the conversion of a component stock into another class of security, or the spin-off of a subsidiary. Accordingly, all replacement or supplemental Index component securities will be related to the original component stock.[23] In addition, if a change in the composition of the Index is contemplated for reasons other than those set forth above, the Exchange will notify the Commission to determine whether a rule filing pursuant to Section 19(b) of the Act will be required.[24]

The Amex has also implemented several safeguards in connection with the listing and trading of the Index Warrants that will serve to ensure that the Index maintains its intended character as a highly-capitalized and actively-traded index. In this regard, the Exchange will notify the Commission if: (1) Less than 75 percent of the component securities in the Index are eligible for standardized options trading; (2) the number of components in the Index decreases to less than nine; (3) the three highest weighted components represent more than 60 percent of the weight of the Index; or (4) the trading volume of any of the components in the Index falls below 500,000 shares for each of the last six months.[25]

B. Customer Protection

The Commission notes that the rules and procedures of the Exchange adequately address the special concerns attendant to the trading of index warrants. Specifically, the applicable suitability, account approval, disclosure, and compliance requirements of the applicable Amex provisions satisfactorily address potential public customer concerns. Moreover, the Amex plans to distribute a circular to its membership calling attention to specific risks associated with warrants on the Index. Finally, pursuant to the Exchange's listing guidelines, only companies capable of meeting the Amex's index warrant issuer standards will be eligible to issue Index Warrants.[26]

[16] *See* Amex Rule 1101.

[17] *See* Amex Rule 1102.

[18] *See* Amex Rule 1103.

[19] *See* 15 U.S.C. § 78f(b) (1988).

[20] Pursuant to Section 6(b)(5) of the Act, the Commission must predicate approval of any new securities product upon a finding that the introduction of such product is in the public interest. Such a finding would be difficult with respect to a warrant that served no hedging or other economic function, because any benefits that might be derived by market participants likely would be outweighed by the potential for manipulation, diminished public confidence in the integrity of the markets, and other valid regulatory concerns.

[21] The Commission also notes that the Amex is presently only seeking the authority to list and trade a single issuance of warrants on the Index with a term of two-years and that if the Exchange proposes to list and trade other products based on the Index, including other index warrants, the Exchange will advise the Commission in order to determine whether a rule filing pursuant to Section 19(b) of the Act will be necessary or appropriate. This limitation is important since the Index's maintenance criteria might present additional issues if the Index was proposed to be used for index options trading.

[22] The Commission notes that if the Amex determines to maintain the Index with some number of component securities other than 23, the Exchange should notify the Commission. Telephone Conversation between Michael T. Bickford, Vice President, Capital Markets Group, Amex, and Matthew S. Morris, Attorney, Derivatives Regulation, Office of Self-Regulatory Oversight, Division, Commission, on May 9, 1996.

[23] In addition, as noted above, in the event that a security in the Index is removed due to a corporate consolidation and the holders of such security receive cash, the cash value of such security will be included in the Index and will accrue interest at LIBOR to term.

[24] Telephone Conversation between Michael T. Bickford, Vice President, Capital Markets Group, Amex, and Matthew S. Morris, Attorney, Derivatives Regulation, Office of Self-Regulatory Oversight, Division, Commission, on May 9, 1996.

[25] In the event the Exchange is unable to maintain these requirements, the Exchange will consult with the Commission regarding appropriate regulatory responses.

[26] *See* Section 106 of the Amex Company Guide which requires, among other things, that the issuer have tangible net worth in excess of $250 million and otherwise substantially exceed size and earnings requirements in Section 101(A) of the Company Guide or meet the alternative guideline in paragraph (a).

C. Surveillance

The Commission believes that a surveillance sharing agreement between an exchange proposing to list a security index derivative product and the exchange(s) trading the securities underlying the derivative product is an important measure for the surveillance of the derivative and underlying securities markets. Such agreements ensure the availability of the information necessary to detect and deter potential manipulations and other trading abuses, thereby making the security index product less readily susceptible to manipulation. In this regard, the Amex, and the NYSE and the NASD (where the component securities of the Index are currently listed) are all members of the Intermarket Surveillance Group (''ISG''), which provides for the exchange of all necessary surveillance information.[27]

D. Market Impact

The Commission believes that the listing and trading of warrants on the Index will not adversely impact the underlying securities. First, the Amex's existing index warrants surveillance procedures will apply to warrants on the Index. Second, the Index is comprised of highly-capitalized securities that are actively-traded. Lastly, the Amex has established reasonable position and exercise limits for narrow-based stock index warrants,[28] which will serve to minimize potential manipulation and other stock market concerns.

The Commission finds good cause to approve the proposed rule filing, including Amendment Nos. 1 and 2, prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. The Commission notes that to date no comments were received on the proposal. The Commission also notes that accelerated approval of this rule filing is based, in part, on the following facts: (i) The Amex is presently seeking authority to list and trade only a single issuance of warrants on the Index which have a term of two-years; (ii) the Index's component securities are highly-capitalized and actively-traded; and (iii) the Amex has represented that the warrants on the Index will comply in all respects with the Exchange rules governing the listing and trading of narrow-based warrants, including Amex Rules 1100 through 1110, Amex Rule 462, and Section 106 of the Amex Company Guide. Moreover, Amendment No. 1 to the Amex's proposal describes details of certain Index maintenance procedures and the Index calculation methodology. In this regard, the Commission believes that the Exchange's monthly review of the Index's component securities for options eligibility, percentage weight, and trading volume, as described above, will help to ensure that the Index maintains its intended market character as well as remains an appropriate trading vehicle for public customers. In addition, the equal-dollar methodology is a well-established index calculation method and therefore does not present any new or novel regulatory issues. Lastly, although Amendment Nos. 1 and 2 change the Index's component securities, these modifications are minor and consistent with the Index's general objective. In this context, the Index continues to be comprised of actively-traded and highly-capitalized securities. Accordingly, the Commission believes that it is consistent with Section 6(b)(5) of the Act to approve the proposed rule change, including Amendment Nos. 1 and 2, on an accelerated basis.

Interested persons are invited to submit written data, views, and arguments concerning Amendment Nos. 1 and 2. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing also will be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR–Amex–96–12 and should be submitted by June 7, 1996.

IV. Conclusion

For the foregoing reasons, the Commission finds that the Amex's proposal to list and trade warrants based on the Select Technology Stock Index is consistent with the requirements of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[29] that the proposed rule change (SR–Amex–96–12), as amended, is approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[30]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12383 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[27] The ISG was formed on July 14, 1983 to, among other things, coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. The members of the ISG are: the Amex; the Boston Stock Exchange, Inc.; the Chicago Board Options Exchange, Inc.; the Chicago Stock Exchange, Inc.; the NASD; the NYSE; the Pacific Stock Exchange, Inc.; and the Philadelphia Stock Exchange, Inc. Due to the potential opportunities for trading abuses involving stock index futures, stock options, and the underlying stock, as well as for the need for greater sharing of surveillance information for these potential intermarket trading abuses, the major stock index futures exchanges (*e.g.*, the Chicago Mercantile Exchange and the Chicago Board of Trade) have also joined the ISG as affiliate members.

[28] The Commission notes that position limits for narrow-based stock index warrants are set at a level roughly equivalent to 75 percent of narrow-based index options. As a result, position limits for warrants based on the Index will be nine million. *See* Securities Exchange Act Release No. 37007 (March 21, 1996), 61 FR 14165 (March 29, 1996) (order approving establishment of uniform listing and trading guidelines for narrow-based stock index warrants) (SR–Amex–95–39).

[29] 15 U.S.C. § 78s (b)(2) (1988).

[30] 17 CFR 200.30–3(a)(12).

[Release No. 34–37196; File No. SR–CBOE–96–18]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change and Amendment No. 1 to the Proposed Rule Change by the Chicago Board Options Exchange, Inc., Relating to a Hedge Exemption for Industry (Narrow-Based) Index Options

May 10, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on March 18, 1996, the Chicago Board Options Exchange, Inc. (''CBOE'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization.[2] The

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] On April 15, 1996, the Exchange amended its proposal to indicate that, in connection with the narrow-based index hedge exemption, the CBOE's Department of Market Regulation will monitor daily to determine that each exempted option contract is hedged by the equivalent dollar amount of component securities and for unusual option and stock activity. In addition, the CBOE notes that the hedge exemption account must promptly notify the Exchange of material changes in the portfolio. *See*

Continued

Commission is approving this proposal on an accelerated basis.

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

The CBOE proposes to amend CBOE Rule 24.4A, ''Position Limits for Industry Index Options,'' to establish a hedge exemption from industry (narrow-based) index option position and exercise limits.[3] The Commission previously has approved similar proposals by the Philadelphia Stock Exchange, Inc. (''PHLX'') and the Pacific Stock Exchange, Inc. (''PSE'').[4]

The text of the proposed rule change is available at the office of the Secretary, CBOE, and at the Commission.

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

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

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed rule Change

The CBOE proposes to adopt new Interpretation and Policies .01 and .02 to CBOE Rule 24.4A to establish an industry hedge exemption based on the industry index hedge exemptions filed by the PHLX and the PSE, which were approved recently by the Commission.[5] Interpretation and Policy .02 establishes certain compliance requirements for industry index hedge exemption accounts.

Currently, the Exchange has an equity option hedge exemption and a broad-based option index hedge exemption, but no hedge exemption for positions in CBOE industry index options. The CBOE states that its proposal will adopt the same formula used by the PHLX and the PSE for their industry index hedge exemptions, with minor modifications. The proposed narrow-based hedge exemption will be available to both broker-dealers and customers.

In order to qualify for the proposed hedge exemption, a position must be ''hedged'' by share positions in at least 75% of the number of component stocks of the index, or securities convertible into such stock. The proposed exemption is in addition to the standard limit and other exemptions and may not exceed twice the standard limit established under CBOE Rule 24.4A. The underlying value of the option position may not exceed the value of the underlying portfolio. The value of the underlying portfolio is determined as follows: (1) The total market value of the net stock position; and (2) for positions in excess of the standard limit, subtract the underlying market value[6] of (a) any offsetting calls and puts in the respective index option class; (b) any offsetting positions in stock index futures; and (c) any economically equivalent position (assuming no other hedges for these contracts exist).

Further, the proposal requires that both the options and stock positions be initiated and liquidated in an orderly manner. Specifically, a reduction of the options position must occur at or before the corresponding reduction in the stock portfolio position.

The CBOE notes that its proposal makes minor modifications to the PHLX's narrow-based index hedge exemption requirements to conform the CBOE's language to a pending CBOE proposal to amend broad-based index options position limits and exemptions.[7] According to the CBOE, the Exchange's modifications do not affect the hedge exemption definition or the calculation of the value of the portfolio, but will impose uniform CBOE Department of market Regulation monitoring requirements for both the proposed narrow-based and broad-based index hedge exemptions.

Under the proposal, exercise limits will continue to correspond to position limits, so that investors may exercise the number of contracts set forth as the position limit, as well as those contracts exempted by this proposal, during five consecutive business days.

As of March 1, 1996, the CBOE trades the following industry index options, with limits as shown:

(1) S&P Banking Index—12,000 contracts;

(2) S&P Chemical Index—9,000 contracts;

(3) S&P Health Care Index—9,000 contracts;

(4) S&P Insurance Index—9,000 contracts;

(5) S&P Retail Index—9,000 contracts;

(6) S&P Transportation Index—9,000 contracts;

(7) CBOE Software Index—9,000 contracts;

(8) CBOE Environmental Index—9,000 contracts;

(9) CBOE Gaming Index—9,000 contracts;

(10) CBOE Global Telecommunications Index—12,000 contracts;

(11) CBOE Israel Index—9,000 contracts;

(12) CBOE Mexico Index—12,000 contracts;

(13) CBOE REIT Index—12,000 contracts;

(14) CBOE Telecommunications Index—12,000 contracts;

(15) CBOE Biotech Index—9,000 contracts;

(16) CBOE Latin 15 Index—12,000 contracts; and

(17) CBOE High Technology Index—12,000 contracts.

The CBOE will require that documentation regarding the qualified stock portfolio be filed with the CBOE's Department of Market Regulation on behalf of a hedge exemption account seeking an exemption. Proposed Interpretation and Policy .02 contains compliance requirements for industry hedge exemption accounts which are identical to the compliance requirements proposed in a pending CBOE proposal for broad-based index hedge exemption accounts.[8] The Exchange states that its Department of Market Regulation will continue to monitor trading activity in industry index options to detect potential abuses, and review to ensure that closing positions subject to an exemption is

Letter from Margaret G. Abrams, Senior Attorney, CBOE, to Yvonne Fraticelli, Attorney, Commission, dated April 10, 1996 (''Amendment No. 1'').

[3] Position limits impose a ceiling on the number of option contracts which an investor or group of investors acting in concert may hold or write in each class of options on the same side of the market (*i.e.,* aggregating long calls and short puts or long puts and short calls). Exercise limits prohibit an investor or group of investors acting in concert from exercising more than a specified number of puts or calls in a particular class within five consecutive business days.

[4] *See* Securities Exchange Act Release Nos. 36858 (February 16, 1996), 61 FR 7295 (February 27, 1996) (order approving File No. SR–PHLX–95–45) (''PHLX Approval Order''); and 36981 (March 15, 1996), 61 FR 11929 (March 22, 1996) (order approving File No. SR–PSE–95–28) (''PSE Approval Order'').

[5] *See* PHLX Approval Order and PSE Approval Order, *supra* note 4.

[6] The CBOE uses the term ''underlying market value,'' instead of the equivalent term ''notional value,'' which the PHLX uses in its proposal, for consistency with a pending CBOE proposal to amend the CBOE's broad-based index hedge exemption. *See* Securities Exchange Act Release No. 36738 (January 19, 1996), 61 FR 2324 (January 25, 1996) (notice of filing of File No. SR–CBOE–96–01) (''Broad-Based Index Option Proposal'').

[7] *See* Broad-Based Index Option Proposal, *supra* note 6.

[1] *See* Broad-Based Index Option Proposal, *supra* note 6.

conducted in a fair and orderly manner. In addition, the CBOE's Department of Market Regulation will monitor daily to determine that each exempted option contract is hedged by the equivalent dollar amount of component securities and for unusual option and stock activity.[9]

The CBOE notes that the proposed industry index hedge exemption contains build-in safeguards. Specifically, the ''basket'' of stocks constituting the hedge must be comprised of at least 75% of the stocks underlying the index. The hedge exemption account must promptly notify the Exchange of any material changes in the value of the portfolio.[10] Further, both the options and stock positions must be initiated and liquidated in an orderly manner, so that a reduction of the options position must occur at or before the corresponding reduction in the stock portfolio position. Finally, the aggregate underlying value of the industry index option position cannot exceed the market value of the underlying hedging portfolio, to ensure that stock transactions are not used to manipulate the market in a manner benefiting the option position.

The Exchange believes that the proposal is consistent with Section 6 of this Act, in general, and, in particular, with Section 6(b)(5), in the narrow-based hedge exemption should increase the depth and liquidity of narrow-based index options markets and allow more effective hedging by investors without increasing the potential for market disruption, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system in a manner consistent with the protection of investors and the public interest.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The CBOE does not believe that the proposed rule change will impose any burden on competition.

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

No written comments were solicited or received with respect to the proposed rule change.

III. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

The CBOE has requested that the proposed rule change be given accelerated effectiveness pursuant to Section 19(b)(2) of the Act. The CBOE believes that approval on an accelerated basis would promote fair competition among exchanges and eliminate the risk, in a multiple-exchange trading environment, of investor confusion respecting hedge exemptions for industry index options. As noted above, the Commission has previously approved similar proposals submitted by the PHLX and the PSE.[11] The CBOE believes that the proposal presents no significant new issues.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5).[12] The Commission concludes, as it has found previously,[13] that providing for increased position and exercise limits for narrow-based index options in circumstances where those excess positions are fully hedged with offsetting stock positions will provide greater depth and liquidity to the market and will allow investors to hedge their stock portfolios more effectively, without significantly increasing concerns regarding inter-market manipulations or disruptions of either the options market or the underlying stock market.

Specifically, the CBOE proposal contains safeguards that should make it difficult to use the exempted positions to disrupt or manipulate the market. First, requests for the exemption must be approved by the CBOE, which should ensure that the hedges are appropriate for the position being taken and are in compliance with CBOE rules. Second, the stock portfolio must consist of at least 75% of the number of component securities underlying the index, and must correspond in value to the value of the options position hedged, so that the increased positions are less likely to be used in a leveraged manner in any manipulative scheme. As noted above, the value of the hedging portfolio is equal to (1) the total market value of the net stock position; less (2) the value of (a) any offsetting calls and puts in the respective index option class; (b) any offsetting positions in stock index futures; and (c) any economically equivalent positions (assuming no other hedges for these contracts exist).[14] Third, both the options and the stock positions must be initiated and liquidated in an orderly manner. Moreover, a reduction of the options position must occur at or before the corresponding reduction in the stock portfolio position, thereby helping to ensure that the stock transactions are not used to impact the market so as to benefit the options positions. Fourth, the CBOE must be notified of any material change in the portfolio.[15] Fifth, the maximum hedge exemption position is two times the existing limit. The ''two times the limit'' is not automatic and the CBOE has the authority to approve a hedge limit for less than that amount.

The Commission notes that the CBOE's survelliance procedures are designed to detect as well as deter manipulation and market disruptions. In particular, the CBOE's Department of Market Regulation will monitor the options position of a person utilizing the hedge exemption on a daily basis to determine that each option contract is hedged by the equivalent dollar amount of component securities.[16] In addition, the CBOE's Department of Market Regulation will continue to monitor trading activity in industry index options to detect potential abuses, and will review such activity and ensure that closing positions subject to an exemption is conducted in a fair and orderly manner. Violation of any of the provisions of CBOE Rule 24.4A and the interpretations and policies thereunder, absent reasonable justification or excuse, will result in the withdrawal of the hedge exemption and subsequent denial of an application for a hedge exemption thereunder.

The Commission believes that it is reasonable for the CBOE to allow broker-dealers, as well as public customers, to utilize the proposed hedge exemption.[17] The Commission believes that extending the narrow-based index option hedge exemption to broker-

[2] *See* Amendment No. 1, *supra* note 2.

[10] *Id.*

[11] *See* PHLX Approval Order and PSE Approval Order, *supra* note 4.

[12] 15 U.S.C. 78f(b) (1988 & Supp. V 1993).

[13] *See* PHLX Approval Order and PSE Approval Order, *supra* note 4.

[14] If a hedge position ceases to exist, this would be viewed as a material change which must be reported promptly to the CBOE. In such a case, the value of the stock portfolio would be reduced accordingly and therefore the hedged options position must also be reduced. As noted above, a reduction of the options position must occur at or before the corresponding reduction in the stock portfolio position.

[15] *See* Amendment No. 1, *supra* note 2.

[16] *See* Amendment No. 1, *supra* note 2. Market participants granted a hedge exemption must promptly notify the Exchange of material changes in the portfolio.

[17] The Commission notes that broker-dealers and public customers may utilize the CBOE's equity hedge exemption. *See* CBOE Rule 4.11, Interpretation and Policy .04, and Securities Exchange Act Release No. 35738 (May 18, 1995), 60 FR 27573 (May 24, 1995) (order approving File Nos. SR–Amex–95–13, SR–CBOE–95–13, SR–NYSE–95–04, SR–PSE–95–05, and SR–PHLX–95–10) (permanently approving hedge exemption pilot programs).

dealers may help to increase the depth and liquidity of the market for industry index options and may help to ensure that public customers receive the full benefit of the exemption. Moreover, the CBOE's monitoring procedures, as described above, should be able to detect any abuses and ensure that the options position, whether broker-dealer or customer, is properly hedged.

The Commission finds good cause for approving the proposed rule change and Amendment No. 1 to the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. As noted above, the Commission previously has approved similar proposals submitted by the PHLX and the PSE.[18] The PHLX's and PSE's proposals were published for the full notice and comment period and the Commission received no comments on their proposals. The CBOE's proposal raises no new regulatory issues. Amendment No. 1 strengthens the CBOE's proposal by indicating that the CBOE's Department of Market Regulation will monitor hedge exemption accounts daily to determine that each exempted option contract is hedged by the equivalent dollar amount of component securities. Accordingly, the Commission believes it is consistent with Sections 6(b)(5) and 19(b)(2) of the Act to approve the proposed rule change and Amendment No. 1 to the proposed rule change on an accelerated basis.

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, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by [insert date 21 days after the date of this publication].

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[19] that the proposed rule change (SR–CBOE–96–18), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[20]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12382 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[18] *See* PHLX Approval Order and PSE Approval Order, *supra* note 4.

[19] 15 U.S.C. 78f(b)(2) (1988).

[20] 17 CFR 200.30–3(a)(12) (1995).

[Release No. 34–37189; International Series Release No. 977; File No. SR–CBOE–96–09]

Self-Regulatory Organizations; Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval of Amendments Thereto Relating to the Listing and Trading of Options on the Mexican Indice de Precios y Cotizaciones

May 9, 1996.

On February 27, 1996, the Chicago Board Options Exchange, Inc. (''CBOE'' or ''Exchange'') submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade options on the Indice de Precios y Cotizaciones (''IPC'' or ''Index''), a cash-settled, broad-based index designed to represent the overall Mexican equity market. The IPC was created, and is maintained, by the Mexican Stock Exchange (''Bolsa'') and is widely recognized as the benchmark equity index for Mexico. Notice of the proposed rule change appeared in the Federal Register on March 12, 1996.[3] No comments were received on the proposal.

On March 29, 1996, CBOE submitted Amendment No. 1 (''Amendment No. 1'') to the proposal to address issues related to Index maintenance criteria.[4] On April 11, 1996, CBOE submitted Amendment No. 2 (''Amendment No. 2'') to the proposal to clarify certain Index maintenance criteria and to address issues relating to the reduction and aggregation of position limits.[5] On May 7, 1996, CBOE submitted Amendment No. 3 (''Amendment No. 3,'' together with Amendments No. 1 and 2, ''Amendments'') to the proposal to clarify CBOE's procedures for reducing position limits if the Index is subsequently reclassified as narrow-based.[6] This order approves the proposal, as amended, and solicits comments on the Amendments.

I. Description of the Proposal

The purpose of the proposed rule change is to permit the Exchange to list and trade cash-settled, European-style[7] stock index options on the IPC, a broad-based, capitalization-weighted index comprised of 35 of the largest and most liquid stocks (issued by 28 issuers) on the Bolsa.[8] The Exchange believes that options on the Index will provide investors with a low-cost means of participating in the performance of the Mexican economy and hedging against the risk of investing in that economy.

Index Design

The Index was designed by and is maintained by the Bolsa. These stocks selected for inclusion in the IPC were chosen based upon a combination of criteria relating to their trading volume and market capitalization. The Bolsa reviews a component's compliance with these criteria every two months. There are three criteria which could keep a potential replacement component stock from being added to the Index. First, suspended issues or those which have a material possibility of being suspended will not be included in the Index. Second, if the combined weight of two or more series of an index represented company were to exceed 15% of the weight of the Index, then only the series with the highest trading volume will be allowed to remain in the Index. Third, if a company is a subsidiary of another company that is in the Index and it represents more than 75% of the assets of the holding company it will not be included.

The IPC is composed of stocks from eighteen (18) industry groups including: Telecommunications, Diversified Holding Companies, Banks, Broadcasting, Building Materials, Mining, and Financial Services. The

[1] 15 U.S.C. 78s(b)(1) (1988 & Supp. V 1993).

[2] 17 CFR § 240.19b–4 (1994).

[3] *See* Securities Exchange Act Release No. 36902 (March 5, 1996), 61 FR 10043.

[4] *See* Letter from Joseph Levin, CBOE, to Howard Kramer, SEC, dated March 29, 1996.

[5] *See* Letter from Joseph Levin, CBOE, to Howard Kramer, SEC, dated April 8, 1996.

[6] *See* Letter from Eileen Smith, CBOE, to Stephen Youhn, SEC, dated May 6, 1996.

[7] A European-style option may only be exercised during a specified period before expiration.

[8] The Commission notes that Hylsamex SA–BCP is 82% owned by Alfa SA–A and that Tolmex SA–B2 is 99% owned by Cemex Sa.

median capitalization of the firms in the Index on February 2, 1996, was 6.581 billion Pesos (US$889.38 million at the exchange rate of 7.4 pesos per dollar prevailing on February 2, 1996). The average market capitalization of these firms was US$1.553 billion on the same date and using the same rate for exchange. The individual market capitalization of these firms ranged from US$11.956 billion to US$36.29 million on February 2, 1996. The largest stock accounted for 21.99% of the Index, while the smallest accounted for 0.07%. The top five stocks in the Index by weight accounted for 49.71% of the Index.

Calculation

The Index is capitalization weighted and its value is determined by multiplying the price of each stock times the number of shares outstanding, adding those sums and then dividing by a divisor which gave the Index a value of 0.78 on its base date of October 30, 1978. The Index can also be characterized as a ''total return'' index since it is adjusted for cash distributions. The Index had a closing value of 2862.59 on February 28, 1996.[9] This divisor is adjusted for pertinent changes as described below in the section titled ''Maintenance.''

Maintenance

The Index will be maintained by the Bolsa. To maintain Index continuity, the divisor will be adjusted to reflect certain events relating to the component stocks. These events include, but are not limited to, ordinary cash dividends, changes in the number of shares outstanding, spin-offs, certain rights issuances, and mergers and acquisitions. When components are substituted, the Bolsa makes every effort to notify the public in advance of the upcoming changes. If it becomes necessary to replace a component between reviews, the Bolsa maintains a list of stocks for substitution. The balsa will publicly commuicate these changes (*e.g.*, news release) with as much notice as possible. The main selection criteria utilized by the Bolsa are trading volume and market capitalization. Although the IPC is presently comprised of 35 stocks, there have been as many as 50 components and the Bolsa is not precluded from increasing (or decreasing) this number.

Because the Index is maintained by the Bolsa, CBOE does not have the ability to ensure that the Bolsa maintains the Index in such a manner that guarantees its continued classification as a broad-based index. Accordingly, CBOE has imposed specific maintenance criteria which, if breached, will result in the Index being re-classified as a narrow-based stock index for index options trading purposes. Upon the occurrence of one of the events listed below, CBOE will immediately re-classify the index as narrow-based: (a) the total market value of the Index falls to less than US$25 billion for the majority of business days in the previous six-month period; [10] (b) the largest component stock accounts for more than 35% of the weight of the Index for the majority of business days in the previous six-month period; (c) the top three component stocks account for more than 60% of the weight of the Index for the majority of days in the previous six-month period; or (d) the number of Index components falls to less than 20.[11]

If one of the above events occurs and the Index is reclassified as narrow-based, CBOE will impose margin requirements consistent with those currently applicable to other narrow-based index options. Accordingly, CBOE will raise the initial margin level requirements for positions carried short in a customer's account from 15% to 20%. CBOE will also reduce the position limits from 50,000 contracts on the same side of the market to a level consistent with narrow-based index options. Specifically, CBOE will require that positions in IPC Index options be subject to the highest position limit level then applicable to narrow-based index options, as governed by CBOE Rule 24.4A.[12] CBOE will reduce position limits in the same manner as is currently used for reducing position limits for existing index options. Thus, all series of IPC options [13] will be scheduled for a position limit decrease effective the Monday following the expiration of the farthest out then trading, non-LEAP option series. If, however, prior to the scheduled decrease or at the time of the subsequent six-month review, the index qualifies again for broadbased treatment, the position limit will not be reduced.[14]

Index Option Trading

The Exchange proposes to base trading in options on the Index on one-tenth of the value of the Index as expressed in U.S. dollars; these are known as full-value options. The Exchange also may provide for the listing of full-value LEAPS and reduced-value LEAPS on the Index. For reduced-value LEAPS, the underlying value would be computed at one-tenth of the value of the full-value options. The current and closing index value of any such reduced-value LEAP will, after such initial computation, be rounded to the nearest one-hundredth. The Exchange will list expiration months for Index options and Index LEAPS in accordance with CBOE Rule 24.9.

The trading hours on the Bolsa are the same as those on the New York Stock Exchange—8:30 a.m. to 3:00 p.m. Chicago time. The trading hours for options on the Index will be from 8:30 a.m. to 3:15 p.m. Chicago time.[15] The Bolsa calculates the value of the IPC based upon the prices of the component securities as traded or quoted on the Bolsa and disseminates this value to vendors of financial information. CBOE or its designee will disseminate the reduced IPC value (*i.e.*, 1/10th of IPC value) through the Options Price Reporting Authority (''OPRA'') every 15 seconds throughout the trading day.

Exercise and Settlement

IPC options will be p.m.-settled and expire on the Saturday following the third Friday of the expiration month. Thus, trading in the expiring contract month will normally cease on Friday at 3:15 p.m. (Chicago time) unless a holiday occurs. The exercise settlement value of Index options at expiration will be based upon the closing prices of component stocks on the regular Friday trading sessions in Mexico, ordinarily at 3:00 p.m. Mexico time. If a stock does not trade during this period or if it fails to open for trading, the last available price of the stock will be used in the calculation of the Index. When expirations are moved in accordance with Exchange holidays, such as when the CBOE is closed on the Friday before expiration, the last trading day for expiring options will be Thursday and the exercise settlement value of Index options at expiration will be determined at the close of the regular Thursday trading sessions in Mexico even if the

[2] As noted below, CBOE intends to trade index options based on 1/10th of the full value of the IPC.

[10] *See* Amendment No. 2. $25 billion represents the approximate U.S. dollar equivalent of 200 billion Mexican pesos, which CBOE originally proposed.

[11] *See* Amendment No. 1. In this regard, each of an issuer's securities which are included in the Index would be counted as separate components. For example, Cemex SA–A and SA–B would be counted as two components, despite being issued by the same company.

[12] *See* Amendment No. 2.

[13] Such series include all long-term index option series (''LEAPS®'') and reduced-value LEAPS, as discussed below, on the Index.

[14] *See* Amendment No. 3.

[15] IPC options will continue to trade for 15 minutes after the Bolsa closes. This is consistent with trading times for other broad-based index options and also gives market participants the opportunity to adjust their positions after the Bolsa closes.

Mexican markets are open on Friday. If the Mexican markets are closed on the Friday before expiration and CBOE is open for trading, the last trading day for expiring options will be Thursday.

Surveillance Agreements

The Exchange expects to apply its index option surveillance procedures of IPC options. In addition, the Exchange is aware of a Memorandum of Understanding (''MOU'') between the Commission and the Comision Nacional Bancaria y de Valores (''CNBV''), which has oversight responsibility for the Mexican securities and derivatives markets. This MOU will enable the Commission to obtain information concerning the trading of the component stocks of the IPC. The Exchange also will make every effort to enter into an effective surveillance agreement with the Bolsa.

Position Limits

The Exchange is proposing to establish position limits for the Index options equal to 50,000 contracts on the same side of the market, with no more than 30,000 contracts in the series with the nearest expiration date. CBOE represents that these limits are roughly equivalent, in dollar terms, to the limits applicable to options on other indices. Ten reduced-value options will equal one full-value contract for such purposes. Furthermore, the hedge exemption rule applicable to broad-based index options, commentary .01 to CBOE Rule 24.4, will apply to IPC Index options.[16] As discussed above, if the Index is re-classified as narrow-based, CBOE will reduce the position limits to the highest position limit tier then in effect for narrow-based index options.[17]

Exchange Rules Applicable

Except as modified herein, the Rules in Chapter XXIV will be applicable to IPC options. CBOE has the necessary systems capacity to support new series that would result from the introduction of IPC options and has also been informed that OPRA has the capacity to support such new series.[18]

II. Findings and Conclusions

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5).[19] The commission finds that the trading of options based on the IPC, including long-term options based on either the full or a reduced value of the Index, will serve to protect investors, promote the public interest, and help to remove impediments to a free and open securities market by providing investors with a means to hedge exposure to market risk associated with the Mexican equity market and provide a risk management instrument for positions in the Mexican securities market.[20] The trading of options on the Index will permit investors to participate in the price movements of the Mexican equity securities underlying the Index. As a result, the trading of options on the Index will allow investors holding some or all of the underlying components to hedge the risks associated with those positions and should reflect accurately the overall movement of the Mexican equity market.

The trading of Index options and Index LEAPS, however, raises several issues related to index design and structure, customer protection, and surveillance. The Commission believes, for the reasons discussed below, that CBOE has adequately addressed these issues.

A. Index Design and Structure

The Commission finds that it is appropriate and consistent with the Act to apply the Exchange rules applicable to broad-based index options to IPC Index options.[21] First, the Index consists of 35 of the largest and most liquid stocks (issued by 28 issuers) on the Bolsa.[22] Second, stocks in the Index are among the most highly capitalized stocks on the Bolsa. For example, on February 2, 1996, the market capitalization of the individual stocks in the Index ranged from a high of US$11.95 billion to a low of US$36 million, with a mean value of US$1.55 billion. Third, the total capitalization of the Index on the same date was US$54.3 billion.[23] Although this capitalization amount is not large in relation to other broad-based indexes previously approved for options trading, it is nonetheless a substantial capitalization for a foreign market and represents approximately half of the total capitalization of the Bolsa.[24] Fourth, the Index includes stocks of companies from eighteen separate industries. Fifth, the Commission recently approved the CBOE Mexico 30 Index (''Mexico 30 Index''), which is a broad-based, modified capitalization weighted index comprised of thirty Mexican stocks. The Commission notes that the IPC and Mexico 30 Index are substantially similar. Accordingly, the Commission is satisfied that the Index adequately represents the Mexican equity market.

Furthermore, the Commission believes that the general broad diversification of the Index component stocks, as well as their high capitalizations and trading activity, minimize the potential for manipulation of the Index. First, as discussed above, the Index represents a broad cross-section of highly-capitalized Mexican stocks, with no single industry group or stock dominating the Index. Second, the overwhelming majority of stocks that comprise the Index are relatively actively traded. Third, the Commission believes that the Bolsa's index selection and maintenance criteria should serve to ensure that the Index continues to represent stocks with the highest capitalizations and trading volumes on the Bolsa. In addition, the Exchange has proposed position and exercise limits for the Index options that are consistent with other broad-based index options.

Because CBOE is not responsible for Index maintenance, however, the Commission recognizes that certain events beyond CBOE's control may result in the Index changing in a manner such that it is no longer broad-based. In this regard, CBOE has adopted maintenance criteria which, if breached, will result in the re-classification of the Index as narrow-based. If this occurs, CBOE will decrease position limits and increase margin requirements to levels consistent with other narrow-based index options. The Commission believes these criteria are adequate and should serve to prevent a narrow-based index from trading pursuant to more favorable broad-based index option rules.

[16] Telephone conversation between Eileen Smith, CBOE, and Steve Youhn, SEC, on February 28, 1996.

[17] *See* Amendments No. 2 and 3.

[18] *See* Letter from Joe Corrigan, OPRA, to Eileen Smith, CBOE, dated February 21, 1996.

[19] 15 U.S.C. 78f(b)(5) (1988 & Supp. V 1993).

[20] Pursuant to Section 6(b)(5) of the Act, the Commission must predicate approval of rule changes pertaining to any new option proposal upon a finding that the introduction of such new derivative instrument is in the public interest. Such a finding would be difficult for a derivative instrument that served no hedging or other economic function, because any benefits that might be derived by market participants likely would be outweighed by the potential for manipulation, diminished public confidence in the integrity of the markets, and other valid regulatory concerns.

[21] The reduced value IPC, which is calculated by dividing the full-value Index to be traded on CBOE by ten, is essentially identical to the IPC.

[22] As CBOE notes, while some of the stocks in the Index have relatively low trading volume, they account for only a small percentage of the Index weighting.

[23] In the event the aggregate capitalization of the Index falls below $25 billion, CBOE will re-classify the Index as narrow-based, as discussed above.

[24] A foreign index capitalization that is smaller than that of the IPC would raise questions regarding whether that particular index warranted broad-based index options treatment.

Under CBOE's maintenance criteria, no single stock may account for more than 35% of the Index weight and no three components may excess 60% of the total Index weight. In addition, the number of Index components may not fall below 20 and the total capitalization of the Index may not fall below US$25 billion. If any of these events occur, the Index will be re-classified as narrow-based. The Commission believes that these standards will ensure that if the Index becomes dominated by one or a few components, or if it fails to be broadly representative of the Mexican equity market, it will cease to trade pursuant to broad-based index option rules.

B. Customer Protection

The Commission believes that a regulatory system designed to protect public customers must be in place before the trading of sophisticated financial instruments, such as Index options and Index LEAPS, can commence on a national securities exchange. The Commission notes that the trading of standardized exchange-traded options occurs in an environment that is designed to ensure, among other things, that: (1) The special risks of options are disclosed to public customers; (2) only investors capable of evaluating and bearing the risks of options trading are engaged in such trading; and (3) special compliance procedures are applicable to options accounts. Accordingly, because the Index options and Index LEAPS will be subject to the same regulatory regime as the other standardized options currently traded on the CBOE, the Commission believes that adequate safeguards are in place to ensure the protection of investors in Index options and Index LEAPS.[25]

C. Surveillance

In evaluating derivative instruments, the Commission, consistent with the protection of investors, considers the degree to which the derivative instrument is susceptible to manipulation. The ability to obtain information necessary to detect and deter market manipulation and other trading abuses is a critical factor in the Commission's evaluation. It is for this reason that it is important for the SEC to determine that there is an adequate mechanism in place to provide for the exchange of information between the market trading the derivative product and the market on which the securities underlying the derivative product are traded. Such mechanisms enable officials to surveil trading in both the derivative product and the underlying securities.[26] For foreign stock index derivative products, such mechanisms are especially important for the relevant foreign and domestic exchanges to facilitate the collection of necessary regulatory, surveillance and other information.

With respect to the CBOE proposal, CBOE and the Bolsa do not have a written surveillance sharing agreement that covers the trading of IPC options at the time.[27] Moreover, it is the Commission's understanding that the Bolsa currently is not able to provide the requisite information for a comprehensive surveillance sharing instrument. Thus it would be impossible for the CBOE to secure a comprehensive agreement. In such cases, the Commission has relied in the past on surveillance sharing arrangements between the relevant regulators. In regard to the IPC, the Commission notes that the Bolsa is under the regulatory oversight of the CNBV, which has responsibility for both the Mexican securities and derivatives markets. The Commission and the CNBV have concluded a Memorandum of Understanding, dated October 18, 1990, that provides a framework for mutual assistance in investigatory and regulatory issues.[28] Based on the relationship between the SEC and CNBV and the terms of the MOU, the Commission understands that both it and the CNBV could acquire information from and provide information to the other similar to that which would be required in a comprehensive surveillance sharing agreement between exchanges.[29] Moreover, the agencies could make a request for information under the MOU on behalf of an SRO that needed the information for regulatory purposes. Thus, should the CBOE need information on Mexican trading in the Index component securities to investigate incidents involving trading of Index options, the SEC could request such information from the CNBV under the MOU. While this arrangement certainly would be enhanced by the existence of direct exchange to exchange surveillance sharing agreements, it is nonetheless consistent with other instances where the Commission has explored alternatives when the relevant foreign exchange was unwilling or unable to enter into a comprehensive surveillance sharing agreement.[30]

Accordingly, the Commission believes the MOU provides sufficient basis for the exchange of necessary surveillance information. The Commission continues to believe strongly, however, that the Bolsa and the CBOE should continue to work together to consummate a formal surveillance sharing agreement to cover IPC Index options as soon as practicable.

The Commission finds good cause for approving the Amendments to the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the Federal Register. The Amendments outline CBOE's maintenance criteria with respect to the IPC and the procedures for reducing position limits, if necessary. As discussed above, although CBOE is not responsible for maintenance of the IPC, it has adopted criteria which, if breached, will result in the re-classification of the index to narrow-based. Because CBOE does not have the ability to maintain the Index in order to ensure that it remains broad-based, the Commission believes the adoption of these standards are reasonable to address the trading issues presented by a significant change in the character and composition of the Index. In addition, the Commission believes that the standards are sufficient to ensure that if the IPC does not continue to be representative of the Mexican equity market, or if the Index becomes dominated by one or a small number of stocks, it will cease to be classified as broad-based for U.S. index options

[25] As discussed above, CBOE has represented that it and OPRA have the necessary systems capacity to support those new series of options that would result from the introduction of Index options and Index LEAPS. *See* Memorandum from Joe Corrigan, Executive Director, OPRA, to Eileen Smith, CBOE, dated February 21, 1996.

[26] The Commission believes that a comprehensive surveillance sharing agreement should provide the parties thereto with the ability to obtain information necessary to detect and deter market manipulation and other trading abuses. Consequently, the Commission generally requires that such agreements require that the parties provide each other, upon request, with information about market trading activity, clearing activity, and the identity of the purchasers and sellers of securities underlying the derivative product. *See, e.g.*, Securities Exchange Act Release No. 31529 (Nov. 27, 1992), 57 FR 574248.

[27] The CBOE has committed to make every effort to enter into a comprehensive surveillance sharing agreement with the Bolsa.

[28] The CNBV is the successor to the Comision Nacional de Valores of Mexico, which was merged with the Mexican Banking Commission in April 1995 to form the CNBV. *See* National Banking and Securities Commission Act, Mexico, dated April 24, 1995.

[29] This information could include transaction, clearing, and customer identity information necessary to conduct an investigation.

[30] *See, e.g.*, Securities Exchange Act Release No. 36070 (Aug. 9, 1995), 60 FR 42205 (Aug. 15, 1995) (Order Approving Proposed Rule Changes Relating to the Listing and Trading of Warrants on the Deutscher Aktienindex).

trading purposes. If reclassified as narrow-based, Amendment No. 3 establishes procedures for reducing position limits which, the Commission notes, are consistent with existing procedures for reducing narrow-based index option position limits. Accordingly, the Commission believes there is good cause, consistent with Sections 6(b)(5) and 19(b)(2) of the Act, to approve the Amendments on an accelerated basis.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the Amendments. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by June 7, 1996.

It therefore is ordered, pursuant to Section 19(b)(2) of the Act,[31] that the proposed rule change (SR–CBOE–96–09) is approved, as amended.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[32]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12385 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[31] 15 U.S.C. 78s(b)(2) (1988).

[32] 17 CFR § 200.30–3(a)(12) (1994).

[Release No. 34–37201; File No. SR–CBOE–96–24]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Board Options Exchange, Inc. Relating to as of Add Submissions

May 10, 1996.

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 April 15, 1996, the Chicago Board Options Exchange, Inc. (''CBOE'' or ''Exchange'') 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 CBOE proposes to terminate its fee program for members who, for more than a prescribed percentage of transactions, submit trade information pursuant to CBOE Rule 6.51 after the date on which the trade is executed. (These post-trade date submissions are commonly referred to as ''as of adds.'') In conjunction with the foregoing, the Exchange also proposes to revise the structure of its as of add summary fine program. The text of the proposed rule change is available at the Office of the Secretary, CBOE and at the Commission.

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

In its filing with the Commission, CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The CBOE 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

CBOE Rule 6.51 requires, among other things, that (i) a participant in each transaction to be designated by the Exchange shall immediately report the transaction to the Exchange and (ii) each business day, each Clearing Member shall file with the Exchange trade information covering each Exchange transaction made by it or on its behalf during the business day.

On October 1, 1993, the Exchange instituted an as of add fee program to collect fees from members who, for more than a prescribed percentage of transactions, submit trade information pursuant to Rule 6.51 after the date on which the trade is executed. This program is set forth in CBOE Rule 2.26 and currently functions in the following manner. Each individual member is assessed a $10.00 fee for each as of add submitted by the member during a given month that is in excess of 2.4% of the member's trade submissions during that month. Similarly, each Clearing Member is assessed a $3.00 fee for each as of add submitted by the Clearing Member during a given month that is in excess of 1.2% of the Clearing Member's trade submissions during that month. In addition, the total fee under the program that may be assessed against a member in a given month are capped at $500 for individual members and at $1,000 for Clearing Members.

The reason the Exchange implemented the as of add fee program was to allocate the costs borne by the Exchange in processing as of add submissions to those members most responsible for generating those costs and thereby to encourage the submission of information with respect to a trade on the date the trade is executed by creating an economic incentive to submit the information on that day. During the first year of the program, the percentage of as of add submissions declined by 10% even though the Exchange experienced a 37% increase in trading volume. Based on past experience, the Exchange estimates that had the program not been in effect during that time period, the percentage of as of add submissions would have doubled. Since November, 1994, however, the percentage of as of add submissions has remained relatively constant. Therefore, although the program has clearly been effective in reducing the percentage of as of add submissions, it no longer appears to be causing a reduction in the rate of those submissions.

Accordingly, the Exchange is proposing to terminate the as of add fee program and to seek further reductions in the percentage of as of add submissions by revising the structure of the Exchange's as of add summary fine program.

The Exchange instituted its as of add summary fine program on February 1, 1995. The program is a part of the Exchange's minor rule violation plan and is set forth in CBOE Rule

17.50(g)(7). Under the program, any individual member whose monthly percentage of as of add submissions exceeds 7.2% for two consecutive months or any Clearing Member whose monthly percentage of as of add submissions exceeds 3.6% for two consecutive months is subject to a fine of $250 for the first offense, $500 for the second offense, and $1,000 for each subsequent offense occurring during any 12 month period.

The Exchange is proposing to revise the structure of the as of add summary fine program in four primary respects in order to encourage further changes in as of add behavior, and to the extent the Exchange collects fines under the program, to help the Exchange defray the additional costs it incurs in processing as of add submissions.

First, the Exchange is proposing to replace the current as of add summary fine schedule for individual members. The proposed fine schedule would be stricter in two respects: (i) action against an individual member under the fine schedule would be triggered when the member exceeds the maximum allowable as of add submission percentage in a given month instead of when the member exceeds that percentage in two consecutive months as is the case under the current fine schedule and (ii) the maximum allowable as of add submission percentage under the fine schedule would be reduced from its current level of 7.2% to 5%. Specifically, the current find schedule for individual members would be replaced with the following fine schedule. Any individual member whose percentage of as of add submissions in any month exceeds 5% would receive a letter of information for the first offense, a letter of caution for the second offense, a $500 fine for the third offense, a $1,000 fine for the fourth offense, and would be referred to the Exchange's Business Conduct Committee for each subsequent offense occurring during any 12 month period. In addition, as is currently the case, the Exchange would retain the discretion to initiate a formal disciplinary proceeding against an individual member pursuant to Chapter XVII of the Exchange's rules in the event the Exchange determines that any violations of Rule 6.51 are not minor in nature.

Second, the current as of add summary fine schedule for Clearing Members would be deleted and going forward as of add summary fines would only be assessed against individual members. The Exchange believes that such a fine structure is appropriate because individual members have primary control over the timing of trade submissions, and in the Exchange's experience, most as of adds are caused by delays and errors of individual members. Moreover, Clearing Members generally have a greater economic incentive than individual members to reduce as of adds because Clearing Members incur personnel and systems costs due to the extra work necessary to process as of adds whereas individual members do not incur such costs. Therefore, the Exchange believes that the most effective manner in which to achieve a reduction in the percentage of as of adds is to direct the as of add summary fine program toward individual members. Of course, notwithstanding the foregoing, the Exchange would still have the ability to initiate a formal disciplinary proceeding against a Clearing Member for violations of Rule 6.51.

Third, the Exchange is proposing to implement a verification procedure under Rule 17.50 pursuant to which any member who receives an as of add summary fine would be able to request verification of that fine by the Exchange. Under this procedure, the Exchange would attempt to serve any member who incurs an as of add summary fine with a disciplinary notice on or before the 10th day of the month immediately following the month in which the fine is incurred. The member would then have until the 25th day of the month in which the disciplinary notice is served to request verification. After the Exchange's verification process is completed, it would notify the member in writing of the Exchange's determination, and if the member so desired, the member could appeal the fine within 30 days after the date of such notice in accordance with the appeal procedures under Rule 17.50(d). In addition, any member who incurs an as of add summary fine and does not request verification would be able to appeal the fine under Rule 17.50(d) within 30 days after the Exchange's service of the disciplinary notice informing the member of the fine. The above-described verification procedures would function in the same general manner as the verification procedures that are currently in place under Rule 17.50 for fines imposed for failure to submit accurate trade information and for failure to submit trade information to the price reporter, and these procedures would serve to replace the current as of add verification procedures under Rule 2.26(c) which would be eliminated under the proposed rule change along with the remainder of Rule 2.26.

Finally, the current procedures set forth in Rule 2.26(d) which permit the Exchange to suspend the as of add fee program would also be eliminated along with the remainder of Rule 2.26, and instead, would be restated in Rule 17.50 and made applicable to the as of add summary fine program. As is currently the case with respect to the as of add fee program, these procedures would permit the Exchange's Clearing Procedures Committee, with the approval of the President of the Exchange, or his designee, to suspend the as of add summary fine program for periods no greater than 7 calendar days, plus extensions, when unusual circumstances affect the ability of a significant number of members to submit trade information on a timely basis.

The Exchange proposes to implement the proposed rule change within 45 days after its approval by the commission. The purpose of this time interval is to give the Exchange the opportunity to inform members of the approval of the proposed rule change in the Exchange's Regulatory Bulletin before the rule change is put into effect. The Exchange will publish the effective date of the rule change in the Exchange's Regulatory Bulletin and will notify the Commission of the effective date by letter.

The Exchange represents that the proposed rule change is consistent with Section 6(b) of the Act, in general, and furthers the objectives of Section 6(b) (5) in particular, in that the Exchange believes the proposed rule change will serve to reduce the percentage of as of add submissions thereby benefiting both members and investors by increasing the efficiency with which Exchange transactions are processed and by reducing the risk exposure to members and investors that results from the existence of unresolved trades. Accordingly, the Exchange believes that the proposed rule change serves to promote just and equitable principles of trade, to remove impediments to and to perfect the mechanism of a free and open market and a national market system, and in general, to protect investors and the public interest.

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

The Exchange believes the proposed rule change will impose no inappropriate burden on competition.

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

The Exchange has neither solicited nor received written comments on the proposed rule change.

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

Within 35 days of the 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, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the CBOE. All submissions should refer to File No. SR–CBOE–96–24 and should be submitted by June 7, 1996.

For the Commission, by the division of Market Regulation, pursuant to delegated authority.[1]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12388 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[1] 17 CFR 200.30–3(a) (12).

[Release No. 34–37204; File No. SR–CHX–96–13]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Stock Exchange, Incorporated, Relating to the Modification of the Hours of the Exchange's Primary Trading Session and the Establishment of a Post-Primary Trading Session

May 13, 1996.

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 April 9, 1996, the Chicago Stock Exchange, Incorporated (''CHX'' or ''Exchange'') 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. On May 10, 1996, the Exchange submitted to the Commission Amendment No. 1 to the proposed rule change.[1] 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 Exchange proposes to amend Rule 10(b) of Article IX, Rule 1 of Article XX, several interpretations and policies under Rule 37 of Article XX, and Rule 1 of Article XXI in order to modify the Exchange's trading hours for each traded security to track the trading hours of the security's primary market and to add a new Post-Primary Trading Session.

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

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

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

1. Purpose

Currently, the Exchange's Primary Trading Session runs from 8:30 a.m. to 3 p.m., central time, Monday through Friday. One purpose of the proposed rule change is to amend Article XX, Rule 10(b) to conform the Exchange's Primary Trading Session hours for each traded security to the trading hours during which the security is traded on its primary market. If a security's primary market is the CHS, the trading hours will be from 8:30 a.m. to 3:30 p.m., central time.[2]

The proposed rule change would also add a Post-Primary Trading Session (''PPS'') on the trading floor.[3] The PPS for orders and securities designated as eligible for the PPS would be for one-half hour after the close of the regular trading session on the security's primary market. Securities in which the CHX is the primary market will not be eligible for the PPS.

Only orders designated as eligible for the PPS would be eligible for execution during the PPS.[4] Market, limit and contingent order types currently acceptable would be accepted for PPS if so designated. In this regard, GTX orders would only be accepted if specifically designated as PPS-eligible. The Exchange's MAX System will not be available as an automated execution system or as an automated routing system during the PPS. As a result, order sending firms must contact a floor

[1] *See* Letter from David Rusoff, Attorney, Foley & Lardner, to Ivette Lopez, Assistant Director, Division of Market Regulation, SEC, dated May 9, 1996 (''Amendment No. 1''). Amendment No. 1 added amendments to Article IX, Rule 10(b); Article XX, Rule 1; and Article XXI, Rule 1 to the proposed rule change. Amendment No. 1 also added two paragraphs to the end of Section II.A.1 of the original filing in order to describe the amendments to the proposed rule change contained in Amendment No. 1, and corrected the text of Exhibit A to the original filing. For a more detailed description of Amendment No. 1, see text accompanying notes 6–8.

[2] Trading in the Chicago Basket, currently conducted on the Floor of the Exchange from 8:30 a.m. to 3:15 p.m., central time, will be unaffected by the proposed rule change.

[3] The CHX represents that ITS will be available for both inbound and outbound trades during the PPS to the extent that other market centers (*e.g.,* the Pacific Stock Exchange, Incorporated and the Philadelphia Stock Exchange, Inc.) are open for trading. The CHX also represents the PPS will be surveilled in the same manner and using the same techniques as those used to surveil the Primary Trading Session. To facilitate the surveillance of the PPS, CHX's surveillance staff will remain on-site during the PPS and for any necessary additional time period after the close of the PPS. *See* Letter from David T. Rusoff, Attorney, Foley & Lardner, to Ivette Lopez, Assistant Director, Division of Market Regulation, SEC, dated May 9, 1996 (''ITS/Surveillance Letter'').

[4] The Exchange will require order tickets of PPS-eligible orders to include an ''E'' designator, which will indicate that the order is eligible for execution during the PPS. *See* ITS/Surveillance Letter, *supra* note 3.

broker in order to send an order to the CHX during the PPS. Because the PPS will be an extension of the Exchange's daily auction market, all the Exchange's rules applicable to floor trading during the Exchange's Primary Trading Session, as modified by proposed Interpretation and Policy .05 of Rule 37, Article XX, will continue to be applicable.[5] For example, specialists will be required to quote markets and trading will occur based on real-time price and quote changes.

To accomplish the foregoing, the Exchange is amending Article XX, Rule 1 and Article XXI, Rule 1 to make it clear that these rules also apply to the PPS.[6] The Exchange is also amending Interpretation and Policy .02 of Rule 37, Article XX to make it clear that although GTX orders are executable after the close of the PPS (*i.e.*, in the Exchange's Secondary Trading Session), they are executed based on trading that occurs in a security in a primary market's after-hours closing price trading session, at that closing price, and are not executable based on trading in, or the closing price established in, the PPS.[7]

Finally, the Exchange is also amending Article IX, Rule 10(b) to provide that if trading on the Exchange is halted during the Primary Trading Session pursuant to Article XX, Rule 10A, and such trading halt is still in effect at the close of the Primary Trading Session, the PPS scheduled for that day will be cancelled.[8]

2. Statutory Basis

The proposed rule change is consistent with Section 6(b)(5) of the Act[9] in that it is designed to promote just and equitable principals of trade, to remove impediments to and to perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

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

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were either solicited or received.

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

Within 35 days of the 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-regualtory 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, N.W., 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 at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR–CHX–96–13 and should be submitted June 7, 1996.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12467 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[5] As part of the proposed rule change, the Exchange has moved existing Interpretation and Policies .01–.03 of Rule 37(a), Article XX, currently found at the end of subparagraph (a) of Rule 37, to the end of Rule 37, and renumbered existing Interpretation and Policy .01 of Rule 37 as Interpretation and Policy .04.

[6] *See* Amendment No. 1, *supra* note 1.

Article XX of the CHX Rules contains the Exchange's trading rules. Article XX, Rule 1 currently states that the rules contained in Article XX have general applicability to Exchange Contracts made on the Exchange during the Primary Trading Session, and, to the extent determined by the Exchange, to Exchange Contracts not made on the Exchange.

Article XXI, Rule 1 currently requires each Exchange member to promptly advise the Exchange of each of his or her transactions that are executed on the Floor of the Exchange during the Primary Trading Session or through the Portfolio Trading System.

[7] For a description of operation of the Exchange's Secondary Trading Session, see Securities Exchange Act Release No. 33991 (May 2, 1994), 59 FR 23904 (May 9, 1994) (File No. SR–CHX–93–23).

[8] *See* Amendment No. 1, *supra* note 1.

[9] 15 U.S.C. 78f(b)(5).

[Release No. 34–37205; File No. SR–MBSCC–95–08]

Self-Regulatory Organizations; MBS Clearing Corporation; Order Approving Proposed Rule Change Relating to Eligibility Changes for Settlement Balance Order Settlement

May 13, 1996.

On October 17, 1995, MBS Clearing Corporation (''MBSCC'') filed a proposed rule change (File No. SR–MBSCC–95–08) with the Securities and Exchange Commission (''Commission'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Act'') relating to eligibility changes for Settlement Balance Order (''SBO'') settlement.[1] On November 1, 1995, MBSCC filed an amendment to the proposed rule change.[2] Notice of the proposal was published in the Federal Register on December 13, 1995, to solicit comments from interested persons.[3] On January 30, 1996, and April 15, 1996 MBSCC filed additional amendments to the proposed rule change.[4] No comments were received. As discussed below, this order approves the proposed rule change.

I. Description

The proposed rule change modifies MBSCC's procedures to provide that MBSCC will reject trades destined for SBO settlement between multiple accounts of a participant as well as between a participant's account and an account of a related participant.[5] As a

[1] 15 U.S.C. 78s(b) (1988).

[2] Letter from Anthony H. Davidson, Attorney, MBSCC, to Michele Bianco, Division of Market Regulation (''Division''), Commission (November 1, 1995).

[3] Securities Exchange Act Release No. 36557 (December 6, 1995), 60 FR 64083.

[4] Letters from Anthony H. Davidson, Attorney, MBSCC, to Michele Bianco, Division, Commission (January 30, 1996) and to Jerry Carpenter, Associate [sic] Director, Division, Commission (April 12, 1996). The January 30, 1996, amendment adds a definition of related participant to MBSCC's Procedures consistent with language in MBSCC's original filing. The April 15, 1996, amendment provides that a participant requesting a waiver from the eligibility requirements must provide MBSCC with certain assurances. The amendments were technical amendments that did not require republication of notice.

[5] ''Related participant'' is any affiliate (as defined in Rule 12b–2 of the Act) or entity that is used or intended to be used in whole or in part to

Continued

result of being rejected, such trades must settle on a trade-for-trade basis. A participant may request a waiver of this restriction by providing to MBSCC such assurances as MBSCC may request.[6] These assurances may include but are not limited to (i) a letter describing the reason for the request and the applicable accounts for which relief is sought and containing a representation that the use of multiple accounts is not for the purpose of influencing MBSCC's clearance and settlement process or (ii) an opinion of counsel relating to the use of multiple accounts that is satisfactory to MBSCC.[7]

II. Discussion

The Commission believes the proposal is consistent with the requirements of Section 17A of the Act.[8] Specifically, Section 17A(b)(3)(F)[9] states that the rules of a clearing agency must be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible and to protect investors. Under the SBO processing, MBSCC makes cash adjustments to account for variances in the par amount of securities delivered by participants as permitted by the Public Securities Association guidelines.[10] MBSCC believes that the ability to include trades among related accounts could cause a perception that participants might influence the amount of their cash adjustments through submissions of internal trades. Specifically, MBSCC believes it could be possible for a participants to create and submit to MBSCC for SBO settlement fictitious trades between related accounts that would permit the participant to share in a positive cash balance adjustment. By reducing the possibility that a participant can manipulate SBO settlement in such a manner, the proposed rule change should further MBSCC's ability to safeguard the funds in its custody or control and to protect investors.

III. Conclusion

For the reasons stated above, the Commission finds that MBSCC's proposal is consistent with Section 17A of the Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[11] that the proposed rule change (File No. SR–MBSCC–95–08) be and hereby is approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[12]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12469 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

contravene the purposes of the proposed rule change. Letter from Anthony H. Davidson, Attorney, MBSCC, to Michele Bianco, Division, Commission (November 1, 1995).

[6] MBSCC has received two requests for a waiver. Letter from John J. Rioux, Vice President and Assistant General Counsel, J.P. Morgan & Co. Incorporated, to George Parasole, Director of Member Services, MBSCC (February 1, 1996) and letter from Edward K. McCarthy, General Counsel, Liberty Brokerage Inc., to George Parasole, Director of Member Services, MBSCC (February 7, 1996).

[7] Letter from Anthony H. Davidson, Attorney, MBSCC, to Jerry Carpenter, Assistant Director, Division, Commission (April 15, 1996).

[8] 15 U.S.C. 78q–1 (1988).

[9] 15 U.S.C. 78q–1(b)(3)(F) (1988).

[10] Such guidelines permit the over delivery or under delivery of two percent of the par amount of securities to be delivered. MBSCC's cash adjustment procedures pro rate the resulting positive or negative balances to the MBSCC participants with netted out positions.

[11] 15 U.S.C. 78s(b)(2) (1988).

[12] 17 CFR 200.30(a)(12) (1995).

[Release No. 34–37197; File No. SR–MSRB–95–13]

Self-Regulatory Organizations; Order Approving Proposed Rule Changes by the Municipal Securities Rulemaking Board Relating to Fee Assessments and Reporting of Sales or Purchases Pursuant to Rules A–13, A–14, and G–14

May 10, 1996.

I. Introduction

On August 11, 1995 the Municipal Securities Rulemaking Board (''Board'' or ''MSRB) submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to change the fees assessed under Rules A–13 and A–14, as well as to change the reporting requirements under Rule G–14. The proposed rule change was published for comment in the Federal Register (''Original Proposal'').[3] In November 1995, the MSRB submitted Amendment No. 1 to the proposed rule change which was also published for comment (''Amended Proposal'').[4] The Commission received twenty-three comment letters in all. For the reasons discussed below, the Commission is approving the proposal.

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

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 36150 (August 23, 1995), 60 FR 45197 (August 30, 1995).

[4] Securities Exchange Act Release No. 36492 (November 20, 1995), 60 FR 58422 (November 27, 1995).

II. Description and Scope of the Proposed Rule Change

The proposal changes the MSRB's existing fee structure to impose, effective March 1, 1996, transaction-based fees on inter-dealer transactions. The proposal establishes a transaction fee of $.005 per $1,000 par value of bonds on all inter-dealer sales transactions, and effective October 1, 1995, increases the annual fee, applicable to each broker, dealer, and municipal securities dealer who conducts municipal securities business, from $100 to $200. Effective March 1, 1996, the proposal permits the MSRB to use reported transaction information for the purpose of assessing transaction fees.

Rule G–14 requires each inter-dealer transaction that is eligible for automated comparison to be reported to the MSRB through National Securities Clearing Corporation, the central facility provider for the automated comparison process. The corollary change to Rule G–14 under the proposal authorizes the MSRB to use the reported transaction information to assess inter-dealer transaction fees. The MSRB will send monthly invoices to dealers that report inter-dealer sales transactions on their own behalf, and/or on behalf of another dealer.[5] The dealer will be responsible for the timely payment of the entire fee amount to the MSRB, but the MSRB expects that clearing dealers will pass through the fees to executing dealers based upon their transaction volume. To assist the clearing dealer, the invoice will separate out the fees due on the transactions submitted by the clearing dealer on behalf of identified executing dealers.[6] As improvements are made in the timely and accurate reporting of transactions under Rule G–14, including the correct identification of executing brokers, the MSRB will consider revisions in the billing procedure to accommodate direct billing of executing brokers.

As explained in its filing, the proposal is intended to increase revenue to the MSRB to cover budgetary expenditures. The MSRB anticipates its technology expenditures to rise over the next few years as it implements transparency

[5] Under the proposal, the MSRB will bill only for those trades for which the buy and sell sides ultimately have agreed on trade details such as price, transaction amount, and value.

[6] Rule G–14 requires that in each inter-dealer transaction the clearing dealer identify the executing dealer on whose half the transaction is reported. Nevertheless, trades are reported lacking the executing broker's identifier. The fees due on those trades will appear on the clearing dealer's invoice assigned to ''blank''.

improvements with its institutional and retail transaction reporting system.

The MSRB's rationale for implementing inter-dealer transaction fees is that dealers should be assessed fees based upon their level of participation in the market. The MSRB understands that the transaction fee will have a substantial effect on participants whose transaction activity is primarily or exclusively in the inter-dealer market.[7]

III. Summary of Comments

The Commission received thirteen comment letters on the rule change as originally proposed [8] and an additional ten comment letters on the amended proposal.[9] Of the twenty-three comment letters received, twenty-one were from municipal securities broker's brokers who opposed the aspect of the proposal which would establish an inter-dealer transaction fee.[10]

A. Comments on the Original Proposal

The comments focused almost exclusively on the new transaction fee. All but one of the broker's brokers commented that the proposed fee generated an inequitable burden on the broker's broker and in effect amounted to a double assessment on transactions involving a broker's broker.[11]

Two commenters suggested the MSRB consider different fee structures that might achieve the MSRB's goals. The PSA suggested that the MSRB eliminate both the existing annual fee and underwriting assessment and establish a new annual fee.[12] The PSA proposed an annual fee based on a municipal securities firm's underwriting ranking. Depending on the firm's ranking, a firm would pay between $1,000 and $100,000 per year. The PSA believes this proposal distributes the financial burden more evenly and would simplify the billing process.

Another commenter, a broker's broker, offered three alternatives to the MSRB's proposal to initiate an inter-dealer transaction assessment.[13] This brokers' broker suggested moving to a flat fee structure based on a firm's aggregate market activity. The suggestion is similar to the PSA's, but would use both transaction data and underwriting data to determine a firm's level of market participation. The annual fee would range from $1,000 for the smallest 1,700 firms to $20,000 for the top 50 firms. As a second alternative, Kenny suggested the MSRB meet its funding needs by maintaining the underwriting assessment at $.03 per $1,000 par value and increasing the annual fee for all members to $1,000. Lastly, Kenny suggested that a logical alternative would be for the MSRB to initiate a revenue-based assessment, thus capturing the true participation of each firm in the municipal securities market.[14]

In response to these comments, the MSRB reduced the proposed transaction fee by 50%, but determined to retain its proposed structural changes.[15] The MSRB defended its decision to include sales transactions reported by brokers' brokers in the inter-dealer assessment, noting that broker's brokers represent the sell side on 35% of the par value of reported inter-dealer transactions. In comparison, broker's brokers do not participate in underwriting and consequently would pay no percentage of the underwriting assessment. The MSRB does not find the transaction fee to be disproportionate or unduly burdensome because the broker's brokers comprise a very significant portion of the inter-dealer market. The MSRB asserts that, for the purposes of the transaction fee, transactions involving a broker's broker, although executed at the direction of other dealers, are to be viewed as separate offsetting purchase and sale transactions. Accordingly, the fee does not amount to a double assessment for the ''same'' transaction but amounts to a fee assessed on any participant on the sell side of any inter-dealer transaction.

The MSRB also believes its proposed transaction fee is likely to be more easily administered than the alternatives offered by the PSA and other commenters. The MSRB stated that it

---

[7] In recognition of this fact, and in response to concerns of commenters and the Commission, the MSRB amended the filing to reduce the originally proposed transaction fee by 50% from $.01 to $.005 per $1,000 par value. The amendment left intact the $.03 per $1,000 underwriting assessment.

[8] *See* letters from Peter C. Byram, Senior Vice President, J.J. Kenny Drake, to Secretary, SEC, dated September 7 1995 (''J.J. Kenny letter 1''); from Richard G. McDermott, Jr., President, Chapdelaine & Co., to Secretary, SEC, dated September 11, 1995 (''Chapdelaine letter''); from John J. Lynch, Jr., Executive Vice President, J.F. Hartfield & Co., Inc., to Secretary, SEC, dated September 12, 1995 (''Hartfield letter''); from Richard W. Smith, President, RW Smith & Associates, Inc., to Jonathan G. Katz, Secretary, SEC, dated September 13, 1995 (''RW Smith letter 1''); from Thomas G. Caffrey, President, Titus and Donnelly, Inc., to Secretary, SEC, dated September 14, 1995 (''Titus letter''); from Patricia MacGeorge, Treasurer, EMR Securities, Inc., to Jonathan G. Katz, Secretary, SEC, dated September 15, 1995 (''EMR letter''); from Robert J. Ellwood, President, R.W., Ellwood & Co., Inc., to Secretary, SEC, dated September 18, 1995 (''R.W. Ellwood letter 1''); from James J. Smith, President, Smith Peters & Stark, to Jonathan G. Katz, Secretary, SEC. dated September 18, 1995 (''Smith Peters letter''); from Brian Kelly, President, Municipal Partners, Inc., to Secretary, SEC, dated September 19, 1995 (''Municipal Partners letter''); from John V. Kick, Treasurer, Barr Brothers & Co., Inc., to Secretary, SEC, dated September 19, 1995 (''Barr letter''); from James Avena, President, Tullett and Tokyo Securities, Inc., to Jonathan G. Katz, Secretary, SEC, dated September 19, 1995 (''Tullett letter 1''); from Glenn Grossman, Senior Managing Director Cantor Fitzgerald, to Jonathan G. Katz, Secretary, SEC, dated September 19, 1995 (''Cantor letter''); and from George Brakatselos, Vice President, Public Securities Association, to Secretary, SEC, dated September 20, 1995 (''PSA letter 1''). Letters were also submitted to the MSRB and forwarded to the Commission. *See* letters from John B. Licata, Chief Executive Officer, Sonoma Securities Corp., dated October 10, 1995 (''Sonoma Letter''), from George Brakatselos, Vice President, Public Securities Association, to Mr. Christopher Taylor, Executive Director, MSRB dated November 1, 1995 (''PSA letter 2''), and from Peter C. Byram, Senior Vice President, J.J. Kenny Drake, Inc., to Board of Directors, MSRB, dated September 19, 1995 (''J.J. Kenny Drake letter 2'').

[9] *See* letter from Richard W. Smith, President, RW Smith & Associates, Inc. to Jonathan G. Katz, Secretary, SEC. dated November 8, 1995 (''RW Smith letter 2''); from Dominick F. Antonelli, Chief Operating Officer, Roosevelt & Cross, Inc., to Robert Colby, Deputy Director, SEC, dated November 9, 1995 (''Roosevelt letter''); from the employees of RW Smith & Associates, Inc., to Jonathan G. Katz, Secretary, SEC, dated December 5, 1995 (''Smith employees' letter''); from Richard W. Smith, President, RW Smith & Associations, Inc., to Jonathan G. Katz, Secretary, SEC, dated December 6, 1995 (''RW Smith letter 3''); from George Brakatselos, Vice President, Public Securities Association, to Secretary, SEC, dated December 8, 1995 (''PSA letter 3''); from Peter C. Byram, Senior Vice President, J.J. Kenny Drake, to Jonathan G. Katz, Secretary, SEC, dated December 6, 1995 (''J.J. Kenny letter 3''); from O. Gene Hurst, President, Wolfe & Hurst Bond Brokers, Inc., to Jonathan Katz, Secretary, SEC, dated December 8, 1995 (''Wolfe letter''); from Robert J. Ellwood, President, R.W. Ellwood & Co., Inc., to Secretary, SEC, dated December 12, 1995 (''R.W. Ellwood letter 2''); from John J. Lynch, Jr., Executive Vice President, J.F. Hartfield & Co., Inc., to Secretary, SEC, dated December 15, 1995 (''Hartfield letter 2''); and from James Avena, President, Tullett and Tokyo Securities, Inc., to Jonathan G. Katz, Secretary, SEC. dated December 15, 1995 (''Tullett letter 2'').

[10] These firms transact exclusively with other dealers and not with issuers or public investors. The two nonbroker's broker comment letters received by the Commission were from the Public Securities Association (''PSA''). The PSA also sent a comment letter to the MSRB recommending an alternative fee structure. All three PSA letters focused on the proposals' impact on the brokers' broker.

[11] The Sonoma letter opposed the increase in the annual fee, arguing that the increase was not fair to a small firm with little municipal securities business.

[12] *See* letter from George Brakatselos, Vice President, Public Securities Association, to Mr. Christopher Taylor, Executive Director, MSRB, dated November 1, 1995 (''PSA letter 2'').

[13] *See* letter from Peter C. Byram, Senior Vice President, J.J. Kenny Drake, Inc. to Board of Directors, MSRB, dated September 19, 1995 (''J.J. Kenny letter 2'').

[14] Many commenters echoed the opinion that an assessment based on revenues, similar to that used by the National Association of Securities Dealers and the New York Stock Exchange, would be a more equitable method of determining a firm's participation in the municipal securities market. *See* Hartfield letter, Titus letter, Municipal Partners letter, Cantor letter, Barr letter, PSA letter 1, RW Smith letter 2, and Hartfield letter 2.

[15] Securities Exchange Act Release No. 36492 (November 20, 1995), 60 FR 58422 (November 27, 1995).

considered whether its fees could be derived from the total municipal securities revenues of dealers, and based on the advice of their outside auditors, concluded to not adopt such an assessment. The MSRB stated that the term ''municipal securities revenue'' is neither clearly defined nor uniformly computed by dealers. In addition, the MSRB believes it could receive a qualified opinion on its audited financial statements unless each dealer had its own ''municipal securities revenue'' computations independently audited prior to reporting them to the MSRB. The MSRB noted that even if it were, by rule, to define ''municipal securities revenue'', establish accounting rules for its computation, and require each dealer to use the accounting rules to compute ''municipal securities revenue''. it would still be necessary for each dealer to have the computation independently audited. The MSRB determined that the high cost to the dealer community of computing the ''municipal securities revenue'' would make this method of fee assessment impractical. The MSRB also considered the suggestions for raising the annual fee to $1,000 or implementing a staggered schedule based on the dealer's underwriting and/or transaction volume. The MSRB asserted that a $1,000 or more annual fee would constitute an inappropriate barrier to participation in the municipal securities market. The MSRB noted that in 1995, only 850 of the approximately 2,700 municipal securities dealers reported any inter-dealer transactions. Therefore, the MSRB surmised that approximately 1,850 dealers are merely executing an occasional municipal securities transaction as an accommodation for a customer, or are not active at all, but wish to remain capable of executing municipal securities transactions in the future. The MSRB concluded that raising the annual fee to $1,000 or more would likely result in only 850 or so firms continuing to pay the annual fee and participate in the municipal securities market. If this were to happen, the revenue projected would not be sufficient to meet the administrative needs of the MSRB.

B. Comments on the Amended Proposal

The Commission received ten comment letters on the MSRB's amended proposal that reduced the transaction fee from $.01 to $.005 per $1,000 par value of inter-dealer sales transactions. The commenters reiterated their concerns that a fee on inter-dealer transactions was an inappropriate method of measuring a firm's participation in the municipal securities market. The broker's brokers continued to opine that the MSRB did not fully understand the role of a broker's broker. The broker's brokers argued that any fee assessed on their sale transactions was in effect a double assessment on the dealer's sale transaction and thus inequitable.

IV. Discussion

The Commission must approve a proposed MSRB rule change if it finds that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder that govern the MSRB.[16] The Commission believes that the approval of the proposal meets the above standard. Specifically, Section 15B(b)(2)(J) of the Act provides that each municipal securities broker and each municipal securities dealer shall pay to the Board such reasonable fees and charges as may be necessary or appropriate to defray the costs and expenses of operating and administering the Board.[17]

The MSRB and the broker's brokers both recognize broker's brokers as significant contributors to the municipal securities market. The MSRB contends that broker's brokers should be subject to the inter-dealer transaction fees in the same proportion as they participate in the inter-dealer transaction volume. In contrast, the broker's brokers believe that their sale transactions should be excluded from the inter-dealer assessment because they are in effect a part of the dealer's sale transactions which are already assessed a fee.

The Commission believes that as participants in the municipal marketplace, broker's brokers, like other dealers, should contribute to defraying the administrative costs of the MSRB, particularly as the MSRB undertakes initiatives to improve transparency in the municipal securities market. Historically, broker's brokers have paid only the minimal $100 annual fee despite their volume of transactions. The Commission believes that inter-dealer transaction volume is a reasonable indicator of a firm's participation in the municipal market.[18] This measure will be improved with the addition of institutional and retail transaction volume as the MSRB's transparency program expands in the coming years.

The Commission recognizes that inter-dealer transactions involving broker's brokers also involve a sell transaction by another dealer that is itself subject to the transaction fee. This is true however, not just for transactions involving broker's brokers, but for any riskless principal trade between dealers. Excluding broker's brokers' sales from transaction fees would largely insulate broker's brokers from payment of fees, not withstanding their significant role in municipal securities markets. Although the inter-dealer transaction fee adds a new cost to inter-dealer transactions, for the principal seller as well as the broker's broker, the Commission does not believe that such fees will significantly interfere with inter-dealer transactions involving broker's brokers, given the fee's relative small size and the usefulness of broker's brokers in conducting inter-dealer transactions efficiently and anonymously. While assessing fees based on municipal revenues might lead to fees that provide a more accurate assessment of a firm's participation in the municipal market, the Commission believes that such an approach currently raises definitional and reliability issues as discussed above.

Many of the commenters were troubled that a small community of the municipal market would contribute a large portion of the MSRB's funding.[19] Accordingly, the MSRB reduced the inter-dealer transaction fee 50% to $.005 per $1000 par value.

The Commission does not view the proposed fees as inconsistent with the purposes of the Act. The Commission believes the MSRB's fees should be based, to the extent possible, on comprehensive measures of participation in the municipal market. To this end, the Commission encourages the MSRB to continue to consider the feasibility of a revenue-based fee structure, based on the municipal revenues of brokers, dealer, and municipal securities dealers. The Commission recognizes that such an approach involves definitional and reliability issues that would have to be resolved before a revenue-based fee could be adopted and therefore this fee structure is not a viable option in light of the MSRB's immediate revenue needs. The Commission urges the MSRB to revisit the feasibility of a revenue-

[16] 15 U.S.C. 78s(b). The Commission's statutory role is limited to evaluating rules as proposed against the statutory standards. *See* S. Rep. No. 75, 94th Cong., 1st Sess., at 13 (1975.)

[17] 15 U.S.C. 78*o*–4.

[18] The MSRB is projecting inter-dealer sales volume of $400 million in fiscal year 1996, with broker's brokers accounting for $140 million of it. Accordingly, broker's brokers will pay approximately $700,000 in inter-dealer transaction fees while dealers will pay approximately $1.3 million in inter-dealer transaction fees. In addition, many dealers may also incur an underwriting assessment.

[19] *See* J.J. Kenny letter 1, Hartfield letter, Titus letter, EMR letter, Ellwood letter 1, and PSA letter 1.

based fee structure and work with market participants to address the issues raised by this concept. In developing its fees the Commission encourages the MSRB to continue to build a consensus among market participants on how best to allocate the burden of funding the MSRB operations.

V. Conclusion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the Municipal Securities Rulemaking Board and, in particular, with the requirements of Section 15B of the Act.[20] Specifically, the Commission believes the proposal is consistent with the requirements of Section 15B(b)(2)(J) that the MSRB's rules be designed, among other things, to provide that each municipal securities broker and each municipal securities dealer shall pay to the MSRB such reasonable fees and charges as may be necessary or appropriate to defray the costs and expenses of operating and administrating the Board.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (SR–MSRB–95–13) is approved.

By the Commission.

Dated: May 10, 1996.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12384 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[20] 15 U.S.C. § 78*o*–4.

[Release No. 34–37202; File No. SR–NSCC–95–17]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Temporarily Approving a Proposed Rule Change to Establish Additional Procedures for Placing Settling Members on Class A Surveillance and Collecting Clearing Fund and Other Collateral Deposits From Settling Members

May 10, 1996.

On December 20, 1995, the National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change (File No. SR–NSCC–95–17) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') to establish additional procedures for placing settling members on Class A Surveillance and collecting clearing fund and other collateral deposits from settling members.[1] Notice of the proposal was published in the Federal Register on March 12, 1996.[2] No comment letter were received. For the reasons discussed below, the Commission is temporarily approving the proposed rule change through May 31, 1997.

I. Description of the Proposal

NSCC's Board of Directors has determined that under certain circumstances settling members who clear securities transactions for over-the-counter (''OTC'') market makers or who themselves engage in OTC market making can have their financial viability materially impacted by such business.[3] Furthermore, if these settling members dominate one side of the market in their street-side trading positions, either directly by participating in OTC market making or indirectly by clearing transactions for OTC market makers, NSCC believes that the risk of default by the settling member increases.[4] In turn, this could potentially increase NSCC's exposure because NSCC is obligated to complete defaulting settling members' unsettled trades once NSCC's trade guarantee attaches.

The problem is magnified if one or more additional risk factors are present. These additional risk factors can include, without limitation:

(1) Concentrated short selling in dominated issues;

(2) Undue concentration of securities held in inventory by market maker(s) for dominated issues;

(3) Dominated issues also being IPOs less than six months past initial issuance particularly when the current value of the issue is significantly different from its initial sales price or there is undue concentration of inventory in the managing underwriter(s); and

(4) Clearing positions of market makers in dominated issues away from their primary clearing brokers.

Rule 15, Section 3 of NSCC's rules currently provides that any settling member[5] shall furnish to NSCC such adequate assurances of its financial responsibility and operational capability as NSCC may at any time or from time to time deem necessary or advisable in order to protect NSCC. Section 4 of Rule 15 states that such adequate assurances may include, but are not be limited to, increased clearing fund deposits of settling members. Furthermore, Section III.B.1.o. of Addendum B to NSCC's rules sets forth the guidelines for determining when NSCC may place a broker-dealer settling member on Class A surveillance status.[6] Pursuant to these guidelines, NSCC may place a broker-dealer settling member on Class A surveillance if there is any condition which could materially impact the operational or financial viability of the settling member which increases or potentially may increase exposure to NSCC.

In order for NSCC to reduce its potential exposure from the OTC market making activity described above, NSCC is adding Addendum O to its rules and procedures. Addendum O will permit NSCC to place settling members on Class A surveillance if they clear for or are themselves OTC market makers and (i) they do not have sufficient capital or access to capital to support either potential increases in market making activity in dominated OTC issues or (ii) there is the presence of the additional risk factors described above. At its discretion, NSCC may elect not to place settling members on Class A surveillance if it has obtained sufficient assurances that a high degree of mitigating circumstances exist.[7]

Furthermore, NSCC is adopting an interim collateralization policy which will allow NSCC in its discretion to require settling members placed on Class A surveillance that clear for or are themselves OTC market makers to meet

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Securities Exchange Act Release No. 36930 (March 6, 1996), 61 FR 10051.

[3] When a market maker, either alone or acting in concert with other market makers, takes net street-side trading positions (*i.e.*, non-retail trading with other broker-dealers) that constitute a disproportionately large percentage of the total net street-side buys or net street-side sells in any issue (*i.e.*, the market maker dominates one side of the market in the issue), the risk of default by that market maker can increase.

[4] However, to the extent that market makers' net street-side trading positions in dominated issues result from legitimate customer orders, the potential adverse impact on the financial viability of a settling member and the potential for increased exposure to NSCC could be mitigated. So long as the customer orders are legitimate, the risks associated with such positions are borne among the individual accounts of the market maker's customers and not concentrated solely in the proprietary accounts of the market maker.

[5] NSCC Rule 1 defines a ''settling member'' to include any NSCC member, non-clearing member and, except where a contrary intent is expressed in NSCC's rules, a special representative.

[6] Class A Surveillance permits NSCC, among other things, to increase a settling members clearing fund requirement by an amount equal to (i) up to 5% of the settling member's CNS long fail positions, plus (ii) up to 5% of the settling member's short fail positions, plus (iii) 2.5% or at NSCC's discretion up to 5% of the settling member's average non-CNS and non-mutual fund services debits, plus (iv) 2.5% of the settling member's average non-CNS and non-mutual fund services credits. NSCC Rules and Procedures, Addendum B, IV(C).

[7] However, the mere fact that a market maker has a large customer base may not necessarily constitute the necessary mitigating circumstances especially if the customers are retail and/or the market maker has a history of customer complaints or other adverse regulatory or disciplinary actions. Refer also to note 4.

the following special collateralization requirements:

(1) To the extent that the sum of the absolute dollar values of any such settling members' net unsettled trading positions in all securities dominated [8] by a market maker exceeds such market maker's excess net capital, NSCC can require the settling member to deposit with NSCC at such times and in such manner as NSCC may designate, including an immediate deposit of same-day funds the amount by which the value of the net unsettled trading positions exceed the market maker's excess net capital.[9] In determining the size of net unsettled trading positions, NSCC may take into account offsetting pending (*i.e.*, non-fail) institutional delivery (''ID'') transactions that have been confirmed and when NSCC deems appropriate, affirmed,[10] through the ID system of a clearing agency registered under Section 17A of the Act (''registered clearing agency'').[11] In addition, if a market maker's net unsettled trading positions in dominated issues are cleared by one or more other settling members, including any settling member on Class A surveillance, NSCC will have the discretion for purposes of calculating the special collateral deposit of treating those positions as if they were all cleared by a settling member on Class A surveillance.

(2) To the extent that the unsettled positions referred to in paragraph (1) above are short (*i.e.*, net sells), NSCC in its discretion may collect more than 100 percent of the amount by which the sum of the absolute dollar values of the net unsettled trading positions of any such settling member in all the securities dominated by a market maker exceeds the market maker's excess net capital.[12] In lieu of cash collateral, NSCC may require or accept a book-entry delivery of securities to NSCC sufficient to cover such short position.

(3) NSCC will reserve the right at all times to accept alternative arrangements for its protection in any of the above situations. NSCC may require special collateral deposits with respect to trading positions in issues dominated by a market maker even when the value of those positions do not exceed the market maker's excess net capital. NSCC also may choose to forego collecting such special collateral even when the value of those positions exceed the market maker's excess net capital but do not exceed some higher threshold.[13] NSCC will make these determinations based on the specific situation and depending upon, among other things, the presence or absence of additional risk factors or mitigating circumstances.

The special collateralization requirements described above are interim measures for settling members on Class A surveillance which will be in effect until NSCC has gained enough experience in surveillance of OTC market maker trading activities to impose permanent special collateralization requirements. Additionally, if there is concentrated short selling in dominated issues, NSCC will maintain its right to collect special collateral deposits from the settling members clearing the short sales without regard to their surveillance status. Special collateral collected from any settling member pursuant to the above procedures will be in addition to the settling member's clearing fund deposit computed in accordance with the formulae set forth in NSCC Procedure XV or in accordance with the alternative method set forth below.

Because NSCC believes that its settling members on Class A surveillance present a higher than normal risk of default and insolvency, NSCC is proposing that such settling members' clearing fund deposits be based on the close-out risk presented by their unsettled positions in NSCC's systems. Therefore, pursuant to Rule 15 as expressed under Addendum O, NSCC will have the discretion to compute the continuous net settlement (''CNS'') component of the clearing fund requirement for any settling member on Class A surveillance in accordance with the following alternative method rather than the formulae to calculate clearing fund set forth in NSCC Procedure XV.[14]

(1) NSCC may calculate on a daily or periodic basis the volatility of any such settling member's net unsettled trading positions in CNS eligible issues (''net CNS trading positions''). Such positions shall be determined after taking into account offsetting pending (*i.e.*, non-fail) ID transactions that have been confirmed and, when NSCC deems appropriate, affirmed [15] through the ID system of a registered clearing agency. Such calculation will be made in accordance with the Capital Asset Pricing Model or any other generally accepted portfolio volatility model, including without limitation, any margining formula employed by any other registered clearing agency provided, however, that not less than two standard deviations' volatility shall be calculated under any model chosen. Such calculation will be made utilizing such assumptions and based on such historical data as NSCC deems reasonable and shall cover such range of historical volatility as NSCC from time to time deems appropriate. If such volatility is calculated on a periodic basis, it may be expressed as a percentage of the sum of the absolute values of the firm's net CNS trading positions. Any such calculations, whether expressed as a dollar value or percentage, may be rounded as NSCC deems appropriate.

(2) NSCC shall have the discretion to exclude from the above calculations net CNS trading positions in classes of securities whose volatility is (i) less amenable to statistical analysis such as OTC bulletin board or pink sheet issues or issues trading below a designated dollar threshold (*e.g.*, five dollars) or (ii) amenable to generally accepted statistical analysis only in a complex manner (*e.g.*, municipal or corporate bonds). The amount of clearing fund required with respect to net CNS trading positions in such issues shall be determined by multiplying the absolute value of such positions by a percentage designated by NSCC, which percentage may vary depending on such factors as NSCC deems relevant.

(3) The amounts calculated in accordance with the immediately preceding two numbered paragraphs will be substituted for the amount calculated in accordance with paragraph (1)(c) of Sections A.I.(a), A.II.(a) and A.II.(b) of NSCC's Procedure XV.[16] In addition, NSCC may in its discretion reduce or eliminate the amount calculated in accordance with paragraph (1)(a) of Procedure XV.

(4) NSCC in its discretion also may calculate the total clearing fund requirement of any settling member on

[8] Domination will be determined according to criteria specified by NSCC from time to time.

[9] The term ''same-day funds'' refers to payment in funds that are immediately available and generally are transferred by electronic means.

[10] In determining net unsettled trading positions, NSCC in its discretion under certain circumstances may elect to take into account offsetting pending confirmed ID transactions only if such transactions also have been affirmed. Moreover, NSCC may decline to consider any ID transaction if it has reason to believe that the institutional counterparty may not or cannot settle such transaction.

[11] 15 U.S.C. 78q–1 (1988).

[12] For example, if a clearing member's excess net capital is $100,000 and the value of its OTC market making activities is $125,000, the rule change permits NSCC to require the clearing member to deposit an additional $25,000. However, if the clearing member's OTC market making activity includes short positions, the rule change will permit NSCC to collect more than $25,000.

[13] From time to time, NSCC will determine in its discretion what such higher threshold shall be.

[14] NSCC Procedure XV contains the formulae usually employed to calculated clearing members' clearing fund requirements.

[15] *Supra* note 10.

[16] *Supra* note 14.

a daily basis instead of a twenty-day rolling average basis and may collect deficiencies at such times and in such manner as specified by NSCC from time to time, including immediate collection of same-day funds.

Nothing in the foregoing rule change will limit NSCC's discretion with respect to placing settling members on Class A surveillance or requiring settling members to furnish adequate assurance of financial responsibility or operational capability as set forth in NSCC's rules and procedures.

II. Discussion

Section 17A(b)(3)(F) of the Act [17] requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency and generally to protect investors and the public interest. The Commission believes the proposed rule change is consistent with NSCC's obligations under the Act because it will allow NSCC to take particular action to protect itself, its members, and investors in situations where settling members pose an increased risk because of their involvement in OTC market making.

Under the proposal, NSCC will have the authority with respect to settling members who participate in OTC market making activities or clear for correspondents that engage in such activity (1) to place such members on Class A surveillance, (2) to require such members to post additional collateral with NSCC, and (3) to calculate an alternative clearing fund requirement for such members when additional risk factors are present. Collectively, the higher level of surveillance, the additional level of collateralization, and the alternative clearing fund requirements should help to ameliorate NSCC's exposure which in turn should assist NSCC in fulfilling its obligations under the Act to safeguard securities and funds for which it has control of, is responsible for and, generally, to protect investors and the public interest.

The Commission is temporarily approving the proposed rule change through May 31, 1997, so that NSCC can gain additional experience in the surveillance of OTC market makers and the risks posed by clearing such activity. NSCC also will be able to gain experience with the additional collateralization requirements and alternative clearing formula requirements for settling members subject to Class A surveillance prior to permanent imposition of these requirements. Temporary approval also will afford both the Commission and NSCC an opportunity to observe whether the additional collateralization and alternative clearing fund requirements adequately protect NSCC, its members, and investors from the expected risks of participating in and clearing OTC market maker activity and whether adjustments to the procedures are necessary. Prior to filing a proposed rule change seeking permanent approval of the procedures set forth in this temporary approval order, NSCC shall present to the Commission a more detailed report of its findings regarding the adequacy of the controls and discussing any changes to be made to the procedures. During the temporary approval period, NSCC will from time to time apprise the Commission on the operation of the additional collateralization requirements to enable the Commission to monitor the implementation of such requirements.

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–NSCC–95–17) be, and hereby is, approved on a temporary basis through May 31, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[18]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12471 Filed 5–16–96; 8:45 am]

BILLING CODE 8010–01–M

[17] 15 U.S.C. § 78q–1(b)(3)(F) (1988).

[18] 17 CFR 200.30–3(a)(12) (1995).

[Release No. 34–37203; File No. SR–OCC–95–20]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of an Amendment to a Proposed Rule Change Relating to the Issuance, Clearance, and Settlement of Buy-Write Options Unitary Derivatives

May 10, 1996.

On December 27, 1995, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change (File No. SR–OCC–95–20) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') relating to the issuance, clearance, and settlement of Buy-Write Options Unitary Derivatives (''BOUND'').[1] On February 5, 1996, OCC filed Amendment No. 1 to the proposed rule change.[2] Notice of the proposed rule change, as amended, was published in the Federal Register on March 20, 1996.[3] On March 20, 1996, OCC filed Amendment No. 2.[4] Amendment No. 2 is described in Items I, II, and III below, which items have been prepared primarily by OCC. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

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

The purpose of Amendment No. 2 to the proposed rule change is to add a provision to Article XXIV, Section 6 of OCC's By-Laws to specify that the closing price for the underlying security of a BOUND is conclusively presumed to be accurate and shall be final for purposes of determining settlement rights and obligations with respect to that BOUND.

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

In its filing with the Commission, OCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments that it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.[5]

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

The purpose of Amendment No. 2 to the proposed rule change is to add a provision to Article XXIV, Section 6 of OCC's By-Laws to specify that the

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Letter from James C. Yong, First Vice President and General Counsel, OCC, to Jerry W. Carpenter, Assistant Director, Division of Market Regulation (''Division''), Commission (February 5, 1996).

[3] Securities Exchange Act Release No. 36960 (March 13, 1996), 61 FR 11458.

[4] Letter from James C. Yong, First Vice President and General Counsel, OCC, to Jerry W. Carpenter, Assistant Director, Division, Commission (March 19, 1996).

[5] The Commission has modified the text of the summaries submitted by OCC.

closing price[6] for the underlying security of a BOUND is conclusively presumed to be accurate and shall be final for purposes of determining settlement rights and obligations with respect to that BOUND. The amendment also proposes to add an interpretation to Section 6 to provide that, except in extraordinary circumstances, OCC will not adjust an officially reported closing price for exercise settlement purposes even if the closing price is subsequently found to have been erroneous.

OCC believes the proposed rule change, as amended, is consistent with the requirements of Section 17A of the Act and the rules and regulations thereunder because the proposal should facilitate the prompt and accurate clearance and settlement of BOUNDs.

(B) Self-Regulatory Organization's Statement on Burden on Competition

OCC does not believe that the proposed rule change as amended will impact or impose a burden on competition.

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

Written comments were not solicited with respect to the proposed rule change as amended and none have been received.

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

Within thirty-five 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 ninety 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 OCC consents, the Commission will:

(a) By order approve such proposed rule change or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of OCC. All submissions should refer to the file number SR–OCC–95–20 and should be submitted by June 7, 1996.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12470 Filed 5–16–96; 8:45 am]

BILLING CODE 80–01–M

[6] The term ''closing price'' is defined under proposed Article XXIV, Section 1(C)(2) of the proposed rule change.

[7] 17 CFR 200.30–3(a)(12) (1995).

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Request

Normally on Fridays, the Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with P.L. 104–13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on May 8, 1996, the information collections listed below have been proposed or will require extension of the current OMB approvals:

(Call the SSA Reports Clearance Officer on (410) 965–4123 for a copy of the form(s) or package(s), or write to her at the address listed below the information collections.)

1. Report(s) of Student Beneficiary at End of School Year—0960–0089. The information collected on form SSA–1388 is used by the Social Security Administration to verify a student's full-time attendance at an approved educational institution. The affected public consists of claimants or beneficiaries who are students and are requested to provide this information.

Number of Respondents: 200,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 33,333 hours.

2. Work History Report—0960–0552. The information collected on form SSA–3369 is used to document a claimant's work history and used, in conjunction with other evidence, to determine eligibility for disability benefits. The respondents are claimant's for disability benefits.

Number of Respondents: 2,000,000.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 1,000,000 hours.

Written comments and recommendations regarding these information collections should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Charlotte S. Whitenight, 6401 Security Blvd., 1–A–21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

Dated: May 9, 1996.

Charlotte Whitenight,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 96–12215 Filed 5–16–96; 8:45 am]

BILLING CODE 4190–29–P

DEPARTMENT OF STATE

[Public Notice 2389]

Office of Overseas Schools; Information Collection Under Review

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation, Part 1320.10.

1. Summary

The Office of Overseas Schools of the Department of State (A/OS) is

responsible: (a) for supporting our overseas missions by determining that adequate educational opportunities exist for dependents of U.S. government personnel stationed abroad and when necessary providing financial and technical assistance to improve elementary and secondary education at post for USG dependents; and (b) for assisting American-sponsored overseas schools to demonstrate U.S. educational philosophy and practice. The following summarizes the information collection proposal submitted to OMB:

Type of request—Reinstatement.

Originating office—Office of Overseas Schools.

Title of information collection—U.S. State Department.

Overseas School—Grant Status Report.

Frequency—Annually.

Form Number—JF–61.

Respondents—The 190 Overseas American sponsored schools.

Estimated number of respondents—190.

Average hours per response—0.25.

Total estimated burden hours—47.50.

44 U.S.C. 3504(h) does not apply.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Charles S. Cunningham (202) 647–0596. Comments and questions should be directed to (OMB) Jefferson Hill (202) 395–3176.

Dated: May 1, 1996.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 96–12368 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–24–M

[Public Notice 2388]

Office of Overseas Schools; Information Collection Under Review

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation, Part 1320.10.

1. Summary

The Office of Overseas Schools of the Department of State (A/OS) is responsible: (a) For supporting our overseas missions by determining that adequate educational opportunities exist for dependents of U.S. government personnel stationed abroad and when necessary providing financial and technical assistance to improve elementary and secondary education at post for USG dependents; and (b) for assisting American-sponsored overseas schools to demonstrate U.S. educational philosophy and practice. The following summarizes the information collection proposal submitted to OMB:

Type of request—Reinstatement.

Originating office—Office of Overseas Schools.

Title of information collection—U.S. State Department Approval of Funding to Support Special Educational Programs.

Frequency—Annually.

Form Number—JF–45.

Respondents—The 190 Overseas American sponsored schools.

Estimated number of respondents—190.

Average hours per response—0.25.

Total estimated burden hours—47.50.

44 U.S.C. 3504(h) does not apply.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Charles S. Cunningham (202) 647–0596. Comments and questions should be directed to (OMB) Jefferson Hill (202) 395–3176.

Dated: May 1, 1996.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 96–12369 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–24–M

[Public Notice 2382]

Bureau for Oceans and International Environmental and Scientific Affairs; Information Collection Under Review

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow 60 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation, Part 1320.10.

1. Summary

The Department of State has established guidelines that require each shipment of shrimp shipped to the U.S. have a certification that shipments of shrimp have been harvested in a manner which does not harm sea turtles, pursuant to Section 609 of P.L. 101–162. The DSP–121 is necessary for that certification. The following summarizes the information collection proposal submitted to OMB:

Type of request—Revision of a currently approved collection.

Originating office—Bureau for Oceans and International Environmental and Scientific Affairs.

Title of information collection—Shrimp Exporter's Declaration.

Frequency—Each shipment.

Form Number—DSP–121.

Respondents—Business or others for profit.

Estimated number of respondents—10,000.

Average hours per response—0.5.

Total estimated burden hours—5,000.

44 U.S.C. 3504(h) does not apply.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Charles S. Cunningham (202) 647–0596. Comments and questions should be directed to (OMB) Jefferson Hill (202) 395–3176.

Dated: May 2, 1996.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 96–12370 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–09–M

[Public Notice 2391]

Bureau of Economic and Business Affairs; Finding of No Significant Impact: Portal Pipe Line Company, Pipeline to Canadian Border Near Portal, ND

AGENCY: Department of State.

ACTION: Notice of a finding of no significant impact with regard to an application to construct, connect, operate and maintain a pipeline to transport crude oil across the U.S.-Canada border.

SUPPLEMENTARY INFORMATION: Portal Pipe Line Company has applied for a Presidential Permit to authorize construction, connection, operation and maintenance of a 12 inch diameter pipeline to convey crude oil cross the border with Canada near Portal, North Dakota.

The proposed pipeline would extend approximately 8 miles inside the United States and convey crude oil from Canada to Portal's existing pipeline system in the United States. The pipeline will initially receive an estimated 30,000 barrels per day for

transportation with a capacity for approximately 56, barrels per day. The pipeline will facilitate crude oil imports from Canada.

SUMMARY: In accordance with the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. 4231 *et seq.*, The Council on Environmental Quality (CEQ) regulations, 40 CFR 1500–1508, and Department's regulations for implementation of NEPA (22 CFR Part 161), the Department of State has conducted an environmental assessment of the proposed construction by Portal Pipe Line Company of a crude oil pipeline across the international boundary near Portal, North Dakota. The Department of State is charged with the issuance of Presidential Permits authorizing construction of such international pipelines under Executive Order 11423 (1968), as amended by Executive Order 12847 (1993). Several federal agencies cooperated in preparation of the environmental assessment, reviewing and commenting on the analysis and conclusions presented therein. Agencies participating in this process together with the Department of State included: the Environmental Protection Agency, the Departments of Defense, Treasury, Interior, Commerce, Transportation, the Attorney General, the Chairman of the Surface Transportation Safety Board, and the Director of the Federal Emergency Management Agency.

Interested parties were invited to comment on the proposed application in a Federal Register Notice, 60 FR 56384 (November 8, 1995).

Based on the final environmental assessment, which included a preliminary environmental assessment, comments received from interested agencies and responses to those comments, the Department of State has concluded that issuance of a Presidential Permit authorizing construction of the proposed pipeline (as described in the final environmental assessment) will not have a significant effect on the quality of the human environment within the United States. Therefore, in accordance with CEQ's NEPA regulations 40 CFR 1501.4 and 1508.13 and with State Department Regulations, 22 CFR 161.8 (c) an environmental impact statement will not be prepared.

Factors Considered

The environmental assessment carefully considered the route alternative that minimized environmental and human impacts while offering the most direct and economic route. The proposed pipeline would allow the U.S. to move an additional 30,000 barrels a day of oil to major population centers in the Midwest through the construction of an 8 mile pipeline. The pipeline is also being constructed along an existing pipeline right-of-way for most of its length. The proposed pipeline also offers likely advantages over a no action alternative. The U.S. depends heavily on oil imports and other means of importing an additional 30,000 barrels of oil per day could involve greater incremental environmental risks than the proposed pipeline, such as increased shipments by tanker or new pipeline capacity of greater length or through more heavily populated or environmentally sensitive areas.

Further analysis and reasoning supporting the pipeline routing are presented in the original pipeline application. Copies of supporting information for this finding and the final environmental assessment can be obtained from the State Department's Office of International Energy and Commodities Policy, 202–647–2875.

Environmental Justice

In addition to the analysis conducted in accordance with NEPA, the Department of State addressed environmental justice considerations pursuant to Executive Order 12898 of February 11, 1994 (''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations''). Based on its examination of environmental justice considerations, the Department has determined that the proposed pipeline will not have disproportionately high and adverse human health or environmental effects on minority and low-income populations. The analysis supporting this determination can be obtained from the State Department, Office of International Energy and Commodities Policy, 202–647–2887.

FOR FURTHER INFORMATION ON THE PIPELINE PERMIT APPLICATION CONTACT: Susan Phillips, Office of International Energy and Commodities Policy, Room 3529, U.S. Department of State, Washington, DC, 20520, (20) 647–2887.

Dated: April 4, 1996.

Stephen J. Gallogly,

Acting Director, International Energy and Commodities Policy.

[FR Doc. 96–12367 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–07–M

[Public Notice 2390]

Advisory Committee on Historical Diplomatic Documentation; Notice of Meeting

The Advisory Committee on Historical Diplomatic documentation will meet in the Department of State, June 6–7, 1996 in Conference Room 1205.

The Committee will meet in open session from 9:00 a.m. on the morning of Thursday, June 6, 1996, until 12:00 noon. The remainder of the Committee's sessions from 1:30 p.m. on Thursday, June 6, until 1:00 p.m. Friday, June 7, will be closed in accordance with Section 10(d) of the Federal Advisory Committee Act (P.L. 92–463). It has been determined that discussions during these portions of the meeting will involve consideration of matters not subject to public disclosure under 5 U.S.C. 552b(c)(1), and that the public interest requires that such activities will be withheld from disclosure.

Questions concerning the meeting should be directed to William Z. Slany, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC, 20520, telephone (202) 663–1123, (e-mail histoff@ix.netcom.com).

Dated: May 7, 1996.

William Z. Slany,

Executive Secretary.

[FR Doc. 96–12366 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–11–M

[Public Notice 2379]

Bureau of Oceans and International Environmental and Scientific Affairs; Certifications Pursuant to Section 609 of Public Law 101–162

SUMMARY: On April 30, 1996, the Department of State certified, pursuant to Section 609 of Public Law 101–162 (''Section 609''), that 13 nations have adopted programs to reduce the incidental capture of sea turtles in shrimp fisheries comparable to the program in effect in the United States. In addition, the Department certified that the fishing environment in 23 other countries does not pose a threat of the incidental taking of sea turtles protected under Section 609. Shrimp imports from any nation not certified were prohibited effective May 1, 1996, pursuant to Section 609.

EFFECTIVE DATE: May 17, 1996.

FOR FURTHER INFORMATION CONTACT: Hollis Summers, Office of Marine Conservation, Bureau of Oceans and

International Environmental and Scientific Affairs, Department of State, Washington, DC 20520–7818; telephone: (202) 647–3940.

SUPPLEMENTARY INFORMATION: Section 609 prohibits imports of shrimp from foreign nations unless the President certifies to the Congress by May 1 of each year either: (1) that the harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States; or (2) that the fishing environment in the harvesting nations does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State. Revised State Department guidelines for making the required certifications were published in the Federal Register on April 19, 1996 (FR Vol. 61, No. 77, pp. 17342–17344).

A December, 1995 U.S. Court of International Trade decision expanded the scope of Section 609 to include all countries which harvest shrimp. On April 30, 1996, the Department of State certified that 36 of the affected countries have met the requirements of the law. As a result, shrimp imports from all other countries harvested with commercial fishing technology which may adversely affect sea turtles were prohibited pursuant to Section 609 effective May 1, 1996. The ban on shrimp imports from Suriname (in effect since May 1, 1993) and French Guiana (in effect since May 1, 1992) remain in place.

The countries that were certified on April 30, 1996, are Argentina, the Bahamas, Belgium, Belize, Brunei, Canada, Chile, Colombia, Costa Rica, Denmark, the Dominican Republic, Ecuador, El Salvador, Germany, Guatemala, Guyana, Haiti, Iceland, Indonesia, Ireland, Jamaica, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Oman, Panama, Peru, Russia, Sri Lanka, Sweden, Trinidad and Tobago, the United Kingdom, Uruguay and Venezuela.

Of these, the Department certified that the fishing environment in some countries does not pose a threat of the incidental taking of sea turtles protected by Section 609. The following 15 nations have shrimp fisheries only in cold waters where there is essentially no risk of taking sea turtles: Argentina, Belgium, Canada, Chile, Denmark, Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway, Russia, Sweden, the United Kingdom, and Uruguay. The following 8 nations only harvest shrimp using manual rather than mechanical means to retrieve nets: the Bahamas, Brunei, the Dominican Republic, Haiti, Jamaica, Oman, Peru and Sri Lanka. Use of such small-scale technology does not adversely affect sea turtles.

The following countries were certified as having adopted programs to reduce the incidental capture of sea turtles in shrimp fisheries comparable to the program in effect in the United States: Belize, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Guyana, Indonesia, Mexico, Nicaragua, Panama, Trinidad and Tobago, and Venezuela.

In implementing the ban on shrimp imports from all countries not certified, any shipment with a recorded date of export prior to May 1, 1996, will be allowed entry into the United States even if it arrives on or after May 1, 1996. That is, shipments in transit prior to the effective date of the ban are not barred from entry.

The Department of State communicated the certifications under Section 609 to the Office of Trade Operations of the United States Customs Service in a letter transmitted on May 2, 1996.

As is clear from the revised guidelines issued by the Department of State on April 19, 1996, the implementation of the Court of International Trade's order has required certain procedural refinements. The Department will keep these guidelines under close review throughout the upcoming year to ensure the effective implementation of Section 609, and will carefully review their effectiveness and enforceability before making any 1997 certifications. It is the intention of the Department to promote the development of comprehensive TED programs in all harvesting nations where shrimp trawl fisheries pose a risk to sea turtles. Any comments on or information regarding the effectiveness of the implementation process is welcome.

Technical Revision

Public Notice 2368, ''Revised Notice of Guidelines for Determining Comparability of Foreign Programs for the Protection of Turtles in Shrimp Trawl Fishing Operations,'' (61 FR 17342), is revised as follows:

''IV. Related Determinations'' is amended to read ''III. Related Determinations''.

In Section III (as amended above), paragraph (b), the reference to ''Sections II and III'' is amended to read ''Sections I and II''.

Dated: May 13, 1996.

David A. Colson,

Ambassador, Deputy Assistant Secretary for Oceans.

[FR Doc. 96–12371 Filed 5–16–96; 8:45 am]

BILLING CODE 4710–09–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Trade Policy Staff Committee; Public Comments on the Accessions of Albania, Armenia, Croatia, Saudi Arabia, and Ukraine to the World Trade Organization (WTO), and on U.S. Participation in Negotiations for the Terms of Those Accessions

ACTION: Notice and request for comments.

SUMMARY: The Trade Policy Staff Committee (TPSC) is requesting written public comments concerning U.S. commercial interests and other issues related to the accession of Albania, Armenia, Croatia, Saudi Arabia, and Ukraine to the WTO. Public comments should include, but not be limited to, information concerning these countries' current trade policies and practices which affect (A) market access for U.S. exports, e.g., tariffs, non-tariff measures; (B) trade and investment in services, and (C) other aspects of their trade regimes subject to WTO provisions that affect U.S. trade interests. Comments received will be considered in developing U.S. positions and objectives for the multilateral and bilateral negotiations that will determine the terms of WTO accession for Albania, Armenia, Croatia, Saudi Arabia, and Ukraine.

DATES: Public comments are due by noon on Friday, June 21, 1996.

ADDRESSES: Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508.

FOR FURTHER INFORMATION CONTACT: Barbara Chattin, Director for Tariff Negotiations (202–395–5097), Peter Collins, Deputy Assistant USTR for Services and Investment (202–395–7271) or Cecilia Leahy Klein, Director for WTO Accessions (202–395–3063), Office of the U.S. Trade Representative.

SUPPLEMENTARY INFORMATION: The Chairman of the Trade Policy Staff Committee invites written comments from the public on market access and other issues to be addressed in the course of negotiations with Albania, Armenia, Croatia, Saudi Arabia, and Ukraine for accession to the WTO. Each of these countries has applied for membership in the WTO and has

initiated negotiations with other WTO members. The terms of membership will be negotiated in bilateral meetings with government representatives and in meetings of the Working Parties established by the Members of the WTO to conduct the negotiations. All comments will be considered in developing U.S. positions and objectives for participation in these negotiations, establishment of schedules of commitments and concessions in the areas of agriculture, industrial goods, and trade and investment in services, and for development of the elements of these countries' protocols of accession to the WTO.

The Committee is seeking public comments on the possible affect on U.S. trade of these countries' accession to the WTO, with particular reference to tariffs applied to imports and any other trade measures currently applied by Albania, Armenia, Croatia, Saudi Arabia, and Ukraine that could be subject to the provisions of the WTO, particularly market access issues for goods and services or practices that could affect the competitiveness of U.S. goods and services in those markets. Issues of interest to the TPSC include, but are not limited to: (a) Comments on possible tariff reductions and the removal of border measures such as quotas or import licensing requirements; (b) uniform application of the trading system (c) the provision of national treatment and nondiscriminatory treatment for imports, especially in the area of domestic taxation; (d) transparency in application of trade laws and regulations; (e) right of appeal in cases involving application of trade laws and other laws relating to WTO provisions, such as protection and enforcement of intellectual property rights (IPR) and services; (f) customs processing issues, such as document certification prior to export, fees, customs valuation, and certification requirements; (g) industrial export and domestic subsidies; (h) agricultural export subsidies and domestic supports and incentives; (i) safeguard and unfair trade practice procedures applied to imports; (j) plant, animal, and human health and safety requirements; (k) labeling and shelf-life requirements; (l) food standards and other technical barriers to trade; (m) utilization of preshipment inspection services; (n) activities of state trading enterprises, including restrictions and other trade-distorting practices; (o) price controls and policies; (p) government procurement practices; (q) policies concerning trade in civil aircraft, and (r) the trade-related aspects of investment policies and the protection and enforcement of IPRs. Market access issues for services include, but are not limited to, the right of establishment for U.S. services providers, the ability to provide services on a cross border basis, and the ability of persons to enter temporarily to provide services.

Information on products or practices subject to these negotiations should include, whenever appropriate, the import or export tariff classification number used by these countries for the product concerned. Submissions also should clearly separate issues by country.

Persons submitting written comments should provide a statement, in twenty copies, by noon, Friday, June 21, 1996, to Carolyn Frank, Executive Secretary, TPSC, Office of the U.S. Trade Representative, Room 501, 600 17th Street, NW., Washington, D.C. 20508. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading Room, Room 101, Monday through Friday, 10:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. For an appointment call Brenda Webb on 202–395–6186. Business confidential information will be subject to the requirements of 15 CFR § 2003.6. Any business confidential material must be clearly marked as such on the cover letter or page and each succeeding page, and must be accompanied by a non-confidential summary thereof. Other countries pursuing WTO accession whose negotiations are not yet sufficiently advanced to warrant a request for public comment are Algeria, Belarus, Cambodia, Jordan, Kazakhstan, Kyrghyzstan, the Former Yugoslav Republic of Macedonia, Moldova, Nepal, Seychelles, Sudan, Tonga, Uzbekistan, Vanuatu, and Vietnam.

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

[FR Doc. 96–12426 Filed 5–16–96; 8:45 am]

BILLING CODE 3190–01–M

[Docket No. 301–92]

Request for Public Comment and Notice of Public Hearing: Determination Involving Expeditious Action; Proposed Determination Concerning What Further Action To Take Under Section 301(a) in Response to the People's Republic of China's Unsatisfactory Implementation of the 1995 Agreement on Enforcement of Intellectual Property and Market Access

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of determination on expeditious action and proposed determination on further action; request for public comment; notice of public hearing.

SUMMARY: Based on monitoring carried out pursuant to subsection 306(a) of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2416(a)), the Acting United States Trade Representative (USTR) considers that China is not satisfactorily implementing the 1995 Agreement on Enforcement of Intellectual Property Rights and Market Access (1995 Agreement) China entered into to resolve the intellectual property rights (IPR) enforcement and market access issues subject to investigation under Title III, chapter I of the Trade Act. In light of this, the USTR must, pursuant to sections 306(b), determine what further action to take under section 301(a) of the Trade Act (19 U.S.C. 2411(a)). The USTR proposes to take the following action: To impose prohibitive tariffs on imports of certain products of China to be drawn from the lists of products set forth in the Annexes to this Notice.

Since the products listed in Annex II to this Notice are subject to quantitative restrictions and it is essential to prevent surges of imports into the U.S. market, the USTR, pursuant to section 304(b)(1) of the Trade Act, has determined that expeditious action is necessary. Pursuant to section 301(a) and (c) of the Trade Act, the USTR has directed the Commissioner of Customs, to limit by date of export entries of the textile and apparel products listed in Annex II, over the 30-day period (commencing with exports from China on or after May 15, 1996) to 15 percent of the 1996 adjusted level for each category of product. In addition, the USTR has requested the Chair of the Committee on Implementation of Textile Agreements (CITA) to amend CITA's relevant directives dated November 30, 1995, and December 13, 1995, in order to facilitate Customs implementation of this determination, and to inform Customs accordingly.

Pursuant to section 304(b) and 306(c) of the Trade Act (19 U.S.C. 2414(b) and 2416(c)), the USTR is seeking public comments and will hold a public hearing on June 6–7, 1996, regarding the expeditious action taken and a proposed determination on what further action to take.

EFFECTIVE DATE: Requests to testify at the hearing must be submitted by noon, Wednesday, May 22, 1996; written testimony is due by noon, Friday, May 31, 1996; and written rebuttals are due by 5:00 p.m., Monday, June 10, 1996. Written comments on the proposed

determination are due by noon, Friday, June 14, 1996.

FOR FURTHER INFORMATION CONTACT: Questions concerning the products under consideration for imposition of prohibitive tariffs should be directed to Irving Williamson, Chair Section 301 Committee (202) 395–3432, Deborah Lehr, Deputy Assistant USTR for China and Mongolian Affairs (202) 395–5050, or Caroyl Miller (202) 395–3026 Deputy Chief Textiles Negotiator; questions about the public hearing, written testimony and written comments should be directed to Sybia Harrison, Staff Assistant to Section 301 Committee, (202) 395–3432. All of the above persons are located at the Office of the United States Trade Representative, 600 17th Street, NW, Washington, D.C. 20508.

SUPPLEMENTARY INFORMATION: On June 30, 1994, pursuant to section 302(b) of the Trade Act, the USTR initiated an investigation of those acts, policies and practices of China that were the basis for identification of China as a priority foreign country (PFC) under section 182 of the Trade Act. See 59 FR 35558 (July 12 1994). On February 4, 1995, the USTR determined that certain acts, policies and practices of the Chinese government with respect to the enforcement of IPRs and market access for persons relying on intellectual property protection are unreasonable and constitute a burden or restriction on U.S. commerce. The USTR also determined that trade action in the form of assessment of increased duties on certain products from China was appropriate. See 60 FR 7230 (Feb. 7, 1995).

On February 26, 1995, the government of China agreed to take extensive measures to enforce IPRs and provide market access for persons relying on intellectual property protection. On the basis of the measures that China agreed to undertake, the USTR decided that the action taken pursuant to section 301(c) of the Trade Act, to increase tariffs on certain products from China, was no longer appropriate and terminated that action. The USTR also determined to monitor, under section 306 of the Trade Act, China's implementation of the measures it had agreed to undertake and terminated the investigation. Pursuant to section 182(c)(1)(A) of the Trade Act, the USTR also decided to revoke China's designation as a PFC. See 60 FR 12583 (March 7, 1995). The Agreement setting forth the measures China agreed to take was formally signed on March 11, 1995.

Since then, USTR and other agencies have worked closely and consulted frequently with the Chinese government on implementation of the IPR Agreement. The U.S. government has provided technical assistance and training on enforcement of IPRs and private sector interests have worked with individuals and firms in China to achieve market access for U.S. products and firms.

While some progress has been made in the area of enforcement of IPRs, particularly with respect to enforcement of copyrights at the retail level, critical deficiencies are present in China's implementation of measures to address piracy at the production and wholesale distribution level. Piracy remains particularly rampant in Guangdong province. Manufacturers and distributors—primarily located in southern China—continue to produce pirated CDs, LDS and CD–ROMS in massive quantities. Due to lax enforcement at the point of production and at the border, export of pirated computer software, movies, sound recordings and other products have grown substantially over the past year. Products pirated in China have flooded Southeast Asia, Russia and the other Commonwealth of Independent States (CIS) countries. Latin American and European markets have also been targeted and the U.S. Customs Service has seized pirated CDS and CD–ROMs entering the United States from China. Finally, no significant progress has been made in providing market access to U.S. firms and products that rely on IPR protection.

Based on the results of this monitoring, the USTR considers that China is not satisfactorily implementing the Agreement that was the basis for resolving the IPR enforcement and market access issues under investigation. Consequently, USTR is seeking comments on a proposed determination on what action to take under section 301(a) of the Trade Act.

Proposed Determination and Expeditious Action

Pursuant to sections 306(b) and 301(c) of the Trade Act, the USTR proposes to take the following action: To impose prohibitive tariffs on imports of certain products of China to be drawn from the lists of products set forth in the Annexes to this notice.

The decision on what specific products could be subject to prohibitive tariffs will take into consideration the written comments provided and any written and oral testimony offered at the public hearing.

Since the products listed in Annex II to this Notice are subject to quantitative restrictions and it is essential to prevent surges of imports into the U.S. market, the USTR, pursuant to section 304(b)(1) of the Trade Act, has determined that expeditious action is necessary. Pursuant to section 301 (a) and (c) of the Trade Act, the USTR has directed the Commissioner of Customs, to limit by date of export entries of the textile and apparel products listed in Annex II, over the 30-day period (commencing with exports from China on or after May 15, 1996) to 15 percent of the 1996 adjusted level for each category of product. In addition, the USTR has requested the Chair of CITA to amend CITA's relevant directives dated November 30, 1995, and December 13, 1995, in order to facilitate customs implementation of this determination and to inform Customs accordingly.

Public Comment on Expeditious Action Taken, Proposed Determination and Hearing Participation

In accordance with section 304(b) and 306(c) of the Trade Act, the USTR invites all interested persons to provide written comments on the action take under section 304(b)(1) and the proposed determination. With respect to the proposed trade action under section 301, comments may address: (1) the appropriateness of subjecting the products listed in the Annexes to this notice to prohibitive duties; (2) the level at which duties on particular products should be set; and (3) the degree to which imposition of prohibitive duties on particular products might have an adverse effect on U.S. consumers. Comments will be considered in recommending any determination or action under section 301 to the USTR.

The USTR will also consider the written, oral, and rebuttal comments submitted in the context of a public hearing held pursuant to section 304(b) of the Trade Act and in accordance with 15 CFR 2006.7 through 2006.9. The hearing will commence at 10:00 a.m. on Thursday, June 6, 1996, continue on June 7, 1996, if necessary. The hearing will be held in the Main Hearing Room (Room 101) at the U.S. International Trade Commission, 500 E Street, SW, Washington, D.C.

Request to Testify: Interested person wishing to testify orally at the hearings must provide a written request to do so by noon, Wednesday, May 22, 1996, to Sybia Harrison, Staff Assistant to the Section 301 Committee, Office of the U.S. Trade Representative, 600 17th Street NW, Washington, DC 20508. Requests to testify must include the following information: (1) name, address, telephone and fax numbers, and firm or affiliation; and (2) a brief summary of their presentation. Requests

must conform to the requirements of 15 CFR 2006.8(a). After the Chairman of the Section 301 Committee considers the request to present oral testimony, Ms. Harrison will notify the applicant of the time of his or her testimony. Remarks at the hearing will be limited to 5 minutes.

Written Testimony: In addition, persons presenting oral testimony must submit their complete written testimony by noon on Friday, May 31, 1996. In order to assure each party an opportunity to contest the information provided by other parties, USTR will entertain rebuttal briefs filed by any party by 5:00 p.m., Monday, June 10, 1996. In accordance with 15 CFR 2006.8(c), rebuttal briefs should be strictly limited to demonstrating errors of fact or analysis not pointed out in the briefs or hearing and should be as concise as is possible.

Requirements for Submissions: Written comments on the proposed determinations under section 306 of the Trade Act, written testimony, and rebuttal briefs must be filed in accordance with the requirements set forth in 15 CFR 2006.8(b) and are due according to the relevant deadlines noted above. Comments must state clearly the position taken and describe with particularity the supporting rationale, be in English, and be provided in twenty copies to: Chairman, Section 301 Committee, Room 223, USTR, 600 17th St., N.W., Washington, D.C. 20508.

Written comments, testimony, and briefs will be placed in a file (Docket 301–92) open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Persons wishing to submit confidential business information must certify in writing that such information is confidential in accordance with 15 CFR 2006.15(b), and such information must be clearly marked ''Business Confidential'' in a contrasting color ink at the top of each page on each of the twenty copies and must be accompanied by a nonconfidential summary of the confidential information. The nonconfidential summary will be placed in the Docket open to public inspection. An appointment to review the docket (Docket No. 301–92) may be made by calling Brenda Webb (202) 395–6186. The USTR Reading Room is open to the public from 10:00 a.m. to noon and 1:00 p.m. to 4:00 p.m., Monday through Friday, and is located in Room 101.

Irving A. Williamson,

Chairman, Section 301 Committee.

BILLING CODE 3190–01–M

Annex I

HTS Subheading	Article
	[The bracketed language in this list has been included only to clarify the scope of the numbered subheadings which are being considered, and such language is not itself intended to describe articles which are under consideration.]
	Articles of apparel and clothing accessories (including gloves), for all purposes, of vulcanized rubber other than hard rubber:
	Gloves:
4015.11.00	Surgical and medical
	Wood marquetry and inlaid wood; caskets and cases for jewelry or cutlery and similar articles, of wood; statuettes and other ornaments, of wood; wooden articles of furniture not falling within chapter 94:
4420.10.00	Statuettes and other ornaments, of wood
	Other:
	Jewelry boxes, silverware chests, cigar and cigarette boxes, microscope cases, tool or utensil cases and similar boxes, cases and chests, all the foregoing of wood:
	[Cigar and cigarette boxes]
	Other:
4420.90.65	Lined with textile fabrics
	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibers; box files, letter trays, and similar articles, of paper or paperboard of a kind used in offices, shops or the like:
	[Cartons, boxes and cases, of corrugated paper or paperboard; folding cartons, boxes and cases, of noncorrugated paper or paperboard; sacks and bags, having a base of a width of 40 cm or more]
	Other sacks and bags, including cones:
	[Shipping sacks and multiwall bags, other than grocers' bags]
4819.40.0040	Other

Annex I (con.)
-2-

HTS Subheading	Article
	Articles of jewelry and parts thereof, of precious metal or of metal clad with precious metal:
	Of precious metal whether or not plated or clad with precious metal:
	[Of silver, whether or not plated or clad with other precious metal]
	Of other precious metal, whether or not plated or clad with precious metal:
	[Rope, curb, cable, chain and similar articles produced in continuous lengths, all the foregoing, whether or not cut to specific lengths and whether or not set with imitation pearls or imitation gemstones, suitable for use in the manufacture of articles provided for in this heading]
	Other:
	[Necklaces and neck chains, of gold; clasps and parts thereof]
7113.19.50	Other
	Table, kitchen or other household articles and parts thereof, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel:
	[Iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like]
	Other:
	Of stainless steel:
	Cooking and kitchen ware:
	[Teakettles]
	Other:
7323.93.0030	Cooking ware

Annex I (con.)
-3-

HTS Subheading	Article
	Electric instantaneous or storage water heaters and immersion heaters; electric space heating apparatus and soil heating apparatus; electrothermic hairdressing apparatus (for example, hair dryers, hair curlers, curling tong heaters) and hand dryers; electric flatirons; other electrothermic appliances of a kind used for domestic purposes; electric heating resistors, other than those of heading 8545; parts thereof:
	Electric space heating apparatus and electric soil heating apparatus:
	[Storage heating radiators]
	Other:
	Portable space heaters:
	[Fan-forced]
8516.29.0060	Other
	Other electrothermic appliances:
	Coffee or tea makers:
	Coffee makers:
	[Automatic drip and pump type; percolator]
8516.71.0060	Other
	Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof:
	Telephone sets; videophones:
	[Line telephone sets with cordless handsets]
	Other:
	[Videophones]
	Other:
	Single line:
	[Without special features]
	Other (such as memory, redial, autodial, speaker and the like):
8517.19.8050	Incorporating an automatic answering device
8517.19.8070	Other
8517.19.8080	Multiline (including key, call director and consoles)
	Facsimile machines and teleprinters:
8517.21.00	Facsimile machines

Annex I (con.)
-4-

HTS Subheading	Article
	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device:
	Telephone answering machines:
8520.20.0040	Announce and record machines
	Transmission apparatus for radiotelephony, radiotelegraphy, radiobroadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras; still image video cameras or other video camera recorders:
	Transmission apparatus incorporating reception apparatus:
	[Transceivers]
	Other:
8525.20.9020	Radio telephones designed for installation in motor vehicles for the Public Cellular Radiotelecommunication Service
	Other radio telephones designed for the Public Cellular Radiotelecommunication Service:
8525.20.9060	Units weighing over 1 kg
8525.20.9070	Other
	Bicycles and other cycles (including delivery tricycles), not motorized:
	Bicycles having both wheels not exceeding 63.5 cm in diameter:
8712.00.1510	Having both wheels not exceeding 50 cm in diameter
	Articles and equipment for general physical exercise, gymnastics, athletics, other sports (including table-tennis) or outdoor games, not specified or included elsewhere in this chapter; swimming pools and wading pools; parts and accessories thereof:
	[Snow-skis and other snow-ski equipment; parts and accessories thereof]
	Water skis, surf boards, sailboards and other water-sport equipment; parts and accessories thereof:
	[Sailboards and parts and accessories thereof]
	Other:
	[Water skis]
9506.29.0040	Other

Annex I (con.)
-5-

HTS Subheading	Article
	Articles and equipment for general physical exercise, gymnastics, athletics, other sports (including table-tennis) or outdoor games, not specified or included elsewhere in this chapter; swimming pools and wading pools; parts and accessories thereof (con.):
	[Golf clubs and other golf equipment; parts and accessories thereof; articles and equipment for table-tennis, and parts and accessories thereof; tennis, badminton or similar rackets, whether or not strung; parts and accessories thereof; balls, other than golf balls and table-tennis balls; ice skates and roller skates, including skating boots with skates attached; parts and accessories thereof]
	Other:
	Articles and equipment for general physical exercise, gymnastics or athletics; parts and accessories thereof:
	[Exercise cycles; exercise rowing machines]
9506.91.0030	Other
	Other:
	[Archery articles and equipment and parts and accessories thereof; badminton articles and equipment, except rackets, and parts and accessories thereof; baseball articles and equipment, except balls, and parts and accessories thereof; football, soccer and polo articles and equipment, except balls, and parts and accessories thereof; ice-hockey and field-hockey articles and equipment, except balls and skates, and parts and accessories thereof; lacrosse sticks; lawn-tennis articles and equipment, except balls and rackets, and parts and accessories thereof; skeet targets; sleds, bobsleds, toboggans and the like and parts and accessories thereof; snowshoes and parts and accessories thereof; swimming pools and wading pools and parts and accessories thereof]
	Other:
	[Nets not elsewhere specified or included]
9506.99.6080	Other

Annex I (con.)
-6-

HTS Subheading	Article
	Fishing rods, fish hooks and other line fishing tackle; fish landing nets, butterfly nets and similar nets; decoy "birds" (other than those of heading 9208 or 9705) and similar hunting or shooting equipment; parts and accessories thereof:
	Fishing rods and parts and accessories thereof:
9507.10.0040	Fishing rods

Annex II

Textile Category	Brief Description

A description of the textile and apparel categories in terms of HTS numbers is available in the 1996 CORRELATION: Textile and Apparel Catgories with the Harmonized Tariff Schedule of the United States.

341	Cotton Blouses and Shirts for Women, Not Knit
352	Cotton Underwear
360	Cotton Pillowcases
361	Cotton Sheets
447	Wool Trousers for Men and Boys
448	Wool Slacks for Women and Girls
641	Man-made Fiber Blouses and Shirts for Women, Not Knit
642	Man-made Fiber Skirts
647	Man-made Fiber Trousers, Slacks and Shorts for Men and Boys
648	Man-made Fiber Trousers, Slacks and Shorts for Women and Girls
649	Man-made Fiber Brassieres and Body Supporting Garments
650	Man-made Fiber Robes and Dressing Gowns
652	Man-made Fiber Underwear
840	Silk-Blend and Non-Cotton Vegetable Fiber Shirts and Blouses, Not Knit
842	Silk-Blend and Non-Cotton Vegetable Fiber Skirts
847	Silk-Blend and Non-Cotton Vegetable Fiber Trousers, Slacks and Shorts
218	Cotton and Man-made Fiber Fabrics of Yarns of Different Colors
317/326	Cotton Twill and Sateen Fabric
338/339	Cotton Knit Shirts for Men and Women
347/348	Cotton Trousers, Slacks and Shorts For Men and Women
359-V	Cotton Vests
638/639	Man-made Fiber Knit Shirts for Men and Women
659-S	Man-made Fiber Swimwear
740	Silk Shirts for Men
741	Silk Blouses for Women
Silk Group	Other Silk Apparel

[FR Doc. 96–12572 Filed 5–15–96; 12:19 pm]

BILLING CODE 3190–01–C

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ending 5/10/96

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST–96–1358
Date filed: May 7, 1996
Parties: Members of the International Air Transport Association
Subject:
CAC/Reso/184 dated April 22, 1996
Finally Adopted Resolutions R1–8
Minutes—CAC/Meet/114 dated April 22, 1996
Intended effective date: October 1, 1996

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 96–12436 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–62–P

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending May 10, 1996

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et. seq.). The due date for Answers, Conforming Applications, or Motions to modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST–96–1362.
Date filed: May 8, 1996.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: –June 5, 1996.
Description: Application of Delta Air Lines, Inc., pursuant to 49 U.S.C. Section 41101, the Department's Notice, and Subpart Q of the Regulations, requests a Certificate of Public Convenience and Necessity for authority to offer scheduled foreign air transportation of persons, property and mail between a point or points in the United States and a point or points in Poland, via intermediate points in Europe (including but not limited to Vienna, Austria). Delta also requests one of the two third-country code-share service to Warsaw, Poland in conjunction with Austrian Airlines, consistent with the March 22, 1996 Memorandum of Consultations between the governments of the United States and Poland. In addition, Delta and Austrian jointly request a Statement of Authorization under 14 C.F.R. Part 212 to permit Austrian to carry Delta's ''DL'' designator code on Austrian's flights between Vienna and Warsaw, Poland.

Docket Number: OST–96–1363.
Date filed: May 9, 1996.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: –June 6, 1996.
Description: –Application of Jet USA Airlines, Inc., pursuant to 49 U.S.C. Section 40102(a)(15), and Subpart Q of the Regulations, requests authority to engage in interstate and overseas scheduled air transportation of persons, property and mail between any point in any state in the United States or the District of Columbia, or any territory or possession of the United States, and any point in any state in the United States or the District of Columbia, or any territory or possession of the United States.

Paulette V. Twine,

Chief, –Documentary Services Division.

[FR Doc. 96–12435 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–62–P

Federal Highway Administration

Efficieny, Quality and Effectiveness of Existing Civil Rights Programs; Roundtable Discussions

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public meetings; change in meeting date and notice of additional meeting dates.

SUMMARY: The FHWA announced on May 3, 1996 (61 FR 19973), a series of roundtable conferences to obtain information on issues relating to the efficiency, quality, and effectiveness of existing civil rights programs. The meeting date for the first meeting (Portland, Oregon) has been changed from May 22 to May 28. Other information regarding location and contact person remains the same. Two roundtable discussions on June 25 and July 17, 1996, have been added at the locations indicated below.

The agenda for the roundtable discussions includes the topics of state internal and contractor equal employment opportunity (EEO) programs, supportive services, and the administration of specific nondiscrimination statutes. Although the meetings will be open to the public, space will be limited; therefore, the FHWA requests that persons interested in attending the meeting preregister by contacting the ''contact person'' listed below for the appropriate meeting at least three days prior to the meeting. The Disadvantaged Business Enterprise (DBE) Program will not be discussed at these Roundtables. The DBE program is currently being addressed by a separate interagency workgroup.

DATES: Public meetings will be held at each of the following locations within the span of one day from 8 a.m. to Noon and from 1 p.m. to 5 p.m. Specific dates and exact locations are as follows:

May 28, 1996

Portland State University, Smith Memorial Center, Rooms SMC 294 and SMC 296, 724 South West Harrison Street, Portland, Oregon 97201, contact person: Willie Harris, ph.(503)326–2067.

June 4, 1996

Marque Hotel, 111 Perimeter Center West, Atlanta, Georgia 30346, contact person: Pamela Foster, ph.(404)347–4791

June 25, 1996

Massachusetts Department of Highways, 10 Park Plaza, Conference Rooms 2 and 3, Boston, Massachusetts 02116, contact person: Trish O'Brien, ph. (617) 973–7823

July 17, 1996

FHWA Regional Office, 555 Zang Street, 3rd Floor Conference Rooms A and B, Lakewood, Colorado 80228, contact person: Teresa Banks, ph. (303) 969–6707

FOR FURTHER INFORMATION CONTACT: Ms. Linda J. Brown, Chief, Policy and Program Development Division, Office of Civil Rights, Telephone: (202)366–0471; FAX: (202)366–1599. Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 p.m. to 4:15 p.m., e.t., Monday through Friday except Federal holidays.

(Authority: 23 U.S.C. 315; 49 CFR 1.48)

Issued on: May 14, 1996.

George F. Duffy,

Chief, Program Operations Division, Office of Civil Rights.

[FR Doc. 96–12433 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–22–P

Federal Transit Administration

Transfer of Federally Assisted Land or Facility

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of intent to transfer Federally assisted land or facility.

SUMMARY: 49 U.S.C. Section 5334(g), [formerly called Section 12(k) of The Federal Transit Act], permits the Administrator of the Federal Transit Administration (FTA) to authorize a recipient of FTA funds to transfer land or a facility to a public body for any public purpose with no further obligation to the Federal Government if, among other things, no Federal agency is interested in acquiring the asset for Federal use. Accordingly, FTA is issuing this Notice to advise Federal agencies that the Maryland Mass Transit Administration intends to transfer property located at the intersection of York Road, Dulaney Valley Road, Joppa Road and Allegheny Avenue, in Towson, Maryland.

EFFECTIVE DATE: Any Federal agency interested in acquiring the land or facility must notify the FTA Philadelphia Regional Office of its interest, by June 17, 1996.

ADDRESSES: Interested parties should notify the Regional Office by writing to Mr. Sheldon A. Kinbar, Regional Administrator, Federal Transit Administration, 1760 Market Street, Room 500, Philadelphia, Pennsylvania 19103.

FOR FURTHER INFORMATION CONTACT: Sheila Byrne, Transportation Program Specialist, Region 3, at 215/656–6900 or Ann Catlin, Real Estate Specialist, Office of Program Management at 202/366–1647.

SUPPLEMENTARY INFORMATION:

Background

49 U.S.C. Section 5334(g) provides guidance on the transfer of capital assets. Specifically, if a recipient of FTA assistance decides an asset acquired under this chapter at least in part with that assistance is no longer needed for the purpose for which it was acquired, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Government. The Secretary may authorize a transfer for a public purpose other than mass transportation only if the Secretary decides: 49 U.S.C. Section 5334(g) DETERMINATIONS:

(A) The asset will remain in public use for not less than 5 years after the date the asset is transferred;

(B) There is no purpose eligible for assistance under this chapter for which the asset should be used;

(C) The overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

(D) Through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use if the asset is a facility or land.

Federal Interest in Acquiring Land or Facility

This document implements the requirements of 49 U.S.C. Section 5334(g). Accordingly, FTA hereby provides notice of the availability of the land or facility further described below. Any Federal agency interested in acquiring the affected land or facility should promptly notify the FTA.

If no Federal agency is interested in acquiring the existing land or facility, FTA will make certain that the other requirements specified in 49 U.S.C. Section 5334(g) (1)(A) through (1)(D) are met before permitting the asset to be transferred.

Additional Description of Land or Facility:

Parcel of land approximately 4,485 square feet (identified as 602–608 York Road) located at the intersection of York Road, Dulaney Valley Road, Joppa Road and Allegheny Avenue in Towson, Maryland.

Issued on: May 13, 1996.

Sheldon A. Kinbar,

Regional Administrator.

[FR Doc. 96–12404 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–57–P

Surface Transportation Board [1]

[STB Finance Docket No. 32910]

Northwestern Pacific Railroad Authority; Acquisition Exemption; Former Northwestern Pacific Railroad Line From Southern Pacific Transportation Company and Golden Gate Bridge, Highway and Transportation District

Northwestern Pacific Railroad Authority (NWPRA), a noncarrier,[2] has filed a verified notice of exemption under 49 CFR 1150.31 to acquire former Northwestern Pacific Railroad Line real estate and rail facilities/trackage from Southern Pacific Transportation Company (SP) which extends from Healdsburg, CA (NWP MP 68.2), to Lombard Station, Napa County, CA (SP MP 63.4), via Schellville (NWP MP 40.6/SP MP 72.59), a distance of 66.85 miles.

The purpose of the acquisition is to preserve the railroad corridor for potential future mass transit use.

The transaction was expected to close on or about April 30, 1996.

Freight service on the line will continue to be provided by the California Northern Railroad Company (CNRR) pursuant to long-term lease arrangement with SP.[3] NWPRA will take title subject to the CNRR lease, and CNRR will continue to provide freight service. The joint powers agreement forming the NWPRA make an express commitment that in the event the existing operator files an application to abandon or discontinue freight service over the line NWPRA is to acquire in Finance Docket No. 32910, NCRA will be entitled to obtain an easement from NWPRA permitting it to continue freight service over the line. To provide for this, NWPRA states that it will, simultaneously with the closing of this transaction, transfer a permanent and exclusive freight railroad easement to NCRA, which will become effective only upon the cessation of freight

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

[2] NWPRA is an independent joint powers public agency created pursuant to California Government Code Section 6500 *et seq.* by virtue of an agreement among the County of Marin, the Golden Gate Bridge, Highway and Transportation District (GGBHTD), and the North Coast Railroad Authority (NCRA).

[3] *See California Northern Railroad Company Limited Partnership—Trackage Rights—Southern Pacific Transportation Company,* Finance Docket No. 32673, (ICC served May 15, 1995).

service by CNRR and the approval by the Board of both the transfer of the easement and the assumption of carrier responsibility by NCRA.

In addition, CNRR currently operates over the segment between NWP MP 26.96 and NWP MP 25.57 pursuant to a freight easement which was retained by SP in a transaction involving GGBHT.[4] At the closing of the transaction in Finance Docket No. 32910, SP's freight easement will be quitclaimed to GGBHTD, which will then grant to NWPRA the rights to operate over the easement area. According to NWPRA, NCRA will obtain an easement from NWPRA to provide freight service over the segment between NWP MP 26.96 and NWP MP 25.57, at the same time that it acquires the easement mentioned earlier, by which it would take over operations after CNRR ceases its operations.

NWPRA states that the future transfer of these easements will imbue NCRA with all carrier rights and responsibilities and that NWPRA will remain a noncarrier holder of the underlying real estate. NWPRA thus states that it intends in the near future to file either a Motion to Dismiss this Notice or a Petition for a Declaratory Order requesting that it be designated as a noncarrier.

If the verified notice contains false or misleading information, the exemption is void *ab initio.* Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32910, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on David J. Miller, Esq., Hanson, Bridgett, Marcus, Vlahos & Rudy, 333 Market Street, Suite 2300, San Francisco, CA 94105.

Decided: May 9, 1996.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96–12455 Filed 5–16–96; 8:45 am]

BILLING CODE 4915–00–P

[4] *See Golden Gate Bridge, Highway & Transportation District—Acquisition Exemption—Northwestern Pacific Railroad Company and Southern Pacific Transportation Company,* Finance Docket No. 31689 (ICC served July 5, 1990).

Surface Transportation Board [1]

[STB Finance Docket No. 32907]

Ormet Railroad Corporation; Acquisition and Operation Exemption; Consolidated Rail Corporation

Ormet Railroad Corporation of Wheeling, WV (ORC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Consolidated Rail Corporation's Omal Secondary Track from milepost 60.5 at Powhatten Point, to the end of the line, milepost 72.7 at Omal, a distance of 12.2 miles in Monroe County, OH.

ORC will assume the common carrier obligation associated with the line, holding itself out to render common carrier service by railroad. Consolidated Rail Corporation will perform the operations on the line, solely pursuant to a private contractual arrangement, on behalf of and for the account of ORC.

Consummation was to be on or after April 30, 1996. If the verified notice contains false or misleading information, the exemption is void *ab initio.* Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32907, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Fritz R. Kahn, Esq., Suite 750 West, 1100 New York Avenue NW., Washington, DC 20005–3934.

Decided: May 10, 1996.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96–12456 Filed 5–16–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

Surface Transportation Board [1]

[STB Finance Docket No. 32899] [2]

Owensville Terminal Company, Inc.; Acquisition and Operation Exemption—Poseyville & Owensville Railroad Company, Inc.

Owensville Terminal Company, Inc. (OTC), a noncarrier, filed a notice of exemption to acquire from Poseyville & Owensville Railroad Company, Inc. (P&O), and operate approximately 11.2 miles of rail branch line in Gibson and Posey Counties, IN, between milepost 271.0 in Poseyville and milepost 282.2 in Owensville.[3] The transaction was to be consummated on or after April 19, 1996.[4]

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32899, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Robert P. vom Eigen, Esq., Hopkins & Sutter, 888 16th Street NW., Washington, DC 20006.

Decided: April 29, 1996.

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

[2] This notice corrects the notice previously served and published in the Federal Register on May 7, 1996. The prior notice erroneously stated that Owensville Terminal Company, Inc., is a subsidiary of RailAmerica, Inc.

[3] P&O owns the line and operates it as a branch line, using equipment and labor supplied under contract by Garden Spot & Ohio Railroad (GS&O). The line connects with GS&O at Poseyville.

[4] P&O was placed into receivership by the Gibson County Superior Court, Gibson County, IN, in Cause No. 26001–9303–CP–0010. On March 19, 1993, the court appointed Robert W. Musgrave (Musgrave) receiver for P&O. Pursuant to a March 26, 1996 court order, Musgrave agreed to sell the line (real estate, leases and licenses, track, ties, and other track materials) to RailAmerica, Inc. (Rail America), a Delaware corporation. RailAmerica, in turn, will assign its rights and interests in the line to OTC, and Huron and Eastern Railway Company, Inc. (Huron), will supply the labor and equipment, as needed, for OTC to operate the line. OTC and Huron are Michigan corporations, and Huron is a RailAmerica subsidiary.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96–12457 Filed 5–16–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[STB Docket No. AB–55 (Sub-No. 526X)]

CSX Transportation, Inc.; Abandonment Exemption; in Berkeley County, WV

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR1152 Part Subpart F—*Exempt Abandonments* to abandon 1.29 miles of its line of railroad from milepost BBQ–1.64 to milepost BBQ–2.93 near Berkeley, in Berkeley County, WV.

CSXT has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on June 16, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[3] and trail use/rail banking requests under 49 CFR 1152.29 [4] must be filed by May 28, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 6, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, 500 Water Street, J150, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 22, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927–6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: May 13, 1996.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96–12458 Filed 5–16–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903.

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Service Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] *See Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[4] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

May 10, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue NW., Washington, DC 20220.

Bureau of Alcohol, Tobacco and Firearms (BATF)

OMB Number: 1512–0163.
Form Number: ATF F 5210.5 (3068).
Type of Review: Extension.
Title: Manufacture of Tobacco Products Monthly Report.
Description: ATF F 5210.5 (3068) documents a tobacco products manufacturer's accounting of cigars and cigarettes. The form describes the tobacco products manufactured, articles produced, received, disposed of and statistical classes of large cigars. ATF examines and verifies entries on these reports so as to identify unusual activities, errors and omissions.
Respondents: Business or other for-profit.
Estimated Number of Respondents: 101.
Estimated Burden Hours Per Respondent: 1 hour.
Frequency of Response: Monthly.
Estimated Total Reporting Burden: 1,212 hours.

OMB Number: 1512–0200.
Form Number: ATF F 5110.31.
Type of Review: Extension.
Title: Application and Permit to Ship Puerto Rican Spirits to the United States Without Payment of Tax.
Description: ATF F 5110.31 is used to allow a person to ship spirits in bulk into the U.S. The form identifies the person in Puerto Rico from where shipments are to be made, the person in the United States receiving the spirits, amounts of spirits to be shipped, and the bond of the U.S. person to cover taxes on such spirits.
Respondents: Business or other for-profit.
Estimated Number of Respondents: 20.
Estimated Burden Hours Per Respondent: 45 minutes.
Frequency of Response: On occasion.
Estimated Total Reporting Burden: 450 hours.

OMB Number: 1512–0372.
Recordkeeping Requirement ID Number: ATF REC 5400/2.
Type of Review: Extension.
Title: Records and Supporting Data: Daily Summaries, Records and

Production, Storage, and Disposition, and Supporting Data by Licensed Explosives Manufacturers, and Manufacturers (Limited).

Description: These records, prepared by explosives manufacturers and explosives manufacturers (Limited) provide ATF with the ability to race explosives used in crime.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 1,053.

Estimated Burden Hours Per Recordkeeper: 15 minutes.

Frequency of Response: Weekly.

Estimated Total Recordkeeping Burden: 68,835 hours.

OMB Number: 1512–0467.

Form Number: ATF 5000.24.

Type of Review: Extension.

Title: Excise Tax Return—Alcohol and Tobacco.

Description: Businesses report their Federal excise tax liability on distilled spirits, wine, beer, tobacco products, cigarette papers and tubes on ATF F 5000.24. ATF needs this form to identify the taxpayer and to determine the amount and type of taxes due and paid.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 2,800.

Estimated Burden Hours Per Respondent: 42 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 35,280 hours.

OMB Number: 1512–0497.

Form Number: ATF F 5000.25.

Type of Review: Extension.

Title: Excise Tax Return—Alcohol and Tobacco (Puerto Rico).

Description: Businesses in Puerto Rico report their Federal excise tax liability on distilled spirits, wine, beer, tobacco products, cigarette papers and tubes on ATF F 5000.24. ATF needs this form to identify the taxpayer and to determine the amount and type of taxes due and paid.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 30.

Estimated Burden Hours Per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 130 hours.

Clearance Officer: Robert N. Hogarth, (202) 927–8930, Bureau of Alcohol, Tobacco and Firearms Room 3200, 650 Massachusetts Avenue, NW., Washington, DC 20226.

OMB Reviewer: Milo Sunderhauf, (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 96–12430 Filed 5–16–96; 8:45 am]

BILLING CODE 4810–31–P

Submission to OMB for Review; Comment Request

May 9, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Internal Revenue Service (IRS)

OMB Number: 1545–1005.

Regulation ID Number: PS–62–87 Final.

Type of Review: Extension.

Title: Low-Income Housing Credit for Federally-Assisted Buildings.

Description: The rule requires the taxpayer (low-income building owner) to seek a waiver in writing from the IRS concerning low-income buildings acquired during a special 10-year period in order to avert a claim against a Federal mortgage insurance fund.

Respondents: Business or other for-profit, Individuals or households, Not-for-profit institutions, Federal Government, State, Local or Tribal Government.

Estimated Number of Respondents: 1,000.

Estimated Burden Hours Per Respondent: 3 hours.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 3,000 hours.

OMB Number: 1545–1011.

Regulation ID Number: Notice 87–61, LR–130–86 Announcement.

Type of Review: Extension.

Title: Long-Term Contracts; Methods of Accounting Under Tax Reform.

Description: These reporting requirements are necessary to permit taxpayers to change their methods of accounting for long-term contracts to comply with section 460 of the Internal Revenue Code.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 5,000.

Estimated Burden Hours Per Respondent: 5 hours.

Frequency of Response: Other (for the first taxable year the taxpayer changes its method).

Estimated Total Reporting Burden: 25,000 hours.

OMB Number: 1545–1244.

Regulation ID Number: PS–39–89 NPRM.

Type of Review: Extension.

Title: Limitation on Passive Activity Losses and Credits—Treatment of Self-Charged Items of Income and Expense.

Description: The IRS will use this information to determine whether the entity has made a proper timely election and to determine that taxpayers are complying with the election in the taxable year of the election and subsequent taxable years.

Respondents: Business or other for-profit, Individuals or households.

Estimated Number of Respondents: 1,000.

Estimated Burden Hours Per Respondent: 6 minutes.

Frequency of Response: Other (first taxable year that entity seeks to make election).

Estimated Total Reporting Burden: 100 hours.

Clearance Officer: Garrick Shear (202) 622–3869, Internal Revenue Service, Room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 96–12431 Filed 5–16–96; 8:45 am]

BILLING CODE 4830–01–P

Submission to OMB for Review; Comment Request

May 10, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Internal Revenue Service (IRS)

OMB Number: 1545–1005.

Form Number: IRS Form 5074.

Type of Review: Extension.

Title: Low-Income Housing Credit for Federally-Assisted Buildings.

Description: Form 5074 is used by U.S. citizens or residents as an attachment to Form 1040 when they have $50,000 income from U.S. sources and $5,000 from Guam or Northern Mariana Islands. The data is used by IRS to allocate income tax due to Guam or CNMI as required by 26 U.S.C. 7654.

Respondents: Individuals or households.

Estimated Number of Respondents/Recordkeepers: 50.

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping—2 hr., 57 min.

Learning about the law or the form—7 min.

Preparing the form—42 min.

Copying, assembling, and sending the form to the IRS—17 min.

Frequency of Response: Annually.

Estimated Total Reporting/Recordkeeping Burden: 203 hours.

Clearance Officer: Garrick Shear (202) 622–3869, Internal Revenue Service, Room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 96–12432 Filed 5–16–96; 8:45 am]

BILLING CODE 4830–01–P

Corrections

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. 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 THE INTERIOR

Bureau of Land Management

[ID-933-1430-01; IDI-31741]

Notice of Public Meetings for Proposed Land Withdrawal: Idaho

Correction

In notice document 96–10652 beginning on page 19083 in the issue of Tuesday, April 30, 1996, make the following corrections:

1. On page 19084, in the first column, in the land description under ''*(Emitters)*'', in T. 9 S., R. 6 E., in Sec. 15, ''NW½'' should read ''NW¼''.

2. On the same page, in the same column, in the land description under ''*(Emitters)*'', in T. 13 S., R. 9 E., in Sec. 10, ''NE½'' should read ''NE¼''.

BILLING CODE 1505–01–D

NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board

[Docket No. 50–160–Ren; ASLBP No. 95–704–01–Ren]

Georgia Institute of Technology, Atlanta, Georgia; Georgia Tech Research Reactor; (Renewal of Facility License No. R–97)

Correction

In notice document 96–11045, beginning on page 19961, in the issue of Friday, May 3, 1996, make the following corrections:

1. On page 19961, in the third column, in the third full paragraph, in the ninth line, ''is''should read ''if''.

2. On the same page, in the same column, in the fourth full paragraph, in the second line, ''10 CFR 2.75(a)'' should read ''10 CFR 2.715(a)''.

BILLING CODE 1505–01–D

federal register

Friday
May 17, 1996

Part II

Office of Personnel Management

SES Positions That Were Career Reserved During 1995; Notice

OFFICE OF PERSONNEL MANAGEMENT

SES Positions That Were Career Reserved During 1995

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 1995.

FOR FURTHER INFORMATION CONTACT: Charles Vaughn, Office of Executive Resources, (202) 606–1927.

SUPPLEMENTARY INFORMATION: To fulfill the requirements of 5 U.S.C. 3132(b)(4), OPM is publishing a consolidated list of the titles of career reserved positions in the SES. The following list includes SES positions that were career reserved any time in calendar year 1995, whether or not they were still career reserved on December 31, 1995.

Office of Personnel Management.

James B. King,

Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995

Agency organization	Career reserved positions
ADMINISTRATIVE CONFERENCE OF THE U.S. (TERM 10/31/95):	
ORGANIZATION ABOLISHED	EXECUTIVE DIRECTOR.
	RESEARCH DIRECTOR.
	GENERAL COUNSEL.
ADVISORY COUNCIL ON HISTORIC PRESERVATION:	
OFC OF THE EXEC DIRECTOR	EXECUTIVE DIRECTOR.
DEPARTMENT OF AGRICULTURE:	
OFC OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATION.
	ASST INSPECTOR GENERAL FOR AUDIT.
	DEP ASST INSPECTOR GENERAL FOR AUDIT.
	DEP ASST INSPECTOR GENERAL FOR AUDIT.
	ASST INSPECTOR GENERAL FOR POL DEV & RES MGMT.
	DEP ASST INSPECTOR GENERAL FOR INVEST IMMEDIATE OFFICE.
OFFICE OF ASST SEC'Y ADMINISTRATION	DEPUTY CHIEF FINANCIAL OFFICER.
OFFICE OF OPERATIONS	DIRECTOR OFFICE OF OPERATIONS.
OFFICE OF FINANCE AND MANAGEMENT	DIRECTOR, APPLICATIONS SYSTEMS DIVISION.
	DIR, INFO RESOURCES MANAGEMENT DIVISION.
	DIRECTOR, FINANCIAL SERVICES DIVISION.
	DIR, THRIFT SAVINGS PLAN DIVISION.
FARMERS HOME ADMINISTRATION	ASSISTANT ADMINISTRATOR, FINANCE OFFICE.
	CONTROLLER.
FEDERAL CROP INSURANCE CORPORATION	ASSISTANT MANAGER FOR ADMINISTRATION.
	ASSISTANT MANAGER FOR INSURANCE SERVICES.
	ASST MANAGER FOR RESEARCH & DEVELOPMENT.
AGRICULTURAL MARKETING SERVICE	DIRECTOR, FRUIT & VEGETABLE DIVISION.
	DIRECTOR, COTTON DIVISION.
	DIRECTOR, DAIRY DIVISION.
	DIRECTOR, LIVESTOCK DIVISION.
	DIRECTOR, TOBACCO DIVISION.
	AGRICULTURAL MARKETING SVC, DIR POULTRY DIV.
	DIRECTOR, COMPLIANCE STAFF.
	DIRECTOR.
	DIRECTOR.
ANIMAL & PLANT HEALTH INSPECTION SERVICE	DEP ADMR, REGULATORY ENFORCEMENT/ANIMAL CARE.
VETERINARY SERVICES	DIRECTOR, NORTHERN REGION.
	DIRECTOR, WESTERN REGION.
	DIRECTOR, SOUTH CENTRAL REGION.
	DEP ADMR, ANIMAL DAMAGE CONTROL.
	DIR, NATL CTR FOR VETERINARY EPIDEMIOLOGY.
PLANT PROTECTION & QUARANTINE SERVICE	DEP ADMR, INTERNATIONAL SERVICES.
	DIRECTOR, NORTHEASTERN REGION.
	DIRECTOR, SOUTH CENTRAL REGION.
	DIRECTOR, WESTERN REGION.
	DIRECTOR OPERATIONAL SUPPORT PPQ.
FEDERAL GRAIN INSPECTION SERVICE	DIR FIELD MANAGEMENT DIVISION.
FOOD SAFETY AND INSPECTION SERVICE	ASST DEPUTY ADMIN TECHNICAL SERVICES.
	DEP ADMIR–ADMINISTRATIVE MGMT.
	DIR NORTHEAST REGION, PHILA., PA.
	REGL DIRECTOR, ATLANTA GEORGIA.
	DIR, NORTH CENTRAL REGION, DES MOINES, IOWA.
	DIRECTOR, SOUTHWESTERN REGION, DALLAS, TEXAS.
	ASST DEP ADMR COMP & STAFF OPERATIONS.
	ASST DEP ADMIN (ADMIN MGT).
	ASST TO THE DEP ADMR INTERNATIONAL PROGRAMS.
	ASST DEPUTY ADMINISTRATOR.
	REGIONAL DIRECTOR.
	ASSOCIATE DEPUTY ADMINISTRATOR.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASSOCIATE ADMINISTRATOR.
	DEPUTY ADMINISTRATOR.
	MATRIX MANAGER, TRACK II.
	DEPUTY ADMINISTRATOR.
	DIRECTOR.
	DEPUTY ADMINISTRATOR.
	DEPUTY ADMINISTRATOR.
	U.S. COORDINATOR FOR CODEX ALIMENTARIUS.
	DEPUTY DIRECTOR.
	DIR ANIMAL PRODUCTION FOOD SAFETY STAFF.
FOOD & NUTRITION SERVICE	DEPUTY ADMIN FOR FINANCIAL MANAGEMENT.
	DEPUTY ADMR FOR MANAGEMENT.
AGRICULTURAL STABILIZATION & CONSERVATION SERVICE	DIRECTOR, BUDGET DIVISION.
FOREIGN AGRICULTURAL SERVICE	DIR, GRAIN & FEED DIV.
	ASSISTANT DEPUTY ADMINISTRATOR MANAGEMENT.
AGRICULTURE RESEARCH SERVICE	DEP ADMR FOR ADM MGMT.
	ASSOC DEP ADMIN FOR ADMINISTRATIVE MANAGEMENT.
	ASST ADMINISTRATOR FOR TECHNOLOGY TRANSFER.
	GLOBAL CHANGE RESEARCH STAFF ASSISTANT.
NATIONAL PROGRAM STAFF OFFICE	DEPUTY ADMINISTRATOR NATIONAL PROGRAM STAFF.
	ASSOC DEP ADMR.
	ASSOCIATE DEP ADMINISTRATOR, ANIMAL SCIENCES.
BELTSVILLE AREA OFFICE	DIRECTOR BELTSVILLE AREA OFFICE.
	ASSOC DIR BELTSVILLE AREA.
	ASSOC DEP ADMR, NATURAL RESOURCES/SYSTEMS.
	ASSOCIATE DEPUTY ADMIN GENETIC RESOURCES.
	ASSOCIATE DEPUTY ADMINISTRATOR.
	SUPERVISORY RESEARCH CHEMIST.
	DIR US NATIONAL ARBORETUM.
	DIR BELTSVILLE HUMAN NUTRITION RESEARCH CTR.
	DIRECTOR, PLANT SCIENCES INSTITUTE.
NORTH ATLANTIC AREA OFFICE	DIRECTOR, EASTERN REGL RESEARCH CENTER.
	RESEARCH PROGRAMS DIRECTOR.
	DIRECTOR, NORTH ATLANTIC AREA.
	ASSOC DIR, NORTH ATLANTIC AREA.
	DIRECTOR, PLUM ISLAND ANIMAL DISEASE CENTER.
SOUTH ATLANTIC AREA OFFICE	RES LEADER-PLANT PHYSIO & PHOTOSYNTHESIS RES.
	ASSOCIATE DIR, SOUTH ATLANTIC AREA.
	DIRECTOR, RUSSELL RESEARCH CENTER.
	SUPERVISORY RESEARCH GENETICIST.
	SUPERVISORY RESEARCH PHYSIOLOGIST.
	DIRECTOR, SOUTH ATLANTIC AREA.
MIDWEST AREA OFFICE	DIR, MIDWEST AREA.
	ASSOC DIR, MIDWEST AREA.
	SUPERVISORY VETERINARY MEDICAL OFFICER.
	SUPERVISORY RESEARCH CHEMIST.
	SUPERVISORY RESEARCH GENETICIST (PLANTS).
	DIR, NATL CTR FOR AGRI UTILIZATION.
MIDSOUTH AREA OFFICE	DIR, SOUTHERN REGIONAL RES CENTER, NEW ORLEANS.
	DIRECTOR, MID-SOUTH AREA.
CENTRAL PLAINS AREA OFFICE	DIR, NATL ANIMAL DISEASE CENTER.
SOUTHERN PLAINS AREA OFFICE	DIRECTOR, SOUTHERN PLAINS AREA.
	DIR, SUBTROPICAL AGRICULTURAL RES LABORATORY.
	RESEARCH LEADER F & F SAFETY RES LABORATORY.
NORTHERN PLAINS AREA OFFICE	DIRECTOR, NORTHERN PLAINS AREA.
	ASSOCIATE DIRECTOR, NORTHERN PLAINS AREA OFC.
	DIR, R.L. HRUSKA US MEAT ANIMAL RES CENTER.
	SUPERVISORY SOIL SCIENTIST.
PACIFIC WEST AREA OFFICE	DIRECTOR, WESTERN REGIONAL RESEARCH CENTER.
	DIR, WESTERN HUMAN NUTRITION RESEARCH CENTER.
	DIRECTOR, PACIFIC WEST AREA OFFICE.
	ASSOCIATE DIRECTOR, PACIFIC WEST AREA OFFICE.
	DIR, WESTERN COTTON RESEARCH LABORATORY.
	SUPERVISORY SOIL SCIENTIST.
	SUPERVISORY SOIL SCIENTIST.
COOPERATIVE STATE RESEARCH SERVICE	ASSOC ADMINISTRATOR FOR GRANTS & PROGRAM SYS.
SOIL CONSERVATION SERVICE	DIRECTOR, ENGINEERING DIVISION.
	DIR, ECOLOGICAL SCIENCES AND TECHNOLOGY DIVISION.
	DEPUTY CHIEF FOR MANAGEMENT.
	DIR, CONSV PLANNING AND APP.
	DIR, COMMUNITY ASST & RES DEVELOPMENT DIV.
	ASSOCIATE DEPUTY CHIEF FOR MANAGEMENT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR, SOILS (SOIL SCIENTIST).
	DIR, LAND TREATMENT PROGRAM.
	ASSOCIATE DEPUTY CHIEF FOR TECHNOLOGY SCI TEC.
	DIRECTOR, STRATEGIC PLANNING DIVISION.
	DIR, BIOLOGICAL CONSERVATION SCIENCES DIVISION.
	DIR, QUALITY MANAGEMENT & PROG EVAL DIVISION.
	NATIONAL INFORMATION RES MGMT LEADER.
	DIR, CONSERVATION & ECOSSYSTEM ASST DIVISION.
FOREST SERVICE	DEP CHF FOR ADMINISTRATION.
	ASSOCIATE DEPUTY CHIEF-ADMINISTRATION.
	DIR, FOREST PEST MGMT STAFF.
	DIR, FISCAL & ACCOUNTING SERVICES.
	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.
	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, LANDS STAFF.
	DIR LAND MANAGEMENT PLANNING STAFF.
	DIR, WILDLIFE & FISHERIES MGMT STAFF.
	IPA ASSIGNMENT.
STATE & PRIVATE FORESTRY	DIR COOPERATIVE FORESTRY.
FIELD UNITS	NE AREA DIR, STATE & PRIVATE FORESTRY, U DARB.
	DIR N EASTERN FOREST EXPERIMENT 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.
	DIRECTOR, FOREST PRODUCTS LABORATORY.
	DEP DIR FOREST PRODUCTS LAB.
INTERNATIONAL FOREST SYSTEM	ASSOCIATE DEPUTY CHIEF.
	DIR INTERNATIONAL INSTITUTE OF TROPICAL FOREST.
OFFICE OF ASST SECY FOR ECONOMICS	DIR OFC OF RISK ASSESSMENT & COST-BENEFIT ANL.
ECONOMIC RESEARCH SERVICE	ASSOCIATE ADMINISTRATOR-ECONOMIC RSCH SVC.
	DIRECTOR AGRICULTURE & TRADE ANALYSIS DIV.
	DIRECTOR COMMODITY ECONOMICS DIVISION.
	DIRECTOR RESOURCES & TECHNOLOGY DIVISION.
	DIRECTOR AGRICULTURE & RURAL ECON DIVISION.
	DEP ADMIN FOR INFO RES & MGT OPER.
	DIR, NATURAL RES & ENVIRONMENT DIVISION.
	DIRECTOR, INFORMATION SERVICES DIVISION.
	DIRECTOR, COMMERCIAL AGRICULTURE DIVISION.
	DIRECTOR, RURAL ECONOMY DIVISION.
ECONOMICS MANAGEMENT STAFF	DIRECTOR, ECONOMICS MANAGEMENT STAFF.
NATIONAL AGRICULTURAL STATISTICS SERVICE	ADMR, NATIONAL AGRICULTURAL STATISTICS SERV.
	DEPUTY ADMINISTRATOR FOR OPERATIONS.
	DIR ESTIMATES DIV.
	DIR, STATE STATISTICAL DIVISION.
	DEPUTY ADMINISTRATOR FOR PROGRAMS.
	DIR, SYSTEMS & INFORMATION DIVISION.
	DIRECTOR, SURVEY MANAGEMENT DIVISION.
WORLD AGRICULTURAL OUTLOOK BOARD	DEP CHAIRPERSON.
OFFICE OF ENERGY	DIRECTOR, OFFICE OF ENERGY.
AMERICAN BATTLE MONUMENTS COMMISSION:	
OFFICE OF EXECUTIVE DIRECTOR	EXECUTIVE DIRECTOR.
BOARD FOR INTERNATIONAL BROADCASTING (TERM 10/1/95):	
BOARD STAFF	EXEC DIRECTOR.
	DEP EXEC DIRECTOR/DIRECTOR OF PROGRAM REVIEW.
	GENERAL COUNSEL.
	DIRECTOR OF FINANCIAL & CONGRESSIONAL AFFAIRS.
	INSPECTOR GENERAL.
DEPARTMENT OF COMMERCE:	
OFFICE OF LEGISLATIVE & INTERGOVERNMENTAL AFFAIRS	DEP ADMIN FOR LEGISLATIVE & INTERNAL AFFAIRS.
OFFICE OF THE GENERAL COUNSEL	ASST GENERAL COUNSEL FOR FINANCE & LITIGATION.
	DIRECTOR, OFFICE OF INTELLIGENCE LIAISON.
OFC OF ASST SECY FOR ADMINISTRATION	DIR FOR FEDERAL ASST & MANAGEMENT SUPPORT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR FOR FINANCIAL MANAGEMENT.
DIRECTOR FOR MANAGEMENT AND INFORMATION	DIR, FOR INFORMATION RESOURCES MANAGEMENT.
DIRECTOR FOR PROCUREMENT & ADMINISTRATIVE SERVICES.	DIRECTOR FOR PROCUREMENT & ADMIN SERVICES.
	DIRECTOR, OFFICE OF SECURITY.
	DEPUTY DIRECTOR FOR PROCUREMENT.
OFFICE OF HUMAN RESOURCES MANAGEMENT	DIRECTOR FOR HUMAN RESOURCES MANAGEMENT.
	DEP DIR OF HUMAN RESOURCES MANAGEMENT.
DIRECTOR FOR PLANNING BUDGET AND EVALUATION	DIRECTOR, OFFICE OF BUDGET.
ECONOMICS AND STATISTICS ADMINISTRATION	DEP ASST SECY FOR STATISTICAL AFFAIRS.
	DIR OFFICE OF BUSINESS ANALYSIS.
BUREAU OF ECONOMIC ANALYSIS	DIRECTOR.
	DEP DIR, BUR OF ECONOMIC ANALYSIS.
	ASSOC DIR FOR NATL ECONOMIC ACCOUNTS.
	ASSOC DIR FOR REGIONAL ECONOMICS.
	ASSOC DIR FOR INTERNATIONAL ECONOMICS.
	CHIEF ECONOMIST.
	CHF STATISTICIAN.
	CHF NATL INCOME & WEALTH DIV.
	CHIEF, BUSINESS OUTLOOK DIV.
	CHIEF INTERNATIONAL INVESTMENT DIVISION.
BUREAU OF THE CENSUS	DEP DIR.
	PRINCIPAL ASSOC DIR & CHIEF FINANCIAL OFFICER.
	PRINCIPAL ASSOCIATE DIRECTOR FOR PROGRAMS.
	CHIEF ADMIN & PUBLICATIONS SERVICES DIVISION.
	COMPTROLLER.
	SENIOR PROGRAM ANALYST.
	ASSOC DIR FOR PLANNING & ORGAN DEVELOPMENT.
	ASSOCIATE DIRECTOR FOR ADMINISTRATION.
	ASSOC DIR FOR INFORMATION TECHNOLOGY.
	CHIEF, COMPUTER SERVICES DIVISION.
DEMOGRAPHIC PROGRAMS	ASSOCIATE DIR FOR DEMOGRAPHIC PROGS.
	CHF, POPULATION DIV.
	CHIEF DEMOGRAPHIC SURVEYS DIVISION.
	CHF, HOUSING & HOUSEHOLD ECON STATISTICS DIV.
	CHIEF, STATISTICAL METHODS DIVISION.
DECENNIAL CENSUS	ASSOCIATE DIRECTOR FOR THE DECENNIAL CENSUS.
	ASSISTANT DIRECTOR FOR DECENNIAL CENSUS.
	CHF, GEOGRAPHY DIV.
	CHIEF DECENNIAL MANAGEMENT DIVISION.
	CHIEF, DECENNIAL STATISTICAL STUDIES DIV.
STATISTICAL DESIGN METHODOLOGY AND STANDARDS	ASSOC DIR FOR STATISTICAL STANDARDS & METHODO.
	CHIEF STATISTICAL RESEARCH DIVISION.
FIELD OPERATIONS	ASSOC DIR FOR FIELD OPERATIONS.
	CHIEF, FIELD DIVISION.
	CHIEF, DATA PREPARATION DIVISION.
ECONOMIC PROGRAMS	ASSOCIATE DIRECTOR FOR ECONOMIC PROGRAMS.
	ASSISTANT DIRECTOR FOR ECONOMIC PROGRAMS.
	CHIEF, AGRICULTURE DIV.
	CHIEF, SERVICES DIVISION.
	CHF, ECONOMIC PLANNING & COORDINATION DIV.
	CHF, FOREIGN TRADE DIV.
	CHF, GOVERNMENT DIV.
	CHF, MANUFACTURING & CONSTRUCTION DIVISION.
	CHF, ECONOMIC STATISTICAL M & P DIVISION.
INSTITUTE FOR TELECOMMUNICATIONS SCIENCES	ASSOC ADMR FOR TELECOMMUNICATIONS SCIENCE.
	DEPUTY DIR FOR SYSTEMS & NETWORKS.
	DEPUTY DIRECTOR FOR SPECTRUM.
ECONOMIC DEVELOPMENT ADMINISTRATION	DEP DIRECTOR FOR PROGRAM OPERATIONS.
OFC OF THE INSPECTOR GENERAL	ASSISTANT INSPECTOR GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	ASST INSP GEN FOR COMPL & AUDIT RESOLUTION.
	DEPUTY ASSISTANT INSPECTOR GEN FOR AUDITING.
	ASST INSP GEN FOR PLNG, EVAL & INSPECTIONS.
	COUNSEL TO THE INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR SYST EVALUATION.
OFC OF THE UNDER SEC FOR EXPORT	DIRECTOR OF ADMINISTRATION.
	DEP ASST SECRY FOR XORT ENFORCEMENT.
OFC OF ASST SECY FOR TRADE DEVELOPMENT	DIRECTOR OFFICE OF CONSUMER GOODS.
OFC OF DEP ASST SECY FOR COMPLIANCE	DIR, OFFICE OF AGREEMENTS COMPLIANCE.
	DIR, OFFICE OF ANTIDUMPING COMPLIANCE.
OFC OF DEP ASST SECY FOR INVESTIGATIONS	DIR, OFFICE OF ANTIDUMPING INVESTIGATIONS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR, OFFICE OF COUNTERVAILING INVESTIGATIONS.
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION	DIR FOR HIGH PERFORMANCE COMPUTING COMMUN.
	DIR, NOAA COASTAL OCEAN PROGRAM OFFICE.
SYSTEMS PROGRAM OFFICE	DIRECTOR, SYSTEMS ENGINEERING STAFF.
	NEXRAD PROGRAM MANAGER.
	GOES PROGRAM MANAGER.
	CHF/AWI INTERACTIVE PROCESSING SYSTEM/ 1990'S.
	FLEET MODERNIZATION PROGRAM MANAGER.
OFFICE OF ADMINISTRATION	DIR FOR INFORMATION SYSTEMS & FINANCE.
	DIR FOR HUMAN RESOURCES MANAGEMENT.
	DIR FOR PROCUREMENT, GRANTS & ADM SERVICES.
NATIONAL MARINE FISHERIES SERVICE	SENIOR ADVISOR FOR INTERNATIONAL RELATIONS.
	SENIOR SCIENTIST FOR FISHERIES.
	DIR, OFC OF RESEARCH & ENVIRONMENAL INFO.
	DIRECTOR, OFFICE OF HABITAT PROTECTION.
FISHERIES RESOURCE MANAGEMENT	DIRECTOR, OFFICE OF ENFORCEMENT.
FISHERIES CENTERS	SCIENCE & RESEARCH DIR NORTHEAST REGION.
	SCIENCE & RESEARCH DIR.
	SCIENCE & RESEARCH DIR SOUTHWEST REGION.
	SCIENCE & RESEARCH DIR.
	SCIENCE AND RESEARCH DIRECTOR.
NATL ENVIRON SATELLITE, DATA & INFO SERVICES	SATELLITE SYSTEMS PROGRAM MANAGER.
	SENIOR ADVISOR FOR DATA SYSTEMS.
DEPUTY ASST ADMR FOR SATELLITES.	DIR, NATL OCEANOGRAPHIC DATA CENTER.
	DIRECTOR, NATIONAL CLIMATIC DATA CENTER.
	DIR, NATIONAL GEOPHYSICAL DATA CENTER.
	SYSTEMS PROGRAM DIRECTOR.
	DIR OFC OF SYS DEVELOPMENT.
OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH	DIRECTOR, FORECAST SYSTEMS LABORATORY.
OFFICE OF OCEANIC RESEARCH PROGRAMS	DEP DIR, OFC OF OCEANIC RESEARCH PROGRAMS.
	PROGRAM DIRECTOR FOR WEATHER RESEARCH.
	DEP ASST ADMR FOR EXTRAMURAL RESEARCH.
ENVIRONMENTAL RESEARCH LABORATORIES	DEP DIR, ENVIRONMENTAL RESEARCH LABORATORIES.
	DIR CLIMATE MONITORING & DIAGNOSTICS LAB
ATLANTIC OCEANOGRAPHIC AND METEOROLOGICAL LABS	DIR, ATLANTIC OCEANOGRAPHIC & METEOROLOGICAL.
	DIR, SPACE ENVIRONMENT LABORATORY.
WAVE PROPAGATION LAB	DIRECTOR.
AERONOMY LAB	DIRECTOR, AERONOMY LABORATORY.
GEOPHYSICAL FLUID DYNAMICS LABORATORIES	DIRECTOR.
	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.
NATIONAL OCEAN SERVICES	DIR, OFFICE OF OCEAN & EARTH SCIENCES.
	SENIOR SCIENTIST FOR OCEAN SERVICES.
	CHIEF, OCEAN OBSERVATION DIVISION.
	CHIEF OCEAN & LAKE LEVELS DIVISION.
OCEAN RESOURCES CONSERVATION AND ASSESSMENT	CHF, STRATEGIC ENVIRONMENTAL ASSESSMENTS DIV.
	CHF, HAZARDOUS MATERIALS R & A DIVISION.
	CHIEF COASTAL MONITORING BIOEFFECTS ASSES DIV.
COAST AND GEODETIC SERVICES	DIR, OFC OF AERONAUTICAL CHARTING/CARTOGRAPHY.
NATIONAL WEATHER SERVICE	ASOS PROGRAM MANAGER.
	DIRECTOR, NOAA DATA BUOY OFFICE.
	CHIEF, MANAGEMENT AND BUDGET STAFF.
	CHIEF, INTERNATIONAL AFFAIRS DIVISION.
	CHF, OFC OF THE FED COORDINATOR FOR METEOROLG.
	DEPUTY ASSISTANT ADMINISTRATOR FOR OPERATIONS.
	DIR, NEXRAD OPERATIONAL SUPPORT FACILITY.
	DIRECTOR, STORM PREDICTION CENTER.
	DIRECTOR, MARINE PREDICTION CENTER.
OFFICE OF METEOROLOGY	DIR, OFFICE OF METEOROLGY.
	CHIEF SERVICE 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	CHIEF, ENGINEERING DIVISION.
	CHIEF, SYSTEMS OPERATIONS CENTER.
	CHIEF, SYSTEMS INTEGRATION DIVISION.
	DIR, OFFICE OF SYSTEMS OPERATIONS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
OFFICE OF SYSTEMS DEVELOPMENT	DIRECTOR, OFFICE OF SYSTEMS DEVELOPMENT.
	CHIEF, INTEGRATED SYSTEMS LABORATORY.
	CHIEF, TECHNIQUES DEVEL LABORATORY.
	CHIEF, ADVANCED DEVEL & DEMONSTRATION LAB.
	DEP DIR, OFFICE OF SYSTEMS DEVELOPMENT.
NATIONAL METEROLOGICAL CTR	DIRECTOR NATIONAL METEOROLOGICAL CENTER.
	DEPUTY DIRECTOR.
	DIRECTOR, CLIMATE ANALYSIS CENTER.
	CHIEF, AUTOMATION DIVISION.
	CHIEF, DEVELOPMENT DIV.
	CHF, METEOROLOGICAL OPERATIONS DIVISION.
	DIR, NATL SEVERE STORMS FORECAST CENTER.
	DIRECTOR NATL HURRICANE CENTER.
REGIONAL OFFICES & CENTERS	DIR SOUTHERN REGION, FT WORTH.
	DIR, SALT LAKE CITY REGION.
	DIR, ALASKA REGION, ANCHORAGE.
	DIR EASTERN REGION NWS.
	DIRECTOR CENTRAL REGION.
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY	DIRECTOR FOR QUALITY PROGRAMS.
	DEP DIR, OFC OF QUALITY PROGRAMS.
	ASSOC DIR FOR TECH & BUSINESS ASSESSMENT.
	DIRECTOR, PROGRAM OFFICE.
OFFICE OF ASSOCIATE DIRECTOR	DEPUTY DIRECTOR FOR INTERNATIONAL AFFAIRS.
ADVANCED TECHNOLOGY PROGRAM	DEP DIRECTOR, ADVANCED TECHNOLOGY PROGRAM.
	DIRECTOR, ADVANCED TECHNOLOGY PROGRAM.
TECHNOLOGY SERVICES	DEPUTY DIRECTOR, TECHNOLOGY SERVICES.
	DIR, OFC OF TECHNOL EVALUATION & ASSESSMENT.
	ASSOCIATE DIRECTOR FOR PROGRAM QUALITY.
OFFICE OF TECHNOLOGY COMMERCIALIZATION	DIR, OFFICE OF TECHNOLOGY COMMERCIALIZATION.
OFFICE OF MEASUREMENT SERVICES	CHF, PHY MEAS S/P OFC OF MEASUREMENT SERVICES.
	DIRECTOR, OFFICE OF MEASUREMENT SERVICES.
OFFICE OF STANDARDS SERVICES	DIR, OFFICE OF STANDARDS SERVICES.
	SENIOR POLICY ADVISOR FOR STANDARDS & TECHNOL.
ELECTRONICS AND ELECTRICAL ENGINEERING LABORATORY.	DIR, ELECTRONICS & ELECTRICAL ENG LABORATORY.
	DEPUTY DIRECTOR.
	DIR, OFFICE OF MICROELECTRONICS PROGRAMS.
ELECTRICITY DIVISION	CHIEF, ELECTRICITY DIVISION.
ELECTROMAGNETIC TECHNOLOGY DIVISION	CHF-ELECTROMAGNETIC TECHNOLOGY DIVISION.
SEMICONDUCTOR ELECTRONICS DIVISION	CHIEF SEMICONDUCTOR ELECTRONICS DIVISION.
	SENIOR RESEARCH SCIENTIST.
MANUFACTURING ENGINEERING LABORATORY	DIR, MANUFACTURING ENGINEERING LABORATORY.
	CHIEF, AUTOMATED PRODUCTION, TECHNOLOGY DIV.
	MANAGER FOR INDUSTRIAL RELATIONS.
	DEP DIR, MANUFACTURING ENGINEERING LABORATORY.
	DIR, MANUFACTURING EXTENSION PARTNERSHIP PROG.
PRECISION ENGINEERING DIVISION	CHIEF, PRECISION ENGINEERING DIVISION.
ROBOT SYSTEMS DIVISION	CHIEF, INTELLIGENT SYSTEMS DIVISION.
FACTORY AUTOMATION SYSTEMS DIVISION	CHIEF, FACTORY AUTOMATION SYSTEMS DIVISION.
PHYSICS LABORATORY	DIRECTOR, PHYSICS LABORATORY.
	COORDINATOR OF RADIATION MEASUREMENT SERVICES.
	DEPUTY DIRECTOR, PHYSICS LABORATORY.
FUNDAMENTAL CONSTANTS DATA CENTER	MGR, FUNDAMENTAL CONSTANTS DATA CENTER.
MOLECULAR PHYSICS DIVISION	CHIEF, MOLECULAR PHYSICS DIV.
QUANTUM METROLOGY DIVISION	CHIEF, QUANTUM METROLOGY DIVISION.
ATOMIC PHYSICS DIVISION	CHIEF, ATOMIC PHYSICS DIVISION.
TIME AND FREQUENCY DIVISION	CHIEF, TIME AND FREQUENCY DIVISION.
QUANTUM PHYSICS DIVISION	SENIOR SCIENTIST.
	SENIOR SCIENTIST & FELLOW OF JILA.
	SENIOR SCIENTIST & FELLOW OF JILA.
ELECTRON AND OPTICAL PHYSICS	GROUP LEADER FOR FAR ULTRAVIOLET PHYSICS.
CHEMICAL SCIENCE AND TECHNOLOGY LABORATORY	DEP DIR, CHEMICAL SCI & TECHNOLOGY LABORATORY.
	DIR, CHEMICAL SCI & TECHNOLOGY LABORATORY.
	DEPUTY DIRECTOR FOR PROGRAMS.
ORGANIC ANALYTICAL RESEARCH DIVISION	CHIEF, ORGANIC ANALYTICAL RESEARCH DIVISION.
	CHIEF, ANALYTICAL CHEMISTRY DIVISION.
SURFACE AND MICROANALYSIS SCIENCE DIVISION	CHF, SURFACE & MICROANALYSIS SCIENCE DIVISION.
	GROUP LEADER, SURFACE SPEC. & THIN FILMS.
BIOTECHNOLOGY DIVISION	CHIEF, BIOTECHNOLOGY DIVISION.
THERMOPHYSICS DIVISION	CHIEF, THERMOPHYSICS DIVISION.
MATERIALS SCIENCE AND ENGINEERING LABORATORY	DIR, MATERIALS SCI & ENG LABORATORY.
	SENIOR SCIENTIST.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	SCIENTIFIC ASSISTANT TO THE DIRECTOR, IMSE.
	DEP DIR, MATERIALS SCI & ENG LAB.
	CHIEF, FILM & FIBER TECHNOLOGY.
	CHIEF, CERAMICS DIVISION.
MATERIALS RELIABILITY DIVISION	CHIEF MATERIALS RELIABILITY DIV.
OFFICE OF INTELLIGENT PROCESSING OF MATERIALS	CHF, OFC OF INTELL PROCESSING OF MATERIALS.
POLYMERS DIVISION	CHIEF, POLYMERS DIVISION.
METALLURGY DIVISION	CHF, METALLURGY DIVISION.
	PHYSICIST (SOLID STATE).
REACTOR RADIATION DIVISION	CHIEF, REACTOR RADIATION DIVISION.
	GROUP LEADER NEUTRON CONDENSED MATTER SCIENCE.
	CHIEF, REACTOR OPERATIONS.
COMPUTER SYSTEMS LABORATORY	CHIEF SYSTEMS & NETWORK ARCHITECTURE DIVISION.
	CHF, ADVANCED SYSTEMS DIVISION.
	CHF, INFO SYST ENGINEERING DIVISION.
	ASSOCIATE DIRECTOR FOR COMPUTER SECURITY.
	CHIEF INFORM SYSTEMS ARCHITECTURE DIVISION.
	ASSOCIATE DIRECTOR FOR PROGRAM IMPLEMENTATION.
	CHIEF, COMPUTER SECURITY DIVISION.
	CHIEF ADVANCED NETWORK TECHNOLOGIES DIV.
BUILDING AND FIRE RESEARCH LABORATORY	CHIEF, STRUCTURES DIVISION.
	DIR, BUILDING & FIRE RESEARCH LABORATORY.
	DEP DIR, BUILDING & FIRE RESEARCH LABORATORY.
	ASST DIR, BUILDING & FIRE RESEARCH LABORATORY.
BUILDING ENVIRONMENT DIVISION	CHIEF, BUILDING ENVIRONMENT DIVISION.
BUILDING MATERIALS DIVISION	CHF, BUILDING MATERIALS DIV.
FIRE SCIENCE AND ENGINEERING DIVISION	CHIEF, FIRE SAFETY ENGINEERING DIVISION.
FIRE MEASUREMENT AND RESEARCH DIVISION	CHIEF, FIRE SCIENCE DIVISION.
COMPUTING AND APPLIED MATHEMATICS LABORATORY	DIR, COMPUTING & APPLIED MATHEMATICS LAB.
	DEP DIR, COMPUTING & APPLIED MATHEMATICS LAB.
	CHIEF, COMPUTER SERVICES DIVISION.
	CHIEF SCIENTIFIC COMPUTING DIVISION.
	ASSOCIATE DIRECTOR FOR COMPUTING.
	CHIEF HIGH PERF SYSTEMS & SERVICES DIVISION.
STATISTICAL ENGINEERING DIVISION.	CHIEF, STATISTICAL ENGINEERING DIVISION.
PATENT AND TRADEMARK ADMINISTRATION	ADMIN FOR LEG & INTERNL AFFAIRS.
	CHIEF OF STAFF.
OFFICE OF ASSISTANT COMMISSIONER FOR PATENTS	ADMINISTRATOR FOR SEARCH & INFORMATION RES.
	DEP ASST COMM FOR PATENT PROCESS SERVICES.
CHEMICAL	GROUP DIRECTOR—110.
	GROUP DIRECTOR—120.
	GROUP DIRECTOR—130.
	GROUP DIRECTOR—150.
	DEPUTY GROUP DIRECTOR—110.
	GROUP DIRECTOR—180.
	DEPUTY GROUP DIRECTOR—150.
	DEPUTY GROUP DIRECTOR—180.
ELECTRICAL	GROUP DIRECTOR—260.
	GROUP DIRECTOR—210.
	GROUP DIRECTOR—220.
	GROUP DIRECTOR—230.
	GROUP DIRECTOR—240.
	GROUP DIRECTOR—250.
	DEPUTY GROUP DIRECTOR—250.
	DEPUTY GROUP DIRECTOR—260.
	DEPUTY GROUP DIRECTOR—230.
	GROUP DIRECTOR—310.
	GROUP DIRECTOR—320.
	GROUP DIRECTOR—330.
	GROUP DIRECTOR—340.
	GROUP DIRECTOR—350.
OFFICE OF ASSISTANT COMMISSIONER FOR TRADEMARKS	CHAIRMAN, TRADEMARK TRIAL & APPEAL BOARD.
	DEPUTY ASST COMMISSIONER FOR TRADEMARKS.
	DIRECTOR, TRADEMARK EXAMINING OPERATION.
COMMODITY FUTURES TRADING COMMISSION:	
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL 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 ECONOMIC ANALYSIS	DEP CHF ECONOMIST.
	CHIEF COUNSEL.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASSOCIATE DIRECTOR FOR SURVEILLANCE.
	DIRECTOR OF ECONOMIC RESEARCH.
	CHF, ANALYSIS SECTION.
DIVISION OF ENFORCEMENT	DEPUTY DIRECTOR (WESTERN OPERATIONS).
	DEPUTY DIRECTOR (EASTERN OPERATIONS).
	ASSOCIATE DIRECTOR.
	ASSOCIATE DIRECTOR.
DIVISION OF TRADING AND MARKETS.	DEPUTY DIRECTOR (CONTRACT MARKETS).
	CHIEF COUNSEL.
CONSUMER PRODUCT SAFETY COMMISSION:	
OFC OF EXECUTIVE DIR	ASST EXEC DIR FOR COMPLIANCE & ENFORCEMENT.
	ASSOC EXEC DIR FOR ADM.
	ASSOCIATE EXECUTIVE DIR FOR FIELD OPERATIONS.
	ASST EXEC DIRECTOR FOR INFORMATION SERVICES.
	EXECUTIVE ASSISTANT.
OFFICE OF HAZARD IDENTIFICATION & REDUCTION	ASST EXEC DIR FOR HAZARD I & R.
	ASSOCIATE EXEC DIR FOR EPIDEMIOLOGY.
ASSOCIATE EXECUTIVE DIRECTOR FOR ECONOMICS.	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE:	
DEPARTMENT OF THE INSPECTOR GENERAL	INSPECTOR GENERAL.
DEPARTMENT OF THE CHIEF FINANCIAL OFFICER	ASSOCIATE DIRECTOR FOR MANAGEMENT & BUDGET.
	ASST DIR FOR FINANCIAL MANAGEMENT.
OFC SECY OF DEFENSE:	
OFFICE OF THE SECRETARY	ASST TO THE SECY OF DEFENSE (INTEL OVERSIGHT).
OFFICE OF ASSISTANT SECRETARY (SOLIC)	DEP ASST SECY OF DEFENSE (FORCES & RESOURCES).
	DIRECTOR FOR BUDGET AND EXECUTION.
	DIRECTOR FOR REQUIREMENTS & PROGRAMS.
JOINT ACTIVITIES	DIRECTOR DESA.
DIRECTOR OPERATIONAL TEST AND EVALUATION	DEP DIR FOR RESOURCES & ADMINISTRATION.
	DEP DIR FOR LIVE FIRE TEST & EVALUATION.
OFC OF INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	DEP ASST INSPECTOR GEN FOR INVESTIGATIONS.
	DEP ASST INSPECTOR GENERAL FOR INSPECTIONS.
	ASST INSPECTOR GENL FOR ANALYSIS & FOLLOWUP.
	ASST INSP GEN FOR ADM & INFO MANAGEMENT.
	AIG FOR DEPARTMENTAL INQUIRIES.
	DEP ASST INSPECTOR GEN FOR ADM & INFO MGMT.
	DIR, AUDIT PLANNING & TECHNICAL SUPPORT.
	DIRECTOR, ACQUISITION MANAGEMENT.
	DIRECTOR, LOGISTICS AND SUPPORT.
	DIRECTOR, CONTRACT MANAGEMENT.
	DIR, READINESS & OPERATIONAL SUPPORT.
	DIRECTOR, FINANCIAL MANAGEMENT.
	ASST INSPECTOR GEN FOR AUDIT, POL & OVERSIGHT.
	DEPUTY ASST INSPECTOR GENERAL FOR AUDITING.
	ASST IG FOR INSPECTIONS.
	ASST INSPECTOR GENERAL FOR AUDITING.
	DIR FOR INVESTIGATIVE OPERATIONS.
	ASST INSP GEN FOR CRIMINAL INVESTIGATIVE P/O.
	DEP ASST INSPECTOR GEN FOR PROGRAM EVALUATION.
	DIRECTOR, READINESS & OPERATIONAL SUPPORT.
	DIRECTOR, ACQUISITION MANAGEMENT DIRECTORATE.
	SPECIAL ASSISTANT.
	ASST INSPECTOR GENERAL FOR POLICY & OVERSIGHT.
OFC DEP ASST SECY (CIVILIAN PERSONNEL P/E OPPORTUNITY),.	PRIN DIR (CIVILIAN PERS POL/EQUAL OPP).
OFFICE OF ASSISTANT SECY OF DEFENSE (FORCE MGMT POLICY),.	DIRECTOR, STAFFING & CAREER MANAGEMENT.
	SPEC ASST DASD (CPP)/DIR, DEF CPMS.
OFC OF DIR OF DOD DEPENDENTS SCHOOLS	CHIEF OF EDUCATIONAL SUPPORT POLICY & LEGISL.
	DIRECTOR, GERMANY REGION.
	DEP DIR DEP OF DEFENSE DEPENDENTS SCHOOL.
	ASSOC DIR FOR FINANCIAL, LOGISTL, & INFO MGMT.
OFFICE ASSISTANT SEC HEALTH AFFAIRS	DIR, DEFENSE MEDICAL SYSTEMS SUPPORT CENTER.
UNIFORMED SERV. UNIVERSITY OF THE HEALTH SCIENCES	SCIENTIFIC DIRECTOR, AFRRI.
OFFICE OF ASST TO SECY OF DEF FOR PUBLIC AFFAIRS	DIR, FREEDOM OF INFORMATION & SECURITY REVIEW.
	DIR ARMED FORCES RADIO & TELEVISION SERVICE.
WASHINGTON HEADQUARTERS SERVICES	DIRECTOR OF PERSONNEL AND SECURITY.
	DIRECTOR REAL ESTATE AND FACILITIES.
	DEP DIR, REAL ESTATE & FACILITIES.
	DEP DIR, PERSONNEL AND SECURITY.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL (IG).
	DEP GEN COUNSEL (ENVIRONMENT & INSTALLATIONS).
	DIR DEF OFC OF HEARINGS & APPEALS.
OFC OF UNDER SECY OF DEF FOR ACQ & TECHNOLOGY	DEP DIR MISSILE & SPACE SYSTEMS.
	DIRECTOR FOR DEFENSE PROCUREMENT.
	SR STAFF SPECIALIST FOR S & A SYSTEMS.
	DEP DIR NAVAL WARFARE.
	SR STAFF SPEC FOR MISSILE & SPACE SYST ANAL.
	DEPUTY DIR, COST PRICING & FINANCE.
	SR STAFF SPEC FOR AIR WEAPONS DEF SUPP SYS.
	SR STAFF SPEC CLOSE AIR SUP & AIR INT SYS.
	DEP DIR MUNITIONS.
	SR STAFF SPECIAL FOR AIR SUPERIORITY SYSTEMS.
	DEP DIR, CONTRACT POL & ADMINISTRATION.
	DEPUTY DIR TEST FACILITIES & RESOURCES.
	DEP DIR LAND WARFARE.
	EXECUTIVE DIRECTOR, DEFENSE SCIENCE BOARD.
	DIR COMPUTER AIDED LOGISTICS SUPPORT OFFICE.
	ADUSD (ASIA/MID EAST/S. HEMISPHERE AFFAIRS).
	DEP DIR, ACQUISITION RESOURCES.
	DEP DIR, DEF SYST PROCUREMENT STRATEGIES.
	ASST DEP DIR (PROGRAM & BUDGET INTEGRATION).
	DEP DIR ELECTRONIC WARFARE.
	DIR PLANNING & ANALYSIS.
	DIR, DEF ACQUISITION REG SYS & COUNCIL.
	DEP DIR. FOREIGN CONTRACTOR.
	DIR, ACQUISITION LOG & PRODUCTION READINESS.
	DEP DIR MAYOR POLICY INITIATIVES.
	STAFF SPEC FOR SPEC TECH PROGRAM.
	SPECIAL ASST CONCEPTS & PLANS.
	DEPUTY DIRECTOR DEFENSIVE SYSTEMS.
	PRIN DASD (ATOMIC ENERGY).
	DEP DIR, LAND & MARITIME PROGRAMS.
	DEP DIR, AIR & SPACE PROGRAMS.
	ADUSD (BALLISTIC MISSILE DEFENSE).
	DD MODELING & SIMULATION SOFTWARE.
	DIR OSD STUDIES & FFRDCA.
	ASST DEP UNDER SECY DEF (CRUISE MISSILE DEF).
	PRINC DEP DIR, STRATEGIC & TACTICAL SYSTEMS.
	DIR, PROG ACQUISITION STRATEGIES IMPROVEMENT.
	DEPUTY DIRECTOR AIR WARFARE.
	DEP DIR ARMS CONTROL IMPLEMENTATION COMPL.
	ASST DEP DIR, ARMS CONTROL I & C.
	DEPUTY DIR, INFORMATION MANAGEMENT.
	DIRECTOR IND CAPABILITIES & ASSESSMENTS.
	DEP DIR (TEST & EVALUATION).
	ASST DEP UNDER SECY OF DEF (ACQ P & PO.
OFC OF THE DIR, DEFENSE RESEARCH & ENGINEERING	STAFF SPECIALIST FOR SENSOR TECHNOLOGY
OFC OF DD (RESEARCH AND ADVANCED TECH)	STAFF SPECIALIST FOR VEHICLE PROPULSION.
	STAFF SPECIALIST FOR MATERIALS & STRUCTURES.
	STAFF SPECIALIST FOR WEAPONS.
	DIR ENVIRONMENTAL & LIFE SCIENCES.
	SPEC ASST FOR MCTL & LONG-RANGE PLNNG MATTERS.
	STAFF SPEC FOR ELECTRONIC W/C, CTRL & COMMS.
	DIR, BALANCED TECHNOLOGY INITIATIVE.
OFC OF ASST SECY (COMMAND, CONTROL, COMMUN & INTEL).	DEP DIR COUNTERINTELLIGENCE.
DIRECTOR, THEATER & TACTICAL C3	DIR THEATER & TACTICAL COMMUN COMMAND & CONTR.
DEPUTY ASSISTANT SECRETARY OF DEFENSE (INTELLIGENCE).	DIR SPECIAL TECHNOLOGY.
	DIRECTOR, INTELLIGENCE RESOURCES.
	DIRECTOR, INTELLIGENCE POLICY.
	PRINCIPAL DIR TO DASD I & S.
	DIRECTOR, INTELLIGENCE SYSTEMS.
	DEP DIR INTELLIGENCE SYSTEMS.
	DIR INTELLIGENCE OPERATIONS.
	DEP DIRECTOR, INTELLIGENCE POLICY.
	DIR SPECIAL TECHNOLOGY.
DEPUTY ASSISTANT SECRETARY OF DEFENSE (DEFENSE-WIDE C3).	DIRECTOR, TELECOMMUNICATIONS.
	DEP DIR SPACE & NUCLEAR C3.
	DIRECTOR SPACE & NUCLEAR C3.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
DIRECTOR, C3 MOBILIZATION SYSTEMS	DIR NATIONAL PROGRAMS.
ADVANCED RESEARCH PROJECTS AGENCY (ARPA)	DIRECTOR, ASTO.
	DEPUTY DIRECTOR, ASTO .
	DEPUTY DIRECTOR, MANAGEMENT.
	DEPUTY DIRECTOR.
	DIR ELECTRONIC SYSTEMS TECHNOLOGY OFFICE.
	DIR LAND SYSTEMS OFFICE.
	DIR SENSOR TECHNOLOGY OFFICER.
	DIR MICROCELECTRONICS TECHNOLOGY.
	DEP DIR MICRO ELECTRONICS TECHNOLOGY.
	DIR MARTIME SYSTEMS TECHNOLOGY.
	CHIEF, ADVANCED TECHNOLOGY.
	EXECUTIVE DIRECTOR MANUFACTURING.
	ASST DIR, SENSORS & PROCESSING.
	SPECIAL ASST, INFORMATION TECHNOLOGY.
	ASSISTANT DIRECTOR, INTELLIGENCE & TARGETING.
	DEP DIR FOR WARFARE INFO TECHNOLOGY.
DEFENSE SCIENCES OFFICE	DIR DEFENSE SCIENCES OFFICE.
	ASSISTANT DIRECTOR FOR MATERIAL SCIENCES.
DEFENSE MANUFACTURING OFFICE	EXECUTIVE DIRECTOR, M & M WAVE TECHNOLOGY.
CONTRACTS MANAGEMENT OFFICE	DIR, CONTRACTS MANAGEMENT OFFICE.
NUCLEAR MONITORING OFFICE	DIR NUCLEAR MONITORING RESEARCH OFC.
OFFICE OF THE JOINT CHIEFS OF STAFF	DEP DIR FOR WARGAMING, SIMULATION & OPS.
BALLISTIC MISSILE DEFENSE ORGANIZATION	ASST DIR FOR SENSORS DEMONSTRATIONS.
	ASSISTANT DIRECTOR FOR SENSOR TECHNOLOGY.
	ASSOC DEPUTY FOR I & C TECHNOLOGY.
	DEPUTY FOR PROGRAM OPERATIONS.
	DIRECTOR, CONTRACTS DIRECTORATE.
	DIR BATTLE MAGT COMMAND CONTROL & COMMUN.
	ASSISTANT DEP FOR ACQUISITION MANAGEMENT.
	DEPUTY FOR TECHNOLOGY READINESS.
	PRINCIPAL DEP FOR ACQUISITION THEATER MIS DEF.
DEFENSE CONTRACT AUDIT AGENCY	DIRECTOR, DCAA.
	DEPUTY DIRECTOR, DCAA.
	ASSISTANT DIRECTOR, OPERATIONS.
	ASST DIR, POLICY & PLANS.
	DIRECTOR, FIELD DETACHMENT.
REGIONAL MANAGERS	REGIONAL DIRECTOR, EASTERN.
	REGIONAL DIRECTOR, NORTHEASTERN.
	REGIONAL DIRECTOR, CENTRAL.
	REGIONAL DIRECTOR, WESTERN.
	REGIONAL DIRECTOR, MID-ATLANTIC.
	DEP REGIONAL DIRECTOR EASTERN REGION.
	DEPUTY REGIONAL DIRECTOR NORTHEASTERN REGION.
	DEPUTY REGIONAL DIR CENTRAL REGION.
	DEPUTY REGIONAL DIRECTOR, WESTERN.
	DEP REG DIR MID ATLANTIC REGION.
DEFENSE LOGISTICS AGENCY	SPECIAL ASST FOR INTEGRITY IN CONTRACTING.
	DIR, DEFENSE MANPOWER DATA CENTER.
	CHIEF ACTUARY.
	DEPUTY EXECUTIVE DIRECTOR, DISTRIBUTION.
	DEP COMMANDER DEFENSE INDUSTRIAL SUPPLY CTR.
	DEP DIR, CIVILIAN PERSONNEL MGMT SERVICE.
	DIRECTOR CPMS
OFFICE OF DEPUTY DIRECTOR, ACQUISITION	ASST EXEC DIR, OPERATIONS/POLICY GROUP.
	ASSOC DIR FOR OPERATIONS ACQUISITION.
	EXEC DIR, OPL ASSESSMENT & PROGRAMMING ACQ.
DIRECTORATE OF QUALITY ASSURANCE	DEPUTY COMMANDER.
OFC OF STAFF DIR-SMALL & DISADVANTAGED BUSINESS UNTIL.	STAFF DIR, SMALL & DISADV BUSIN UTILIZATION.
OFFICE OF THE COMPTROLLER	SENIOR POLICY ADV/DAS DEF (C & B MATTERS)
OFFICE OF DEPUTY DIRECTOR, CORPORATE ADMINISTRATION.	EXECUTIVE DIRECTOR, HUMAN RESOURCES.
	ASSOCIATE DIRECTOR, PERSONNEL PROGRAMS.
	ACQUISITION MANAGEMENT ADVISOR DLA CHAIR.
OFFICE OF DEPUTY DIRECTOR, MATERIAL MANAGEMENT	EXECUTIVE DIRECTOR PROCUREMENT.
	DEP EXECUTIVE DIRECTOR, SUPPLY MANAGEMENT.
	DEPUTY COMMANDER.
	DEPUTY COMMANDER.
	ASST EXEC DIR, DLA INTERNATIONAL PROGRAMS.
	ASST EXEC DIR, SYST, TECHN & INTL PROGRAMS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
DEFENSE PERSONNEL SUPPORT CENTER	DEPUTY COMMANDER.
	DEP COMMANDER, DEF FUEL SUPPLY CENTER.
DEFENSE TRAINING & PERFORMANCE DATA CENTER	DEPUTY DIR DEFENSE MANPOWER DATA CENTER.
DEFENSE CONTRACT MANAGEMENT	EXECUTIVE DIRECTOR, CONTRACT MANAGEMENT.
	ASSOC DIR FOR PROGRAM INTERGRATION ACQUISITION.
DEFENSE INFORMATION SYSTEMS AGENCY	DEP DIRECTOR FOR STRATEGIC PLANS & POLICY.
OFFICE OF THE DIRECTOR	DIRECTOR, DITSO.
	DEPUTY DIRECTOR, DITSO.
	DEPUTY MANAGER NATIONAL COMMUN SYSTEMS.
DIRECTORATE FOR STRATEGIC PLANS AND POLICY	ASSOC DIR FOR ENG, TECHNOLOGY & CORP PLNG.
	CHIEF INFORMATION OFFICER.
	DEP DIR FOR OPERATIONS.
	DEPUTY DIRECTOR DISA.
NATIONAL COMMUNICATIONS SYSTEM	ASST. MGR, NCS, TECHNOLOGY & STANDARDS.
	ASST MGR, NCS, PLANS & OPERATIONS.
	ASST MANAGER NCS PLANS & PROGRAMS.
DISA (FIELD ACTIVITY)	DEP COMMANDER INTEROPERABILITY & TESTING.
	ASSOC DEP CMDR, CENTER FOR SOFTWARE.
	ASSOC D/D, FUNCTIONAL INFO MGMT SUPPORT DEPT.
	DEP COMMANDER, CENTER FOR INFO SYSTEM SECURITY.
DIRECTORATE FOR C4 & INTELLIGENCE PROGRAMS	DEP DIR FOR SWITCHED NETWORK ENGINEERING.
	S/A TO THE DIR, CPSI FOR SATELLITE COM SYS.
	SPEC ASST TO DIR, CTR FOR C3 FOR INT DIG ARCH.
	DIR MILITARY SATELLITE COMMUNICATIONS.
	DIR CENTER FOR SYSTEMS INTERO & INTEGRATION.
	DEP DIR JOINT (IEO).
	DIR CENTER FOR TECHNICAL ARCHITECTURE.
	TECH DIR JOINT INTERO & ENG COMM (JIEO).
	DIR CENTER FOR STANDARDS.
	DIR CENTER FOR ENGINEERING.
	ASSOC DIR CENTER FOR STANDARDS.
	DIRECTOR, CENTER FOR INFO SYSTEMS SECURITY.
	ASSOCIATE DEPUTY DIRECTOR C4I PROGRAMS.
	DEPUTY DIR C4I INTEGRATION SUPPORT ACTIVITY.
DIRECTORATE FOR OPERATIONS	DEP DIR, DCS TELECOMMUNICATIONS NETWORKS.
	ASSOC DEPUTY DIRECTOR, DCS DATA SYSTEMS.
	PRINCIPAL DEPUTY DIRECTOR.
	ASST DEPUTY DIR FOR OPERATIONS.
	CHIEF OPERATIONAL REQUIREMENT CUSTOMER SERVICE.
DIRECTORATE DISA, FOR LOGISTICS, F & S PROJECTS	DIR DEFENSE INFORMATION SYSTEMS.
	DEP DIRECTOR FOR LOGISTICS & PROCUREMENT.
	DEP DIR, LOGISTICS, FACILITIES & SPECIAL PROJ.
DIRECTORATE FOR PERSONNEL AND MANPOWER	DIRECTOR, CENTER FOR AGENCY SERVICES.
	DEP DIR FOR PERSONNEL & MANPOWER.
DIRECTORATE FOR ENGINEERING & INTEROPERABILITY	DEPUTY DIRECTOR, NMCS ADP DIRECTORATE.
	ASSOC DIR FOR TECHNICAL & MANAGEMENT SUPPORT.
	DIR. DEF INFORMATION SYSTEMS PROGRAM ORG.
DIRECTORATE FOR C4 MODELING, SIMULATION AND ASSESSMENT.	DEPUTY DIRECTOR FOR TESTING.
	DEPUTY COMMANDER CENTER FOR SOFTWARE.
DIRECTORATE FOR ENTERPRISE INTEGRATION	DIRECTOR, INFORMATION MANAGEMENT CENTER.
	DIRECTOR, TECHNICAL INTEGRATION OFFICE.
	DIR. NAVY INFORMATION RESOURCES MANAGEMENT.
	TECHNICAL DIR. NAVAL DATA AUTOMATION COMMAND.
COMPTROLLER DIRECTORATE	COMPTROLLER.
OFFICE OF THE DIRECTOR	DEPUTY DIRECTOR.
	ASSISTANT DIRECTOR FOR ARMS CONTROL.
ACQUISITION MANAGEMENT OFFICE	DIR. ACQUISITION MANAGEMENT.
OFFICE OF THE COMPTROLLER	DIR FOR INFORMATION MANAGEMENT.
OPERATIONS DIRECTORATE	DEPUTY DIRECTOR, OPERATIONS DIRECTORATE.
	CHIEF, STRUCTURAL DYNAMICS DIVISION.
	DIR FOR TECH APPLICATIONS.
	CHIEF, ENVIRONMENTS & MODELING DIVISION.
RADIATION SCIENCES DIRECTORATE	DIR FOR RADIATION SCIENCES.
	CHIEF, ATMOSPHERIC EFFECTS DIVISION.
	CHIEF, ELECTRONICS & SYSTEMS TECHNOLOGY DIV.
SHOCK PHYSICS DIRECTORATE	DIRECTOR FOR SHOCK PHYSICS.
	CHIEF, WEAPONS EFFECTS DIVISION.
TEST DIRECTORATE	DIRECTOR FOR TEST.
DEFENSE MAPPING AGENCY	CHIEF, DIGITAL PRODUCTION SYSTEM DEPARTMENT.
	CHF, DIGITAL PRODUCTS DEPARTMENT AC.
	CHF, DIGITAL PRODUCTS DEPARTMENT HTC.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	CHIEF, SCIENTIFIC DATA DEPARTMENT.
	DIR DMA SYS CTR DEP DIR FOR RES & ENGINEERING.
	CHIEF, MAPPING & CHARTING DEPARTMENT.
	CHIEF, MAPPING & CHARTING DEPARTMENT.
	DIR DMA HYROGRAPHIC/TOPOGRAPHIC CENTER.
	DIR DMA RESTON CENTER.
	DIR DMA AEROSPACE CENTER.
	DEP DIR DIR FOR PRODUCTION RESTON CENTER.
	DEP DIR FOR PROGRAM EXECUTION.
	DEP DIR ENG & INTEGRATION DIRECTOR.
	DEP DIR DEP DIR FOR PRODUCTION.
DEFENSE FINANCE & ACCOUNTING SERVICE	DEPUTY DIRECTOR, CLEVELAND CENTER.
DEFENSE INVESTIGATIVE SERVICE	DIR, DEFENSE INVESTIGATIVE SERVICE.
	DEPUTY DIRECTOR (INVESTIGATIONS).
	DEP DIR (INDUSTRIAL SECURITY).
	DEPUTY DIRECTOR (RESOURCES).
	DIR, PERSONNEL INVESTIGATIONS CENTER.
	DEP DIR (INVESTIGATIONS CONTROL & AUTOMATION).
DEPARTMENT OF AIF FORCE:	
OFFICE OF ADMINISTRATIVE ASSISTANT TO THE SECRETARY.	ADMINISTRATIVE ASSISTANT.
OFFICE OF SMALL & DISADVANTAGE BUSINESS UTILIZATION	DIR, OFC OF SMALL & DISADV BUS UTILIZATION.
OFFICE OF THE INSPECTOR GENERAL	DEP ASST INSPECTOR GEN/SPEC INVESTIGATIONS.
OFFICE OF ASAF FOR FINANCIAL MANAGEMENT & COMPTROLLER.	PRINCIPAL DEP ASST SECRY (FINANCIAL MGMT).
ODAS BUDGET	DEPUTY FOR BUDGET.
	DIRECTOR OF BUDGET INVESTMENT.
	DIRECTOR OF BUDGET MANAGEMENT & EXECUTION.
	DEPUTY DIRECTOR OF BUDGET OPERATIONS.
ODAS COST & ECONOMICS	DEP ASST SECY (COST & ECONOMICS).
OFFICE OF ASAF FOR ACQUISITION	PRINCIPAL DAS (ACQUISITION & MGMT).
ODAS COMMUNICATIONS, COMPUTERS & SUPPORT SYSTEMS.	ASSOC DEP ASST SECY (TRANSPORTATION).
	ASSOC DEP ASST SECY (INFO & SUPPORT SYSTEMS).
ODAS RESEARCH, ENGINEERING & INDUSTRIAL POLICY	DIR SCIENCE & TECHNOLOGY.
	DAS (RESEARCH & ENGINEERING).
	DAS (RES ENGINEERING & INDUSTRIES POLICY).
ODAS MANAGEMENT POLICY & PROGRAM INTEGRATION	DEP ASST SECY (MGMT POL & PROG INTEGRATION).
ODAS CONTRACTING	ASSOC DEP ASST SECY (CONTRACTING).
AIR FORCE PROGRAM EXECUTIVE OFFICE	AF PROGRAM EXEC OFFICER, INFO SYSTEMS.
	AIR FORCE PROG EXEC OFCR, CONVENTIONAL STRIKE.
OFC OF ASAF FOR MANPOWER, RESERVE AFFAIRS, INSTALL & ENV.	DEP FOR AIR FORCE REVIEW BOARDS.
ODAS INSTALLATIONS	DEPUTY FOR INSTALLATIONS MANAGEMENT.
AIR FORCE BASE CONVERSION AGENCY	DIR AIR FORCE BASE CONVERSION AGENCY.
OFFICE OF THE CHIEF OF STAFF	AIR FORCE HISTORIAN.
TEST AND EVALUATION	DEPUTY DIR TEST & EVALUATION.
MORALE, WELFARE, RECREATION AND SERVICES	DIR OF RES MGMT & DEP DIR FOR MWR & SERVICES.
ASSISTANT CHIEF OF STAFF FOR C3 AND COMPUTERS	DIR OF ARCHITECTURES TECH & INTEROPERABILITY.
DEPUTY CHIEF OF STAFF, LOGISTICS	ASSOC DIR FOR LOGISTICS PLANS & PROGRAMS.
	CHIEF MODIFICATION & O&M PROGRAMS DIVISION.
	CHIEF COMBAT SUPPORT PROGRAMS DIVISION.
	ASSOC DIR OF MAINTENANCE & SUPPLY.
CIVIL ENGINEER	DEPUTY CIVIL ENGINEER.
	DIR AF CENTER FOR ENVIRONMENTAL EXCELLENCE.
DEPUTY CHIEF OF STAFF, PERSONNEL	DIR CIVIL PERSONNEL POLICY & PERSONNEL PLANS.
	CHIEF AIR FORCE PERSONNEL OPERATIONS AGENCY.
	CHF, AIR FORCE CIVILIAN PERSONNEL MGMT CENTER.
AIR FORCE MATERIEL COMMAND	DIR CENTRALIZED REQUEST FOR PROPOSAL S T O.
PERSONNEL	DIRECTOR, PERSONNEL.
CONTRACTING	DEPUTY DIRECTOR CONTRACTING.
	DEP DIR FOR PROGRAM S&B CLEARANCE.
LOGISTICS	DEPUTY DIRECTOR, LOGISTICS.
ENGINEERING & TECHNICAL MANAGEMENT	DIRECTOR, ENGINEERING & TECHNICAL MGMT.
FINANCIAL MANAGEMENT & COMPTROLLER	DEP DIRECTOR, FINANCIAL MGMT & COMPTROLLER.
COPRORATE INFORMATION	DIR CORPORATE INFORMATION.
PLANS & PROGRAMS	DEPUTY DIRECTOR, PLANS & PROGRAMS.
SPACE AND MISSILE SYSTEMS CENTER	EXECUTIVE DIRECTOR.
PHILLIPS LABORATORY	DEPUTY DIRECTOR.
GEOPHYSICS DIRECTORATE	DIR, SPACE PHYSICS DIVISION.
ELECTRONIC SYSTEMS CENTER	EXECUTIVE DIRECTOR.
	ASST DEP FOR CONTRACTING & MANUFACTURING.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	PROG DIR FOR AIR BASE DECISION SYSTEMS.
	DIRECTOR, ENGINEERING & PROGRAM MANAGEMENT.
	DIRECTOR, PLANS & ADVANCED PROGRAMS.
PLANS AND PROGRAMS DIRECTORATE	DIR PLANS & PROGRAMS.
COMMAND, CONTROL AND COMMUNICATIONS DIRECTORATE.	DIR COMMAND CONTROL COMMUNICATIONS.
STANDARD SYSTEMS GROUP	DIRECTOR, STANDARD SYSTEMS GROUP.
AERONAUTICAL SYSTEMS CENTER	EXECUTIVE DIRECTOR.
	DIR FINANCIAL MANAGEMENT & COMPTROLLER.
	DIRECTOR CONTRACTING.
DEVELOPMENT PLANNING	DIR ADVANCED SYSTEMS ANALYSIS.
INTEGRATED ENGINEERING & TECH MANAGEMENT	DIRECTOR AVIONICS ENGINEERING.
	DIR SYSTEMS ENGINEERING.
DIRECTORS OF ENGINEERING	DIRECTOR OF ENGINEERING F–16.
	DIR OF ENGINEERING B–2.
	DIR OF ENGINEERING F–22.
	DIR OF ENGINEERING C–17.
SYSTEMS PROGRAM OFFICES	DIR PROGRAM INTEGRATION & ANALYSIS.
	DEVELOPMENT SYSTEM MANAGER PROPULSION.
WRIGHT LABORATORY	DIR MANUFACTURING TECHNOLOGY.
	DIR, PLANS & PROGRAMS DIRECTORATE.
HUMAN SYSTEMS CENTER	EXECUTIVE DIRECTOR.
ARNOLD ENGINEERING DEVELOPMENT CENTER	EXECUTIVE DIRECTOR.
AIR FORCE DEVELOPMENT TEST CENTER	EXECUTIVE DIRECTOR.
AIR FORCE FLIGHT TEST CENTER	EXECUTIVE DIRECTOR
JOINT LOGISTICS SYSTEMS CENTER	DIR DEPOT MAINTENANCE.
	DIR CORPORATE INTEGRATION.
AIR LOGISTICS CENTER, SAN ANTONIO	EXECUTIVE DIRECTOR.
	DIRECTOR, FINANCIAL MANAGEMENT.
	PRODUCT GROUP MANAGER, PROPULSION SYSTEMS.
	DIRECTOR, CONTRACTING.
AIR LOGISTICS CENTER, OKLAHOMA CITY	EXECUTIVE DIRECTOR.
	DIRECTOR, FINANCIAL MANAGEMENT.
	DIRECTOR, COMMODITIES MANAGEMENT.
	DIRECTOR, CONTRACTING.
AIR LOGISTICS CENTER, WARNER ROBINS	EXECUTIVE DIRECTOR.
	DIRECTOR, FINANCIAL MANAGEMENT.
	DIRECTOR, TECHNOLOGY & INDUSTRIAL SUPPORT.
	DIRECTOR, CONTRACTING.
AIR LOGISTICS CENTER, OGDEN	EXECUTIVE DIRECTOR.
	DIRECTOR, FINANCIAL MANAGEMENT.
	DIRECTOR, TECHNOLOGY & INDUSTRIAL SUPPORT.
	DIRECTOR, CONTRACTING.
AIR LOGISTICS CENTER, SACRAMENTO	EXECUTIVE DIRECTOR.
	DIRCTOR, FINANCIAL MANAGEMENT.
	DIRECTOR, TECHNOLOGY & INDUSTRIAL SUPPORT.
	DIRECTOR, CONTRACTING.
AIR FORCE AUDIT AGENCY	AUDITOR GENERAL OF THE AIR FORCE.
	ASST AUD GEN (ACQUISITION & LOG AUDITS).
	ASST AUD GEN (FIELD ACTIVITIES).
	ASST AUD GEN (OPERATIONS).
	ASST AUD GEN (FINANCIAL & SUPPORT AUDITS).
AIR EDUCATION & TRAINING COMMAND	PROVOST, AIR UNIVERSITY.
AIR MOBILITY COMMAND	ASST DIRECTOR PLANS & PROGRAMS
	PRINCIPAL DEP DIR OF OPERATIONS FOR TRANSPORT.
AIR FORCE RESERVES	AIR COMMANDER 4TH AIR FORCE.
	AIR COMMANDER 10TH AIR FORCE.
	AIR COMMANDER 22ND AIR FORCE.
AF SPACE COMMAND	SR SCIENTIST & TECH ADVISOR FOR AFSPACECOM.
AF OPERATIONAL TEST & EVAL CTR	TECHNICAL DIRECTOR.
U.S. CENTRAL COMMAND	SCIENTIFIC ADVISOR.
U.S. STRATEGIC COMMAND	ASSOC DIR FOR STRATEGIC PLANNING.
	DEP DIR COMD CTRL COMM COMPUTER & INTEL SYS.
U.S. TRANSPORTATION COMMAND	DIR PROGRAM ANALYSIS & FINANCIAL MGMT.
ORGANIZATION ABOLISHED	TECHNICAL DIRECTOR.
SHAPE TECHNICAL CENTRE	DEPUTY DIRECTOR.
DEPARTMENT OF ARMY:	
OFFICE OF THE SECRETARY	SPECIAL ASST TO THE UNDER SECRETARY.
OFFICE OF THE UNDER SECRETARY	SPEC ASST FOR AIR & MISSIL DEFENSE.
	SPECIAL ASST FOR FORCES & PROGRAM EVALUATION.
	SPECIAL ASSISTANT FOR SYSTEMS.
	SPECIAL ASSISTANT FOR ELECTRONIC SYSTEMS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR, TEST AND EVALUATION MANAGEMENT AGENCY.
	DIR, U.S. ARMY MODEL I & S MANAGEMENT AGENCY.
OFC OF THE ADMINISTRATIVE ASSISTANT	ADM ASST TO THE SECY OF THE ARMY.
	DEP ADMIN ASST TO THE SECY OF THE ARMY.
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL (FISCAL LAW & POLICY).
HQDA ARMY ACQUISITION EXECUTIVE	DEP PROG EXEC OFCR, FOWARD AREA AIR DEFENSE.
	DEP PROGRAM EXEC OFFICER, COMBAT SUPPORT.
	DEPUTY PEO, ARMORD SYSTEMS MODERNIZATION.
	PROGRAM EXEC OFFICER—STRATEGIC INFO SYS.
	DEP PROG EXEC OFCR, COMMAND & CONTROL SYSTEMS.
	DEPUTY PROG EXECUTIVE OFFICER COMM SYSTEMS.
	PROGRAM EXECUTIVE OFFICER STAMIS.
	PROG EXEC OFCR, FIELD ARTILLERY SYSTEMS.
	PROGRAM MANAGER SUSTAINING BASE AUTOMATION.
	DEP PROGRAM EXECUTIVE OFFICER FOR AVIATION.
	DEP PEO, INTELLIGENCE & ELETRONIC WARFARE.
	PROG EXEC OFCR, TACTICAL WHEELED VEHICLES.
	PROG EXECUTIVER OFCR TACTICAL MISSILES.
	NATIONAL MISSLE DEFENSE PROGRAM MANAGER.
DIR OF INFO SYS FOR COMMAND, CONTROL, COMMS & COMPUTERS.	DIR, OFC US ARMY INFO SYST SEL & ACQ AGENCY.
	DIR OF ARMY INFORMATION.
	VICE DIRECTOR TO THE DISC4.
OASA RESEARCH DEVELOPMENT AND ACQUISITION	DEPUTY ASST SECY OF THE ARMY (PROCUREMENT).
	ASST DIR LAB MANAGEMENT.
	DAS FOR RES & TECH/CHIEF SCIENTIST.
	DEP ASST SECY FOR PLANS & PROGRAMS.
	DEP DIR US CONTRACTING SUPPORT AGENCY.
	DIRECTOR FOR RESEARCH.
	DIRECTOR FOR TECHNOLOGY.
	ASSISTANT DEPUTY FOR PLANS & PROGRAMS.
	DIRECTOR FOR ASSESSMENT & EVALUATION.
ORGANIZATION ABOLISHED	DIRECTOR FOR ADVANCED CONCEPTS & SPACE.
	DIRECTOR FOR LABORATORY MANAGEMENT.
ORGANIZATION ABOLISHED	DIRECTOR FOR PROCUREMENT POLICY.
ORGANIZATION ABOLISHED	DIR FOR PROGRAM EVALUATION.
OFC OF ASST SECRETARY (INSTALLATIONS, LOGISTICS & ENVMT).	DEP FOR PROGRAMS & INSTALL ASSISTANCE.
	DEP PROGRAM EXEC OFFICER FOR CHEM/DEMIL.
OFFICE OF ASST SECY (FINANCIAL MGMT & COMPTROLLER)	ASSISTANT DEPUTY ASA FOR ARMY BUDGET.
	DEPUTY FOR COST ANALYSIS.
	DIR OF INVESTMENT.
	DAS OF THE ARMY (FINANCIAL OPERATIONS).
	SPEC ADV FOR ECONOMIC POL & PRODUCTIVITY PROG.
	DIRECTOR FOR BUSINESS RESOURCES.
OFF OF ASST SECRETARY, MANPOWER & RESERVE AFFAIRS.	DAS (ARMY REV BRDS/EEO COMPLAINTS).
OFC OF ASST SECRETARY CIVIL WORKS	DEPUTY ASA (MANAGEMENT & BUDGET).
	DEPUTY ASA (PLANNING POLICY & LEGISLATION).
	DEPUTY ASA (PROJECT MANAGEMENT).
OFFICE, CHIEF OF STAFF	DIR US ARMY ARMAMENT & CHEMICAL ACQ LOGIS ACT.
OFFICE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MGMT.	DEP ASST CHIEF OF STAFF FOR INSTALLATION MGMT
ORGANIZATION ABOLISHED	SPECIAL ASST THEATRE DEFENSE.
USA SPACE & STATEGIC DEF COMMAND HUNTSVILLE AL OSCA FOA.	DIRECTOR, DIRECTED ENERGY WEAPONS DIRECTORATE.
	CHIEF, BATTLE MANAGEMENT DIVISION.
	PRIN ASSISTANT RESP FOR CONTRACTING.
	CHIEF, PASSIVE SENSORS DIVISION.
	CHF, DISCRIMINATION DIV SENSORS DIRECTORATE.
	DIR, ADVANCED TECHNOLOGY DIRECTORATE.
	PROJ MGR, G–B SURVEILLANCE & TRACKING SYST.
	DIRECTOR, SYSTEMS DIRECTORATE.
OPERATIONAL TEST & EVALUATION COMMAND	DIR, US ARMY COMBAT DEV EXPERMENTATION CENTER.
	TECH DIR, TEST & EXPER COMMAND.
ORGANIZATION ABOLISHED	ASST DIRECTOR FOR RESEARCH PROGRAMS.
	ASST DIR TECHNOLOGY PLANNING.
ORGANIZATION ABOLISHED	ASSISTANT DIRECTOR TECHNOLOGY ASSESSMENT.
ARMY CENTER OF MILITARY HISTORY	CHIEF HISTORIAN.
OFFICE, DEP CHIEF OF STAFF FOR PERSONNEL	DIRECTOR OF MANPRINT.
	DIRECTOR OF MANPOWER.
	ADCSPER (ARMY CIVILIANS).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
ORGANIZATION ABOLISHED	DEP DIRECTOR OF CIVILIAN PERSONNEL.
ORGANIZATION ABOLISHED	DIRECTOR, CIVILIAN PERSONNEL MGT.
ARMY RESEARCH INSTITUTE	DIR, TRNG RES LAB & ASSOC DIR, ARI.
	DIR, MANP & PERS RES LAB & ASSOC DIR, ARI.
	DIR, US ARMY RES INST & CHIEF PSYCHOLOGIST.
OFFICE, DEPUTY CHIEF OF STAFF FOR LOGISTICS	ASST DIRECTOR FOR SUPPLY MGMT.
	ASST DIR FOR MAINTENANCE MGMT.
	SPEC ASST TO DCSLOG & CHF AV LOG OFC.
	ASST DIR FOR TRANSPORTATION.
	ASST DIR FOR ENERGY & TROOP SUPPORT.
	DIRECTOR FOR SECURITY ASSISTANCE.
	DIRECTOR FOR RESOURCES AND MANAGEMENT.
	EXECUTIVE DIRECTOR, STRATEGIC LOGISTICS AGCY.
	CHIEF AVIATION LOGISTICS OFFICE.
ARMY AUDIT AGENCY	THE AUDITOR GENERAL.
	DEPUTY AUDITOR GENERAL.
	DIRECTOR, LOGISTICAL & FINANCIAL AUDITS.
	DIR, ACQUISITION & FORCE MGMT.
	DIR, AUDIT POLICY PLANS AND RESOURCES.
OFC DEP CHF OF STAFF FOR OPERATIONS & PLANS	TECH ADV TO THE DCSOPS.
	DIR, U.S. ARMY NUCLEAR & CHEMICAL AGENCY.
NATIONAL GUARD BUREAU	PROGRAM MANAGER, RES COMP AUTO SYS
WALTER REED ARMY INSTITUTE OF RESEARCH	CHIEF DEPT OF PHARMACOLOGY.
ORGANIZATION ABOLISHED	SPECIAL ASSISTANT FOR BIOTECHNOLOGY.
TRAINING AND DOCTRINE COMMAND (TRADOC)	SCIENTIFIC ADVISOR TO CG.
	ASST DEPUTY CHIEF OF STAFF FOR RESOURCES MGMT.
	ADCOS FOR TRAINING POLICY PLANS AND PROGRAMS.
	DEPUTY TO THE COMMANDING GEN, CASCOM.
	ASST DEP CHIF OF STAFF FOR BASE OPS SUPPORT.
	ASST DEP CHIEF OF STAFF FOR COMBAT DEVELOP.
TRADOC ANALYSIS CENTER	DIRECTOR.
	DIRECTOR OF OPERATIONS.
	DEPUTY DIRECTOR, TRAC.
	DIRECTOR OF OPERATIONS.
NATIONAL SIMULATIONS CENTER	TECHNICAL DIRECTOR, NATIONAL SIMULATIONS CTR.
MILITARY TRAFFIC MGMT COMMD	DEPUTY TO THE COMMANDER.
	SPECIAL ASST FOR TRANSPORTATION ENGINEERING.
U.S. ARMY FORCES COMMAND	CIVILIAN PERSONNEL DIRECTOR.
	DEPUTY DIRECTOR RESOURCE MANAGEMENT.
	ASST DCS FOR PERS & INST MGNT.
U.S. ARMY CORPS OF ENGINEERS	DIRECTOR OF HUMAN RESOURCES.
	DIRECTOR, RESOURCE MANAGEMENT.
	DIRECTOR, U.S. ARMY CENTER FOR PUBLIC WORKS.
	PRINCIPAL ASST RESPONSIBLE FOR CONTRACTING.
	DEP TO THE COMMANDER FOR PROG & TECH MGNT.
	CHIEF POLICY REVIEW & ANALYSIS DIVISION.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
	DIR OF PROGRAMS MANAGEMENT.
DIRECTORATE OF CIVIL WORKS	DEPUTY DIRECTOR, CIVIL WORKS.
	CHF—OFC OF POLICY.
	CHIEF, PROGRAMS MANAGEMENT DIVISION.
	CHIEF, PLANNING DIVISION.
	CHIEF, DREDGING DIVISION.
	CHIEF OPERATIONS & READINESS.
	CHIEF ENGINEERING DIVISION.
	CHF, OPS, CONSTRUCTION & READINESS DIVISION.
ORGANIZATION ABOLISHED	DEP/DIR, ENGINEERING AND CONSTRUCTION.
	DEPUTY CHIEF CONSTRUCTION DIVISION.
DIRECTORATE OF MILITARY PROGRAMS	DEPUTY DIRECTOR, MILITARY PROGRAMS.
	CHIEF CONSTRUCTION DIVISION.
	CHIEF, DAEB, ENGINEERING DIVISION.
	CHIEF, PROGRAMS MANAGEMENT DIVISION.
	CHIEF, ENVIRONMENTAL RESTORATION DIVISION.
ORGANIZATION ABOLISHED	CHIEF, WATER RESOURCES SUPPORT CENTER.
DIVISION OF PROGRAMS MANAGEMENT	DIR OF PLANNING, OHIO RIVER.
	DIR OF PLANNING, NO PACIFIC.
	DIR OF PLANNING, SOUTH ATLANTIC.
	DIR OF PLANNING, LOWER MISS VALLEY.
	DIR OF PLANNING, MO RIVER.
	DIR OF PLANNING, SOUTH PACIFIC.
	DIR OF PLANNING, N. ATLANTIC.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR OF PLANNING, SOUTHWESTERN.
	DIR OF PLANNING, NORTH CENTRAL.
	DIRECTOR OF PROGRAMS MGNT.
	DIRECTOR OF PROGRAMS MANAGEMENT.
	DIRECTOR OF PROGRAMS MANAGEMENT.
	DIRECTOR OF PROGRAMS MANAGEMENT.
	DIRECTOR OF PROGRAMS MANAGEMENT.
DIRECTOR OF ENGINEERING & TECHNICAL SERVICES	DIR OF ENGINEERING, OHIO RIVER.
	DIR OF ENGINEERING, SOUTHWESTERN.
	DIR OF ENGINEERING, NORTH CENTRAL.
	DIR OF ENGINEERING, S. PACIFIC.
	DIR OF ENGINEERING, N. ATLANTIC.
	DIR OF ENGINEERING, S. ATLANTIC.
	DIR OF ENGINEERING, LOWER MISS.
	DIR OF ENGINEERING, MISSOURI RIVER.
	DIR OF ENGINEERING, NORTH PACIFIC.
	DIR OF ENGINEERING, PACIFIC OCEAN.
	DIR OF ENGINEERING, EUROPE.
	DIR OF CONSTRUC OPS.
	DIR ENGINEERING & TECHNICAL SERVICES.
	DIR ENGINEERING & TECHNICAL SERVICES.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
	DIRECTOR OF ENGINEERING & TECHNICAL SERVICES.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
	DIRECTOR OF ENGINEERING & TECHNICAL SERVICES.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
	DIR OF ENGINEERING & TECHNICAL SERVICES.
ORGANIZATION ABOLISHED	DIR OF CONSTRUC OPS, S. ATLANTIC.
	DIR OF CONSTRUC OPS, S. WESTERN.
	DIR OF CONSTRUC OPS, OHIO RIVER.
	DIR OF CONSTRUC OPS, LR MS VAL.
	DIR OF CONSTRUC OPS.
	DIR OF CONSTRUC OPS, N ATLANTIC.
	DIR OF CONSTRUC OPS, PACIFIC.
	DIR OF CONSTRUC OPS.
ENGINEER WATERWAYS EXPERIMENT STATION, COE	DIR WATERWAYS EXPERIMENT STATION.
CONSTRUCTION ENGRG RSCH LAB CHAMPAIGNE IL	DIRECTOR.
COLD REGIONS RSCH & ENGRG LAB HANOVER NH	DIRECTOR.
OFFICE OF DCS FOR LOGISTICS & OPERATIONS	ASST DEP CHIEF OF STAFF FOR LOGISTICS.
	EXEC DIRECTOR, LOGISTICS SUPPORT ACTIVITY.
	CHIEF SPECIAL ANALYSIS OFFICE.
OFFICE DEPUTY COMMANDING GENERAL	PRINCIPAL DEPUTY FOR ACQUISITION.
	PRINCIPAL DEPUTY FOR TECHNOLOGY.
OFFICE OF DCS FOR RESEARCH DEV AND ENGINEERING	ADCS FOR RES. D & E FOR TECHNOL & ENG.
OFFICE DEPUTY COMMANDING GENERAL	PRINCIPAL DEPUTY FOR LOGISTICS.
	DEPUTY TO THE COMMANDER.
DEP CHF OF STAFF FOR SUPPLY, MAINTENANCE & TRANSP	ASST DEP CHF OF STAFF FOR POLICY & PROCEDURES.
OFFICE OF DEPUTY CHIEF OF STAFF FOR AMMUNITION	ASST DEPUTY CHIEF OF STAFF FOR AMMUNITION.
OFFICE OF DCS FOR ACQUISITION	ASST DCS FOR ACQUISITION & CONTRACTING.
	ASST DEP CHIEF OF STAFF FOR ACQUIS CONTRACT.
OFFICE OF DEPUTY CHIEF STAFF FOR PERSONNEL	DEP CHIEF OF STAFF FOR PERSONNEL.
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR RES MANAGEMENT.	ADCS FOR RESOURCES MGMT.
	ADCS FOR COST ANALYSIS.
	DEPUTY CHIEF OF STAFF FOR RESOURCE MANAGEMENT.
USA SECURITY ASSISTANCE COMMAND	DEPUTY.
ORGANIZATION ABOLISHED	DIR, SYST INTEGRATION MGMT ACTIVITY.
US ARMY INDUSTRIAL OPERATIONS COMMAND	DEP FOR A & S MGR FOR CONVENTL AMMUN (SMCA).
	DEPUTY FOR LOGISTICS READINESS.
	DEP FOR PRODUCT A & T & INDUSTRIAL OPS MGMT.
	DEP FOR FACILITIES, IND PREPAREDNESS & ENVMT.
	DIR, U.S. ARMY DEF AMMUNITION CENTER & SCHOOL.
ORGANIZATION ABOLISHED	CHF FIRE CONTROL DIVISION.
	CHIEF ARTILLERY ARMAMENTS DIVISION.
U.S. ARMY C & B DEF COMMAND (CBDCOM)—EDGEWOOD RD&E CENTER.	DIRECTOR, ENGINEERING DIRECTORATE.
	DIR, RES & TECHNOLOGY DIRECTORATE.
	TECHNICAL DIR, EDGEWOOD RD&E CENTER.
U.S. ARMY AVIATION & TROOP COMMAND (ATCOM)	TECH DIR–US ARMY AVIATION SYSTEMS COMMAND.
	DIRECTOR OF ENGINEERING.
	DIR OF AEROFLIGHT DYNAMICS.
	EXECUTIVE DIRECTOR, ACQUISITION CENTER.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR OF ADVANCED SYST/ASSOC DIR FOR TECHNOL.
	ASSOC TECH DIR FOR TECH APPL/DIR OF SPEC PROG.
	DIRECTOR OF ACQUISITION MANAGEMENT.
	LOGISTICS DIRECTOR.
	DIRECTOR OF ELECTRONICS & WEAPONIZATION.
	DEPUTY TO THE COMMANDER.
NATICK RESEARCH DEVELOPMENT & ENGINEERING CENTER.	TECHN DIR.
	DIR, INDIVIDUAL PROTECTION DIRECTORATE.
	DIRECTOR, SOLDIER SCIENCE DIRECTORATE.
	DEPUTY TO THE COMMANDER.
U.S. ARMY COMMUNICATIONS ELECT COMD (CECOM)	COMPTROLLER.
	DIRECTOR C3I ACQUISITION CENTER.
CECOM RESEARCH, DEVELOPMENT & ENGINEERING CENTER.	DIR, SPACE & TERRESTRIAL COMM DIRECTORATE.
	DIR, E/W, RECONNAISSANCE, SURVEILLANCE, TAD.
	DIR, I & E WARFARE DIRECTORATE.
	TECH DIR/DIR, RD&E CENTER.
	ASSOC TECHN DIR (RESEARCH & TECHNOLOGY).
	DEPUTY TO THE COMMANDER.
	DIR FOR C3I, LOG & READINESS CENTER.
U.S. ARMY RESEARCH LABORATORY	ADCS FOR TECHNOLOGY PLANNING & MANAGEMENT.
	DIRECTOR U.S. ARMY RESEARCH LABORATORY.
	DIRECTOR SENSORS DIRECTORATE.
OPERATIONS	DIR OPERATIONS DIRECTORATE.
ADVANCED CONCEPTS & PLANS DIRECTORATE	DIR ADVANCED CONCEPTS & PLANS DIRECTORATE.
ORGANIZATION ABOLISHED	DIRECTOR.
	DIRECTOR, SENSORS DIVISION.
ELECTRONICS & POWERS SOURCES DIRECTORATE	DIRECTOR.
BATTLEFIELD ENVIRONMENT DIRECTORATE	DIRECTOR.
SURVIVABILITY/LETHALITY ANALYSIS DIRECTORATE	CHIEF, BALLISTIC VULNERABILITY DIVISION.
	DIRECTOR.
VEHICLE STRUCTURES DIRECTORATE	DIRECTOR.
ADVANCED COMPUTING & INFORMATION SCIENCES DIRECTORATE.	DIRECTOR.
ORGANIZATION ABOLISHED	DIRECTOR.
U.S. ARMY WEAPONS TECHNOLOGY DIRECTORATE (ARL)	DIRECTOR.
	CHIEF, PROPULSION & FLIGHT DIVISION.
	CHIEF, TERMINAL EFFECTS DIVISION.
	CHIEF, WEAPONS CONCEPTS DIVISION.
HUMAN RESEARCH AND ENGINEERING DIRECTORATE	DIRECTOR, HUMAN R & E DIRECTORATE.
U.S. ARMY MATERIALS DIRECTORATE (ARL)	DIR ARMY MTLS & TECH LAB.
ARMY RESEARCH OFFICE (AMC)	DIRECTOR ARO.
	DIR, ELECTRONICS DIVISION.
	DIRECTOR, MATERIALS SCIENCE DIVISION.
	DIR PHYSICS DIV.
	DIR, MATHEMATICAL & COMPUTER SCIENCES DIV.
	DIR, ENG & ENVIRONMENTAL SCIENCES DIVISION.
	DIR, RESEARCH & TECHNOLOGY INTEGRATION.
	DIR, CHEM & BIO SCI DIV.
U.S. ARMY MISSILE COMMAND (MICOM)	DIRECTOR, ACQUISITION CENTER.
	DIR, INTEGRATED MATERIEL MGMT CENTER.
	DEPUTY EXECUTIVE DIRECTOR FOR TMDE.
	DEPUTY FOR PROCUREMENT AND READINESS.
	DEPUTY TO THE COMMANDER.
RESEARCH DEVELOPMENT & ENGINEERING CENTER (RDEC)	TECH DIR FOR M & D, RES, DEV & ENG CENTER.
	DIR FOR SYSTEM ENGINEERING & PRODUCTION.
	DIRECTOR FOR ADVANCED SENSORS.
	DIRECTOR FOR PROPULSION.
	DIR FOR SYSTEMS SIMULATION & DEVELOPMENT.
	ASSOCIATE DIRECTOR FOR SYSTEMS.
	ASSOC DIRECTOR FOR PRODUCT ASSURANCE.
	DIRECTOR FOR WEAPONS SCIENCES.
TANK-AUTOMOTIVE AND ARMAMENTS COMD (TACOM)	DIRECTOR OF RESOURCE MGT.
	DIRECTOR OF ACQUISITION CENTER.
	DIRECTOR OF PRODUCT ASSURANCE & TEST.
	DIRECTOR, INTEGRATED MATERIEL MGMT CENTER.
	VICE PRESIDENT FOR CUSTOMER ENGINEERING.
	VICE PRESIDENT FOR PRODUCT DEVELOPMENT.
	DEPUTY TO THE COMMANDER.
TANK-AUTOMOTIVE RES, D & E CENTER (TARDEC)	VICE PRESIDENT FOR RESEARCH.
	PRESIDENT/DIRECTOR.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
U.S. ARMY ARMAMENT RESEARCH, D & E CENTER (ARDEC)	DIRECTOR, ARMAMENT ENGINEERING DIRECTORATE.
	A/TECH/DIR (SYSTEMS CONCEPTS & TECHNOLOGY).
	TECHNICAL DIRECTOR FOR ARMAMENT.
	A/TECH/DIR (SYS DEVELOPMENT & ENGINEERING).
	ASSOC TECH DIR (PRODUCTS & PROCESS TECHNOL).
	CHF, ENERGETICS & WARHEADS DIVISION.
FIRE SUPPORT ARMAMENTS CENTERS	DEP DIRECTOR FIRE SUPPORT ARMAMENTS CENTER.
CLOSE COMBAT ARMAMENTS CENTER	DEPUTY DIRECTOR, CLOSE COMBAT ARMAMENT CTR.
	CHIEF, LIGHT ARMAMENT DIVISION.
U.S. ARMY SIMULATION, TRAINING & INSTRUMENTATION COMMAND.	DEPUTY TO THE COMMANDER.
U.S. ARMY TEST AND EVALUATION COMMAND, (TECOM)	DIR, REDSTONE TECHNICAL TEST CENTER.
	TECHNICAL DIR, NATIONAL RANGE OPERATIONS.
	TECH DIR & CHF SCI.
	DIR FOR TEST AND ASSESSMENT.
U.S. ARMY MATERIEL SYSTEMS ANALYSIS ACTIVITY	DIRECTOR.
	CHIEF COMBAT INTEGRATION DIVISION.
	CHIEF, COMBAT EVALUATION DIVISION.
	CHIEF, RELIABILITY ANALYSIS DIVISION.
	CHF GROUND WARFARE DIVISION—AMSAA.
ARMY INFORMATION SYSTEMS COMMAND	DEPUTY CHIEF OF STAFF FOR RESOURCE MANAGEMENT.
	TECHNICAL DIRECTOR, ISEC.
	DIRECTOR OF OPERATIONS.
HEADQUARTERS, U.S. 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.
	ASST DEP CHF STAFF FOR ENG (INTL AFFAIRS).
U.S. ARMY SPECIAL OPERATIONS COMMAND	DIR OF FORCE DEVELOPMENT & INTEGRATION.
NATO ACISA	ASST DIR, COMMAND, CONTROL AND COMMS SYST.
JOINT LOGISTICS	PRINCIPAL DEPUTY TO THE COMMANDER.
NATIONAL DEFENSE UNIVERSITY	DIR, INFORMATION RESOURCES MANAGEMENT COLLEGE.
U.S. SOUTHERN COMMAND	SPEC ASST FOR TECHNOLOGY & REQUIREMENTS INTEG.
DEPARTMENT OF NAVY:	
OFFICE OF THE UNDER SECRETARY OF THE NAVY	ASSISTANT FOR ADMINISTRATION.
OFFICE OF THE AUDITOR GENERAL	AUDITOR GENERAL OF THE NAVY.
NAVAL AUDIT SERVICE	EASTERN U.S. AUDIT SERVICES FACILITATOR.
	DIRECTOR, PLANS AND POLICY.
	DIR, NAVAL AUDIT SERVICE WESTERN REGION.
	DIR, NAVAL AUDIT SERVICE CAPITAL REGION.
	DIRECTOR, AUDIT OPERATIONS.
OFFICE OF CIVILIAN PERSONNEL MANAGEMENT	DIR, CIVILIAN PERSONNEL PROGRAMS DIVISION.
	DIR, OFC OF CIVILIAN PERSONNEL MANAGEMENT.
	ASSOCIATE DIRECTOR (OCPM–30).
	ASSOCIATE DIRECTOR (OCPM–20).
	ASSOCIATE DIRECTOR (OCPM–10).
OAS OF THE NAVY (RESEARCH, DEV & ACQUISITION)	DIRECTOR, NAVY ACQUISITION R & S IMPROVEMENT.
	DIRECTOR, PROCUREMENT POLICY.
	DIRECTOR, PRODUCT INTEGRITY.
	HEAD, CONTRACT POLICY.
	DIR, INTL AGREEMENTS, TTSARB & SPECIAL PROJ.
	DIRECTOR, ACQUISITION CAREER MANAGEMENT.
	DIRECTOR FOR AAW & STRIKE AIR PROGRAMS.
	DIR, NAVY INTERNATIONAL PROGRAMS OFFICE.
PROGRAM EXECUTIVE OFFICERS	DIRECTOR, PLANS & PROGRAMS DIVISION.
	HEAD FIRE CONTROL SECTION.
	HEAD OPERATIONS ENGINEERING SECTION.
	TEST & INSTRUMENTATION BRANCH ENGINEER.
	CHF ENGR, MISSILE BRANCH.
	CHF ENGR
	BR ENGR FIRE CONTROL & GUIDANCE BR.
	PROG MGR, MK–50 TORPEDO PROG OFC.
	SECT HEAD. REENTRY SYSTEMS SECT, MISSILE BR.
	DEP P/E OFFICER FOR UNMANNED AERIAL VEHICLES.
	DEP PROG EXEC OFFICER FOR THEATER AIR DEFENSE.
	DIR OF TECHNOLOGY.
	HEAD, RESOURCES BRANCH.
	DEP P/E OFFICER FOR CRUISE MISSILES PROGRAM.
	PROG MANAGER FOR COMM SATELLITE PROGRAMS.
	DEP PROG OFFICER SUBMARINES.
	PROGRAM EXECUTIVE OFFICER, UNDERSEA WARFARE.
	DEP PROG EXEC OFCR FOR TACTICAL AIR PROGRAMS.
	DEP PROG EXEC OFFICER MINE WARFARE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	PROG EXEC OFFICER FOR SPACE COMMS & SENSORS.
	AEGIS DEPUTY PROGRAM MANAGER.
	PROG. EXEC. OFFICER ASW ASSAULT & SPEC MISS PRO.
	CHIEF ENGINEER, PEO, SCS.
	PROGRAM MANAGER SHIP SELF DEFENSE.
OFC OF THE ASST SECY OF NAVY (FIN MGMT COMPTROLLER).	ASSOC DIR, BUDGET & REPORTS/FISCAL MANAG DIV.
	ASST GENERAL COUNSEL (FINANCIAL MANAGEMENT).
	DIR, INVESTMENT & DEV DIV.
	DIR, FINANCIAL MGMT POL & SYSTEMS DIVISION.
	DIR, OFC OF FIN MGT SYST.
	DIR, BUDGET EVALUATION GROUP.
	DIR RESOURCE ALLOCATION & ANALYSIS DIVISION.
	DIRECTOR, CIVILIAN-CONTRACTOR MANPOWER DIV.
NAVAL CENTER FOR COST ANALYSIS	S/A FOR COST A/T DIR, NAVAL CTR FOR COST ANAL.
	DIR, NAVAL CENTER FOR COST ANALYSIS.
OFFICE OF THE NAVAL INSPECTOR GENERAL	DEPUTY NAVAL INSPECTOR GENERAL.
OFFICE OF THE GENERAL COUNSEL	ASST GEN COUN (RES. DEV & ACQUISITION).
	SPECIAL COUNSEL FOR LITIGATION.
	ASST GENERAL COUNSEL (INSTALL & ENVIRONMENT).
	ASSIST GEN COUN (MANPOWER & RESERVE AFFAIRS).
NAVAL CRIMINAL INVESTIGATIVE SERVICE	DIR NAVAL CRIMINAL INVEST SERVICE.
	ASST DIR OF COUNTERINTELLIGENCE.
	SPECIAL AGENT IN CHARGE NORFOLK FIELD OFC.
	SPECIAL AGENT IN CHARGE.
	ASST DIR CRIMINAL INVESTIGATION.
CHIEF OF NAVAL OPERATIONS	ASST DEP CHF OF NAVAL OPERATIONS (LOGISTICS).
	TECHN DIR, PENTAGON S/A INFO TECHNOL SERVICES.
	HEAD, STUDIES & ANALYSIS BRANCH.
	ASSOCIATE DIRECTOR, ASSESSMENT DIVISION.
	TECH DIR, SUBMARINE & SSBN SECURITY PROGRAM.
	TECHNICAL DIRECTOR.
	ADVISOR FOR RESEARCH & DEVELOPMENT PROGRAMS.
	EXECUTIVE ASSISTANT.
	DEP DR, SUPPORTABILITY, M & M DIVISION.
	DEPUTY DIRECTOR FOR PROGRAMMING.
	HEAD ASSESSMENT & AFFORDABILITY BRANCH.
	ASSOC DIR, EXPEDITIONARY WARFARE DIVISION.
	DIR NAVAL HISTORY/DIR. NAVAL HISTORICAL CTR.
	SPECIAL ASST FOR TECHNOLOGY AND ANALYSIS.
	HEAD, LOGISTICS & FLEET SUPPORT BRANCH.
	HEAD DEEP SUBMERGENCE SYSTEMS BRANCH.
	DEP DIR ENVIR PROTECTION SAFETY OCCP HEAL DIV.
	DIRECTOR STRATEGIC SEALIFT DIVISION.
	ASST FOR EDUCATIONAL RESOURCES.
	TECHN DIR, NAVAL WARFARE ANAL A/F LEVEL PLANS.
BUREAU OF NAVAL PERSONNEL	ACNP FOR MPN FINANCIAL MANAGEMENT.
NAVAL OBSERVATORY	DIR, TIME SERVICE DIV.
BUREAU OF MEDICINE & SURGERY	DEP COMMANDER FOR FIN MGMT & COMPTROLLER.
MILITARY SEALIFT COMMAND	COUNSEL.
	ENGINEERING OFFICER.
	COMPTROLLER.
	DEPUTY COMMANDER.
NAVAL TACTICAL SUPPORT ACTIVITY	DIR NAVY TACTICAL SUPPORT ACTY.
NAVAL OCEANOGRAPHY COMMAND	TECHNICAL/DEPUTY DIRECTOR.
OFC OF COMMANDER IN CHF/ALLIED FORCES/SOUTHERN EUR.	DIRECTOR, TACTICAL DEVELOPMENT & TRAINING.
OFC OF THE COMMANDER-IN-CHIEF, U.S. PACIFIC COMMAND.	CHIEF, RESEARCH & ANALYSIS.
OFC OF THE CHIEF OF NAVAL EDUCATION AND TRAINING	COMPTROLLER.
NAVAL AIR SYSTEMS COMMAND HEADQUARTERS	STANDARDS IMPROVEMENT EXECUTIVE.
	EXECUTIVE DIR, CORPORATE OPERATIONS.
	EXECUTIVE DIRECTOR FOR LOGISTICS.
	EXEC DIR ACQUISITION MGT.
	EXECUTIVE DIRECTOR FOR CONTRACTS.
	DEPUTY COMPTROLLER.
	COUNSEL, NAVAL AIR SYSTEMS COMMAND.
	ASSOC DIRECTOR WEAPONS SYS ENG DIVISION.
	DIR PROD INTEGRITY & PRODUCTION ENG DIVISION.
	DEPUTY HEAD, AVIONICS DEPT.
	DIR, EVALUATION DIV.
	DEPUTY HEAD AIR VEHICLE DEP.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DEP HEAD LOGISTICS MANAGEMENT.
	HEAD, TACTICAL A & M CONTRACTS DEPARTMENT.
	HEAD AIRCRAFT SUPPORT DEPT.
	SPECIAL ASST FOR TOM.
	HEAD COST DEPARTMENT.
	DEPUTY ACQUISITION EXECUTIVE.
	EXECUTIVE DIRECTOR FOR ENGINEERING.
	DIR FOR SYSTEMS DEFINITION & ALTERNATIVES.
	DIR INDUSTRIAL OPERATIONS.
	DIRECTOR, AIRCRAFT DIVISION.
	HEAD CONCEPTS ANALYSIS EVALUATION PLAN DEPT.
	HEAD PROPULSION & POWER SYSTEMS DEPT.
	DEP HEAD AIRCRAFT SYS ENGINEERING DEPARTMENT.
	HEAD LOGISTICS SUPPORT DEPARTMENT.
	DEPUTY COMMANDER, NAVAL AIR SYS COMMAND.
	HEAD, CRUISE M & U AERIAL VEHICLES DEPT.
	DIR BUDGET FORMULATION JUSTIFICATION EXE DIV.
	DEPUTY COUNSEL, NAVAIR.
	EXECUTIVE DIR FOR INDUSTRIAL CAPABILITIES.
	DIR NAVAL AVIATION SCIENCE & TECH OFFICE.
	ASST COMMANDER FOR CORPORATE OPERATIONS.
	DIR, TECHNOLOGY MATURATION DIRECTORATE.
	HEAD AIR ASW ASSAULT & SPECIAL MISSION PROG.
NAVAL AIR WARFARE CENTER	TECHNICAL DIRECTOR.
NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION WARMINSTER.	HEAD, AIR VEHICLE DEPARTMENT.
	EXEC DIRECTOR.
	HEAD, AVIONICS DEPARTMENT.
	HEAD, TACTICAL AIR SYSTEMS DEPARTMENT.
NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION LAKEHURST.	EXECUTIVE DIRECTOR.
	CHIEF ENGINEER.
	HEAD PROGRAM MANAGEMENT COMPETENCY.
NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION	EXEC DIR, T & E GROUP NAWC-AIRCRAFT DIV.
	DIR OF ATLANTIC RANGES & FACILITIES DEPT.
	DEP COMMANDER, NAWC–AIRCRAFT DIVISION.
NAVAL AIR WARFARE CENTER AIRCRAFT DIV INDIANAPOLIS	DIRECTOR, ENGINEERING COMPETENCY.
	HEAD, SYSTEMS ENGINEERING DEPART.
	HEAD, INDUSTRIAL COMPETENCY.
NAVAL AIR WARFARE CENTER WEAPONS, DIV, PT. MUGU, CA.	DIR SEA RANGE DIRECTORATE.
	HEAD TEST EVALUATION ENGINEERING DEPARTMENT.
	HEAD, SYST ENGINEERING DEPARTMENT.
	DIRECTOR FOR TEST & EVALUATION.
	HEAD, THREAT/TARGET SYST DEPART.
NAVAL AIR WARFARE CENTER WEAPONS DIV, CHINA LAKE, CA.	HEAD, ATTACK WEAPONS DEPARTMENT.
	HEAD, RES AND TECHNOLOGY DIVISION.
	HEAD, PACIFIC RANGES & FACILITIES DEPART.
	HEAD, AVIONICS DEPT.
	HEAD, ENGINEERING DEPARTMENT.
	HEAD INTERCEPT WEAPONS DEPARTMENT.
	HEAD, RANGE DEPARTMENT.
	HEAD, WEAPONS/TARGET DEPT.
	DIR, AIRCRAFT WEAPONS SYSTEMS DIRECTORATE.
	DIR FOR ENG, NAWC–WEAPONS DIVISION.
	HEAD WEAPONS PLANNING GROUP.
	DIRECTOR OF CORPORATE OPERATIONS.
NAVAL TRAINING SYSTEMS CENTER	EXECUTIVE DIRECTOR.
	DIR OF ACQ, ANALYSIS, ENGINEERING & RESEARCH.
SPACE & NAVAL WARFARE SYSTEMS COMMAND	EXEC DIR, CONTRACTS.
	DEPUTY COMPTROLLER.
	COUNSEL SPACE & NAVAL WARFARE SYSTEMS COM.
	CHIEF ENG COMMS SYS PROGRAM DIRECTORATE.
	EXEC DIR, COMM SYST PROG DIRECTORATE.
	CHIEF ENGINEER COMMAND SYS PROG DIRECTORATE.
	ASSOC TECH DIR FOR RESEARCH & TECHNOLOGY.
	EXEC DIR, SPACE TECHNOLOGY DIRECTORATE.
	EXEC DIR/COMMUNICATIONS SYST PROG DIRECTORATE.
	EXEC DIR, UNDERSEA SURVEILLANCE PROG DIR.
	CHIEF ENG UNDERSEA SURVEILLANCE PROG DIRECT.
	DIR OF TECH HEAD ENGINEERING TECH GROUP.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR, INFORMATION SYSTEMS SECURITY OFFICE.
	EXECUTIVE DIR C41 SYSTEMS DIRECTORATE.
	CHIEF ENG SPAWAR.
	EXEC DIR, NWSAED.
	ASST COMDR FOR POL, OPS & ACQ SUPPORT DIRECT.
	DEPUTY COMMANDER.
NAVAL COMMAND CONTROL & OCEAN SURVEILLANCE CENTER.	TECHNICAL DIRECTOR.
NAVAL COMMAND C & O SURVEILLANCE CTR. RDTE&E DIVISION.	HEAD, SURVEILLANCE DEPT.
	EXECUTIVE DIRECTOR.
	DEP EXEC DIRECTOR.
	HEAD, NAVIGATION & AIR C3 DEPARTMENT.
	HEAD, COMMAND AND CONTROL DEPARTMENT.
	DEPUTY EXEC DIRECTOR/BUSINESS MANAGER.
	HEAD, COMMUNICATION DEPARTMENT.
NAV COMMAND CONTROL & OCEAN SURVEIL COMM WEST COAST DIV.	EXECUTIVE DIRECTOR WEST COAST ISE.
EAST COAST ISE DIVISION	EXECUTIVE DIRECTOR EAST COAST.
NAVAL FACILITIES ENGINEERING COMMAND	SENIOR EXECUTIVE FOR PUBLIC WORKS SUPPORT.
	COUNSEL NAVAL FACILITIES ENGINEERING COMMAND.
	DEPUTY COMPTROLLER.
	DIRECTOR FOR CONTRACTS SUPPORT.
	CHIEF ENGINEER.
	DIR OF REAL ESTATE SUPPORT.
	SENIOR EXECUTIVE FOR BASE CLOSURE OFFICE.
	DIRECTOR FOR ENVIRONMENT.
	DIRECTOR, PLANNING & ENGINEERING SUPPORT.
NAVAL SEA SYSTEMS COMMAND	DIR ENVIRONMENTAL PROTECTION OFC (SEA OOT).
	EXECUTIVE DIRECTOR.
	ASST DEPUTY COMMANDER FOR CONTRACTS.
	COUNSEL NAVAL SEA SYSTEMS COMMAND.
	ASST DEP COMMANDER FOR CONTRACTS.
	DEP PROG MGR & TECH DIR, PMS396B.
	EXECUTIVE DIRECTOR/DEPUTY COMPTROLLER.
	PROG MGR, MINE WARFARE SHIP PROGRAM.
	DIR, SUBMARINE SYSTEMS (S5W & S8G) DIVISION.
	DIRECTOR, REACTOR MATERIALS DIVISIONS.
	DIRECTOR, SECONDARY PLANT COMPONENTS DIVISION.
	HEAD, ADVANCED REACTOR BRANCH.
	DIR NAVAL, ARCHITECTURE GROUP.
	DEPUTY DIRECTOR, SHIP DESIGN GROUP.
	DIRECTOR COST ESTIMATING & ANALYSIS.
	DIR, SHIPBUILDING CONTRACTS DIVISION.
	EXEC DIR, INDUSTRIAL & FACILITY MGMT DIR.
	EXECUTIVE DIRECTOR, SURFACE SHIP DIRECTORATE.
	EXEC DIR SUBMARINE DIRECTORATE.
	DEP PROG MANAGER & TECH DIR SUPPORT SHIP BOAT.
	DIRECTOR, WARFARE SYSTEMS GROUP.
	DIRECTOR, CORPORATE OPERATIONS.
	DEPUTY COMMANDER FOR FLEET LOGISTICS SUPPORT.
	DEP PROG MANAGER TECH DIR ATTACK SUBM PROG.
	DEP PROGRAM MGR, SURFACE SHIP PROG MGMT OFC.
	DEP PROG MANAGER, AIRCRAFT CARRIER PROG OFC.
	DIR, ENVIRONMENTAL ENGINEERING GROUP.
	DIRECTOR FOR SUBMARINE REFUELINGS.
	DIR SURFACE SHIP SYSTEMS DIVISION.
	DEPUTY DIRECTOR, NUCLEAR COMPONENTS DIV.
	DIR, REACTOR PLANT SAFETY & ANALYSIS DIVISION.
	DIR, SHIP S & S INTEGRITY GROUP.
	DIRECTOR, PROPULSION SYSTEMS GROUP.
	DIRECTOR, FIELD ACTIVITY SUPPORT GROUP.
	DIRECTOR, MATERIALS ENGINEERING OFFICE.
	DIR ELECTRICAL ENGINEERING GROUP.
	PROGRAM MANAGER SUP SHIP BOAT CRAFT PROG OFC.
	EXEC DIR, SHIP DESIGN & ENGRNG DIRECTORATE.
	PROG MGR, AMPHIBIOUS W & S SEALIFT PROGRAM.
	DIR, NAVAL SHIPYARD MGT GROUP.
	PROGRAM MANAGER FOR COMMISSIONED SUBMARINES.
	COMMAND ASST FOR HUMAN RESOURCES PROG & DIR.
	DIR, SURFACE SYSTEMS CONTRACTS DIVISION.
	ASSOC DIRECTOR FOR REGULATORY AFFAIRS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASST DEP COMMANDER, SURFACE & AREA AAW SYST.
	DIRECTOR, OFFICE OF RESOURCE MANAGEMENT.
	DIR, REACTOR REFUELING DIVISION.
	DEPUTY COUNSEL, NAVAL SEA SYSTEMS COMMAND.
	DIR ENVIRONMENTAL PROTECTION OFFICE.
	DIRECTOR, SHIP SIGNATURES GROUP.
	DIRECTOR, AUXILIARY SYSTEMS GROUP.
	DIR, COMBAT SYSTEMS DESIGHN & ENG GROUP.
	PROG MGR, DEEP SUBMERGENCE SYST PROG.
	PROGRAM MANAGER, STRATEGIC SEALIFT PROG OFC.
NAVAL ORDNANCE CENTER	DEPUTY COMMANDER, NAVAL ORDNANCE CENTER.
NORFOLK NAVAL SHIPYARD	NAVAL SHIPYARD NUCLEAR ENG MANAGER.
	NAVL SHIPYARD NUCLEAR ENG MGR PUGET NAL SHIP.
NAVAL SURFACE WARFARE CENTER	TECHNICAL DIRECTOR.
NAVAL UNDERSEA WARFARE CENTER	TECHNICAL DIRECTOR.
NAVAL SURFACE WARFARE CENTER, CRANE DIVISION	EXECUTIVE DIRECTOR.
NAVAL UNDERSEA WARFARE CENTER DIV, KEYPORT, WA	EXECUTIVE DIRECTOR.
	CHF RES SCIENTIST (ARCTIC SUBMARINE TECH.
NAVAL SURFACE WARFARE CENTER, PT. HUENEME DIVISION.	EXECUTIVE DIRECTOR.
NAVAL SURFACE WARFARE CENTER, INDIAN HEAD DIVISION	DIRECTOR.
COASTAL SYSTEMS STATION	EXECUTIVE DIRECTOR.
	HEAD COSTAL RESEARCH & TECH DEPT.
	HEAD, COASTAL WARFARE SYSTEMS DEPARTMENT.
NAVAL SURFACE WARFARE CENTER, CARDEROCK DIVISION	DIRECTOR.
	ASSOC DIR FOR MACHINERY R&D/H, MACHINERY R&DD.
	ASSOC DIR FOR HYDROMECHANICS/HEAD, HD.
	ASSOC DIR FOR BUSINESS OPS/HBD.
	ASSOC DIR FOR SYST/P & H SHIP S/P DIRECTORATE.
	ASSOC DIR FOR TECH/ DIR OF TECHNOLOGY & PLANS.
	ASSOC DIR FOR SHIP A/E S/H S/DIRECTORATE.
	ASSOC DIR FOR SS & M/HSS & M DIRECTORATE.
	ASSOC DIR FOR MISE/HMIS ENG DIRECTORATE.
NAVAL SURFACE WARFARE CENTER, DAHLGREN DIVISION	EXEC DIRECTOR.
	HEAD, STATEGIC & SPACE SYSTEMS DEPARTMENT.
	HEAD, WEAPONS SYSTEMS DEPARTMENT.
	HEAD, COMBAT SYSTEMS DEPARTMENT.
	HEAD, SHIP DEFENSE SYSTEMS DEPARTMENT.
	DEPUTY EXECUTIVE DIRECTOR/BUSINESS MANAGER.
	HEAD, STRIKE SYSTEMS DEPARTMENT.
	HEAD, SYSTEMS RES & TECHNOLOGY DEPARTMENT.
	HEAD, WARFARE SYSTEMS DEPARTMENT.
	HEAD, WARFARE ANALYSIS DEPARTMENT.
NAVAL UNDERSEA WARFARE CENTER DIVISION, NEWPORT, RI	HEAD, SUBMARINE SONAR DEPARTMENT.
	EXECUTIVE DIRECTOR.
	HEAD TEST AND EVALUATION DEPT.
	SUPERINTENDENT UNDERWATER SOUND REF DIV.
	DIRECTOR FOR SUBMARINE COMBAT SYSTEMS.
	DIRECTOR, SUBMARINE WARFARE SYSTEMS.
	DIRECTOR, SURFACE ANTI-SUBMARINE WARFARE.
	HD, SUBMARINE ELECTROMAGNETIC SYS DEPT.
	HEAD COMBAT CONTROL SYSTEMS DEPARTMENT.
	HEAD COMBAT SYSTEMS ANALYSIS DEPARTMENT.
	DIRECTOR OF OPERATIONS.
NAVAL SUPPLY SYSTEMS COMMAND HDQTRS	DIR PLANS PROGRAMS & RESOURCES.
	COUNSEL.
	DIR, DEFENSE PRINTING SERV/DEP COMDR, NAVSUP.
	COMPETITION ADVOCATE GEN/ADC, CONTRACTING MGR.
	DIRECTOR OF CONTRACTING FOR SPECIAL PROGRAMS.
	DEP COMMANDER FOR CORPORATE MANAGEMENT.
	ASSISTANT COMMANDER FOR FLEET LOGISTICS OPS.
	DIR INFO TECH INITIATIVES DIVISION.
	EXECUTIVE DIRECTOR.
NAVAL INVENTORY CONTROL POINT	EXECUTIVE DIR LOGISTICS PLANNING & SUPPORT.
	EXEC DIR ACQUISITION & LOGISTICS PLNG & SUPPT.
	VICE COMMANDER.
NAVY FLEET MATERIAL SUPPORT OFFICE	EXEC DIR, ADP SYSTEM PLANNING AND DEVELOPMENT.
NAVAL SUPPLY CENTER, NORFOLK	EXECUTIVE DIRECTOR, PLANNING AND RESOURCES.
U.S. MARINE CORPS HEADQUARTERS OFFICE	DEP DIR FACILITIES & SERVICES DIVISION.
	FISCAL DIR OF THE MARINE CORPS.
	DIR CONTRACTS DIVISION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	COUNSEL FOR THE COMMANDANT.
	DEPUTY COUNSEL FOR THE COMMANDANT.
	DIRECTOR OF ADMINISTRATION AND RESOURCES.
	ASST DEP CHF OF STAFF FOR INSTALLATIONS & LOG.
	ASST TO THE DEP CHF OF STAFF FOR M & R AFFS.
	ASST DEP CHF OF STAFF FOR REQUIREMENTS & PROG.
MARINE CORPS SYSTEMS COMMAND	EXECUTIVE DIRECTOR.
	DEPUTY FOR FINANCIAL MANAGEMENT.
MARINE CORPS LOGISTICS BASE ALBANY GA	DEPUTY COMMANDER FOR LOGISTICS OPERATIONS.
OFFICE OF NAVAL RESEARCH	DIR, SHIP STRUCTURES & SYSTEMS S&T DIV.
	DIR, MECHANICS & ENERGY CONVERSION S&T DIV.
	DIR ANTI/AIR ANTI/SURF WARF & AERSPACE TEC DV.
	DIR. FIN MGMT/COMPT/SPEC ASST(FM)TO ASN(R,E&S.
	DIR OF PLANNING AND ASSESSMENT.
	DEP DIR FOR TECHNOLOGY PROGRAMS.
	DIRECTOR, COMPUTER SCIENCE DIVISION.
	DIRECTOR, MECHANICS DIVISION.
	DIR OCEAN BIOLOGY/OPTICS/CHEMISTRY DIV.
	DEP CHIEF NAV RES & TECH DIR OFC OF NAV RES.
	DIRECTOR, TECHNOLOGY DIRECTORATE.
	HEAD SPECIAL PROGRAMS DEPARTMENT.
	EXECUTIVE DIR FOR ACQUISITION MANAGEMENT.
	DIR FINANCIAL MANAGEMENT COMPTROLLER.
	DEPUTY COUNSEL (INTELLECUTUAL PROPERTY).
	DIR OCEAN ENG DIV.
	DIR, INDUSTRY INDEPENDENT RES & DEVEL DIR.
	COUNSEL, OFFICE OF NAVAL RESEARCH.
	DIRECTOR, PHYSICS DIVISION.
	DIRECTOR, CHEMISTRY DIVISION.
	DIRECTOR, SCIENCE DIRECTORATE.
	DIR, COGNITIVE & NEURAL SCIENCES DIV.
	DIRECTOR, LIFE SCIENCES DIRECTORATE.
	DIRECTOR, BIOLOGICAL SCIENCES DIVISION.
	DIR, MATHEMATICAL & PHYSICAL SCIENCES DIR.
	DIR, MATHEMATICAL SCIENCES DIVISION.
	DIRECTOR, ELECTRONICS DIVISION.
	DIR OCEAN & ATMOSPHERIC PHYSICS DIV.
	HEAD ENGINEERING.
	DIR STRIKE TECHNOLOGY DIVISION.
	DIR MATH COMPUTER & INFORMATION SCIENCE DIV.
	DIRECTOR, OAS SCI & TECHNOL M & P DIVISION.
	DEPUTY DIRECTOR, TECHNOLOGY DIRECTORATE.
	DIR SCIENCE & TECHNOLOGY DIRECTORATE.
	DIR OAS AT SENSING & SYSTEMS DIVISION.
	HEAD INDUSTRIAL PROGRAMS DEPARTMENT.
	DIR ANTI SUBMARINE WARFARE & UNDERSEA TECH.
	DIR CHEMISTRY & PHYSICS SCI & TECH DIV.
	DIRECTOR, MATERIALS DIVISION.
	DEP DIR SCIENCE & TECHNOLOGY DIRECTORATE.
	DIR CONGITIVE & NEURAL SCIENCE & TECH DIV.
	HEAD PERSONNEL OPTIMIZATION BIO SCI & TEC DEP.
	DIR BIOLOGICAL & BIOMEDICAL SCIENCE & TECH DV.
	HEAD INFO ELECTRONICS & SURVEIL SCI TECH DEPT.
	DIR OF SURVEILLANCE COMMUNICATIONS ELECTRONIC.
	DIRECTOR, ELECTRONICS DIVISION.
	SPEC ASST TO THE DIR, ONR FOR OCEANS SCIENCES.
	ASSOC FOR INTEGRATION OAS ST MODELING PRED DV.
	HEAD OCEAN ATMOSPHERIC SPACE SCI TECH DEPT.
	DIR RELIANCE SCI OPPORTUNITIES PROG INTELL.
	DIR MATERIALS SCI AND TECHNOLOGY DIVISION.
	ASSOC FOR INTEGRATION OAS ST SENSING SYS DIV.
NATO SACLANT ASW RESEARCH CENTER	DIRECTOR NATO SACLANT ASW RESEARCH CENTRE.
NAVAL RESEARCH LABORATORY	SUPERINTENDENT, CHEMISTRY DIVISION.
	SUPERINTENDENT, OPTICAL SCIENCE DIV.
	SUPT MATERIALS SCI AND TECH DIVISION.
	SUPERINTENDENT, PLASMA PHYSICS DIV.
	SUPT CONDENSED MATTER & RADIATION SCI DIV.
	ASSOC DIR OF RES FOR MATL SCI & COMP TECHNOL.
	SUPERINTENDENT, INFO TECHNOL DIV.
	CHF SCI, LAB FOR STRUCTURE OF MATTER.
	DIR OF RESEARCH.
	SUPERINTENDENT SPACE SCIENCE DIV.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	SUPT, RADAR DIV.
	SUPT, ACOUSTICS DIV.
	SUPERINTENDENT ELECTRONICS TECHNOLOGY DIV.
	SUPT, TACTICAL ELECTRONIC WARFARE DIV.
	CHIEF SCIENTIST LAB FOR COMPT PHY FLUID DYNAM.
	HEAD, OFC OF SYST SUPPORT & REQUIREMENTS.
	CHF SCIENTIST & HEAD, SOLAR PHYSICS PROGRAM.
	SUPERINTENDENT, REMOTE SENSING DIVISION.
	ASSOC DIR OF RES FOR BUSINESS OPERATIONS.
	CHIEF SCI & HEAD, BEAM PHYSICS PROGRAM.
	SUPERINTENDENT, MARINE METEOROLOGY DIVISION.
	MGR, JOINT SPACE SYSTEMS TECHNOLOGY PROGRAMS.
	ASSOC DIR RES FOR OCEAN & ATMOSPHERIC SCI TEC.
	HEAD ELECT WARFARE STRATEGIC PLANNING ORG.
	ASSOC DIR OF RESEARCH FOR STRATEGIC PLANNING.
	ASSOC DIR OF RES FOR GEN S & S SYST TECHNOL.
	ASSOC DIR OF RES FOR WARFARE SYS & SENORS RES.
	SUPERINTENDENT, SPACE SYST DEVELOPMENT DEP.
	SUPERINTENDENT, OCEANOGRAPHY DIVISION.
	SUPERINTENDENT, SPACECRAFT ENGINEERING DEP.
	SCIENTIFIC ADVISOR TO NAVAL DOCTRINE COMMAND.
	DIR, NAVAL CENTER FOR SPACE TECHNOLOGY.
	SUPERINTENDENT, MARINE GEOSCIENCES DIVISION.
	HEAD CENTER FOR ENVIRONMENTAL ACOUSTICS.
DEFENSE NUCLEAR FACILITIES SAFETY BOARD:	
	ASST DIR FOR SYS ANALYSIS & INTEGRATION.
	ASST DIR FOR OPERATIONAL SAFETY.
	ASST DIR FOR ENGINEERING DEVELOP & TECHNOLOGY.
	ASST DIR FOR STANDARDS DEVELOP & IMPLEMENT.
	SITE REVIEW OFFICER.
	DEP GEN COUNSEL FOR POL & LITIGATION.
	CHIEF RADIATION & ENVIRONMENTAL SAFETY.
	DEPUTY GENERAL MANAGER.
	ASST DIR FOR PROCESS ENGINEERING.
DEPARTMENT OF EDUCATION:	
CHIEF FINANCIAL OFFICER	
	DIRECTOR, GRANTS AND CONTRACTS SERVICE.
	DEPUTY DIRECTOR FOR FINANCIAL MANAGEMENT.
	DEP CHF FIN OFCR/DIR FINANCIAL SERVICES.
	DIRECTOR, FIN REP & SYSTEMS OPERATIONS.
OFFICE OF MANAGEMENT	
	DIRECTOR PERSONNEL MANAGEMENT SERVICE.
	CHAIRPERSON, EDUCATION APPEAL BOARD.
	DIR HUMAN RESOURCES GROUP.
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.
	DEP ASST INSPECTOR GEN FOR TECHN AUDIT SVC.
	ASSOCIATE INSPECTOR GENERAL.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATION.
GENERAL COUNSEL	
	ASST GEN COUN FOR BUSIN & ADM LAW.
	ASST GENERAL COUNSEL FOR EDUCATIONAL EQUITY.
	ASST GEN COUNSEL FOR REGULATIONS.
	ASST GEN COUN FOR DIV OF LEGISLATIVE COUNSEL.
	ASST GEN COUN FOR POSTSECONDARY ED & ED RES.
EDUCATIONAL RESEARCH AND IMPROVEMENT	
	SENIOR ADVISOR ON LIBRARY PROGRAMS.
NATIONAL CENTER FOR EDUCATION STATISTICS	
	ASSOC COMMR/SURVEYS & COOPERATIVE SYST GROUP.
	ASSOC COMMR FOR DATA D & L STUDIES GROUP.
	ASSOC COMMISSIONER ASSESSMENT GROUP.
DEPARTMENT OF ENERGY:	
ORGANIZATION ABOLISHED	
	ASST MANAGER FOR ADMINISTRATION.
ORGANIZATION ABOLISHED	
	TECHNICAL DIRECTOR.
	DIRECTOR, OFFICE OF SPECIAL PROJECTS.
ORGANIZATION ABOLISHED	
	ASSOC DIR, OFC OF SCIENTIFIC COMPUTING.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
DAS FOR RESEARCH AND DEVELOPMENT	ASSOC DEP ASST SECY FOR MILITARY APPLICATION.
DAS FOR FACILITY TRANSITION AND TECHNICAL SUPPORT	NUCLEAR WEAPONS COMPLEX PROJECT MANAGER.
DAS FOR PLANNING AND RESOURCE MANAGEMENT	ASSOC DAS FOR HUMAN & ADMINISTRATIVE RES. ASSOC DAS FOR PROGRAM A & F MANAGEMENT.
ORGANIZATION ABOLISHED	DIR, ORGANIZATION & MANPOWER ANALYSIS DIV. DEP DIR, HEADQUARTERS PROCUREMENT OPERATIONS.
OFFICE OF ECONOMIC IMPACT & DIVERSITY	ASSOC DIR, OFFICE OF SYSTEM & COMPLIANCE.
ASST SECY FOR ENERGY EFFICIENCY & RENEWABLE ENERGY	MANAGER, GOLDEN FIELD OFFICE.
DAS FOR UTILITY TECHNOLOGIES	DIR, GEOTHERMAL DIVISION. DIR, WIND/HYDRO/OCEAN TECHNOLOGY DIVISION. DIR OFC SOLAR ENERGY CONVERSION. ASSOC DEP ASST SECRETARY FOR UTILITY TECH.
DAS FOR NUCLEAR SAFETY	DIR NUCLEAR SAFETY ENFORCEMENT DIVISION.
DAS FOR ENVIRONMENT	DIRECTOR, OFFICE OF ENVIRONMENTAL AUDIT. DEP DIR INVEST NUCLEAR SAFETY ENFORCEMENT DIV.
OFFICE OF NUCLEAR SAFETY POLICY AND STANDARDS	DIR NUCLEAR OPERATIONS & ANALYSIS.
OFFICE OF CHIEF FINANCIAL OFFICER	DIR OFC OF BUDGET. DEP DIR OFC OF BUDGET. DIRECTOR, BUDGET ANALYSIS DIVISION. DIR OFC OF HEADQUARTERS ACCOUNTING OPERATIONS.
DIRECTOR, BUDGET OPERATIONS DIVISION.	DIR OFC OF DEP ACCOUNTING & FIN SYS DEV. DIR OFC COMPLIANCE AND AUDIT LIAISON. DEPUTY CONTROLLER. CONTROLLER
ENERGY INFORMATION ADMINISTRATION	DIRECTOR, EIA–ADP SERVICES STAFF. DIR, OFC OF OIL AND GAS. DIRECTOR PETROLEUM SUPPLY DIVISION. DIR OFC OF COAL NUCL ELEC & ALTERN FUELS. DIRECTOR, OFC OF ENERGY MARKETS & END USE. DIRECTOR ECONOMICS & STATISTICS DIVISION. DIR OFC OF STATISTICAL STANDARDS. DIRECTOR QUALITY ASSURANCE DIVISION. DIR RESERVES AND NATURAL GAS DIVISION. DIRECTOR PETROLEUM MARKETING DIVISION. DIR, OFC OF INTEGRATION NAL & FORECASTING. DIR, EEUISD. DIR ENERGY SUPPLY & CONVERSION, DIV. DIR, ANALYSIS & SYSTEMS DIV. DIR, ENERGY MARKETS & CONTINGENCY INFO DIV. DIR SURVEY MGMT DIV.
DAS FOR MANAGEMENT AND FINANCE	DIRECTOR, OFFICE OF ACQUISITION MANAGEMENT.
DAS FOR TECHNOLOGY DEVELOPMENT	DIRECTOR, OFFICE OF RESEARCH & DEVELOPMENT.
OFFICE OF ENERGY RESEARCH	ASSOC DIR OFC OF COMPUTATIONAL & TECH RESEARC.
OFFICE OF BASIC ENERGY SCIENCES	DIR CHEM SCI DIV. DIR MAT SCI DIV.
OFFICE OF HIGH ENERGY AND NUCLEAR PHYSICS	DIR HIGH EN PHYSICS DIV.
OFFICE OF FUSION ENERGY	DIR, INTERNATIONAL PROGRAMS STAFF. DIR, CONFINEMENT SYSTEMS DIV.
OFFICE OF MANAGEMENT	DIRECTOR FOR MANAGEMENT.
OFFICE OF HEALTH & ENVIRONMENTAL RESEARCH	DIR HEALTH EFECTS RESEARCH DIVISION.
OFFICE OF LABORATORY MANAGEMENT	CHF PROCESSES AND TECH BR. DEPUTY DIR FOR NUCLEAR SAFETY SAFEGUARD. DIR, OFFICE OF ASSESSMENT & SUPPORT.
OFFICE OF SCIENCE EDUCATION & TECHNICAL INFORMATION	DIR FOR UNIVERSITY & SCIENCE ED PROG.
DAS FOR MANAGEMENT	DIRECTOR, OFC OF RESOURCE MANAGEMENT.
ASSOCIATE DS FOR FIELD MANAGEMENT	MANAGER STRATEGIC PLANNING. DIR, OFFICE OF CONTRACTOR EMPLOYEE PROTECTION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
ALBUQUERQUE OPERATIONS OFFICE	DIR, OFC OF RESOURCE MANAGEMENT & SERVICES.
	DIR, WEAPONS QUALITY DIVISION.
	DIR TRANSPORTATION SAFEGUARDS DIV.
	DIR, PRODUCTION ASSURANCE & OPS DIVISION.
	DIR, WEAPONS PROGRAMS DIV.
	DIR OF EMERGENCY PLANS & OPERATIONS.
	ASST MANAGER.
	CARLSBAD AREA OFFICE MANAGER.
	CHIEF FINANCIAL OFFICER.
CHICAGO OPERATIONS OFFICE	ACQUISITION & ASST GROUP MANAGER.
	AREA MANAGER BATAVIA AREA OFFICE.
	CHIEF FINANCIAL OFFICER.
IDAHO OPERATIONS OFFICE	CHIEF FINANCIAL OFFICER.
	ASST MGR OFC OF PROGRAM EXECUTION.
	ASST MANAGER, OFC OF POL, A & R MANAGEMENT.
	ASST MANAGER FOR APPLIED E & T TRANSFER.
NEVADA OPERATIONS OFFICE	CHIEF COUNSEL.
OHIO FIELD OFFICE	MANAGER OHIO FIELD OFC.
OAKLAND OPERATIONS OFFICE	ASST MGR FOR ADMIN.
	CHIEF FINANCIAL OFFICER.
SAVANNAH RIVER OPERATIONS OFFICE	ASST MGR FOR ADMIN.
	CHIEF FINANCIAL OFFICER.
OAK RIDGE OPERATIONS OFFICE	ASST MANAGER FOR ADMINISTRATION.
	CHIEF FINANCIAL OFFICER.
ROCKY FLATS OFFICE	MANAGER, ROCKY FLATS FIELD OFFICE.
	DEPUTY MANAGER, ROCKY FLATS FIELD OFFICE.
	ASST MANAGER FOR GOVERNMENT OPERATIONS.
	ASST MGR FOR PROJECT MANAGEMENT & ENGINEERING.
RICHLAND OPERATIONS OFFICE	CHIEF FINANCIAL OFFICER.
	SOURCE EVALUATION BOARD ADVISOR.
OFFICE OF HEARINGS & APPEALS	DEP DIR FOR LEGAL ANALYSIS.
	DEP DIR FOR FINANCIAL ANALYSIS.
	DEP DIR FOR ECON ANALYSIS.
ASST SECY FOR HUMAN RESOURCES & ADMINISTRATION	DIR HQ PERSONNEL OPERATIONS DIV.
DAS FOR HUMAN RESOURCES	DEP DIR OF PERSONNEL.
	DIR, OFC OF EXECUTIVE & TECHNICAL RESOURCES.
DAS FOR PROCUREMENT AND ASSISTANCE MANAGEMENT	DIR OFC OF INDUSTRIAL RELATIONS.
	ASSOC DAS FOR HEADQUARTERS PROCUREMENT OPS.
	ASSOC DIR, OFC OF PROCUREMENT, ASST & PROPERTY.
	DIR OFC OF CONTRACTOR MGMT & ADMIN.
	DIR OFC OF CLEARANCE & SUPPORT.
	DIR OFC POLICY.
	DIR, OFC OF SPECIAL PROJ & MGMT SYSTEMS.
OFFICE OF ORGANIZATION AND MANAGEMENT	DIR, OFC OF ORGANIZATION & MANAGEMENT.
OFFICE OF ADMINISTRATIVE SERVICES	DIR OFC OF ADMIN SVCS.
	DEP DIR OF ADMINISTRATIVE SERVICES (WASH, DC).
OFFICE OF INSPECTOR GENERAL	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	MANAGER, WESTERN REGIONAL AUDIT OFFICE.
	DIRECTOR, AUDIT POLICY, PLANS & PROGRAMS.
	MANAGER, EASTERN REGIONAL AUDIT OFFICE.
	DIR CAPITOL REGIONAL AUDIT OFFICE.
	DEPUTY ASST INSPECTOR GEN FOR INVESTIGATIONS.
	SPEC ASST FOR POLICY AND PLANNING.
	COUNSEL TO THE INSPECTOR GENERAL.
	ASST INSPEC GEN FOR POL & PLNG & MGT.
	PRINCIPAL DEPUTY INSPECTOR GENERAL.
	ASSISTANT INSPECTOR GENERAL FOR AUDITS.
	DEPUTY INSPECTOR GENERAL FOR INSPECTIONS.
	DEPUTY INSPECTOR GENERAL FOR AUDITS.
OFFICE OF FISSILE MATERIALS DISPOSITION	DEPUTY DIRECTOR.
OFFICE OF NUCLEAR ENERGY, SCIENCE & TECHNOLOGY	DIR SUBMARINE SYSTEMS DIV.
	DIR INSTRUMENTATION & CONTROL DIV.
	ASST PROGRAM MANAGER FOR SURFACE SHIPS.
	DEPUTY DIRECTOR FOR NAVAL REACTORS.
	SR. NAVAL REACTORS REP. (NWPT NEWS).
	SENIOR NAVAL REACTORS REP (PEARL HARBOR).
	DIRECTOR NUCLEAR TECHNOLOGY DIV.
	DIR REACTOR ENGINEERING DIVISION.
	HEAD, CORE MANUFACTURING BRANCH.
	DEP DIRECTOR REACTOR MATERIALS DIVISION.
	DIRECTOR, FISCAL DIVISION.
	ASST MANAGER FOR OPERATIONS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	PROGRAM MANAGER FOR SHIPYARD MATTERS.
	DIR NUCLEAR COMPONENTS DIVISION.
	SENIOR NAVAL REACTORS REPRESENTATIVE.
	MANAGER, IDAHO BRANCH OFFICE.
	PROG MANAGER FOR ADVANCED SUBMARINES.
	DIR ISOTOPE PRODUCTION & DISTRIBUTION PROG.
	ASST MANAGER FOR OPERATIONS.
	SENIOR NAVAL REACTORS REPRESENTATIVE.
	ENGEL WALTER. P.
	DIRECTOR ACQUISITION DIVISION.
	DIRECTOR FOR SUBMARINE REFUELINGS.
	SENIOR NAVAL REACTORS REPRESENTATIVE.
OFFICE OF SECURITY AFFAIRS	DIR OFC OF CLASSIFICATION & TECHNOLOGY.
	DIR OFC OF SECURITY AFFAIRS.
	DEP DIR, OFC OF SECURITY AFFAIRS.
WESTERN AREA POWER ADMINISTRATION	ASST ADMR FOR MGMT SVCS.
ENVIRONMENTAL PROTECTION AGENCY:	
OFC OF THE ASST ADMR FOR ADMIN & RESOURCES MANAGEMENT.	DEP ASST ADMR FOR FINANCE & ACQUISITION.
	DIRECTOR, OFC OF POL & RESOURCE MGMT.
	PRINICPAL DEP ASST ADMR FOR AMD & RES MGMT.
OFFICE OF THE COMPTROLLER	DIR OFC OF THE COMPTROLLER.
	DIR, FINANCIAL MGMT DIV.
	ASSOCIATE COMPTROLLER.
	DIRECTOR, BUDGET DIVISION.
	ASSOC DIR, FINANCIAL MANAGEMENT DIVISION.
OFFICE OF ADMINISTRATION	DIR OFC OF ADMINISTRATION.
	DEPUTY DIR OFC OF ADMINISTRATION.
	DIR, GRANTS ADMIN DIV.
	DIR, FACILITIES & SUPPORT SERVICES DIVISION.
	DIRECTOR, MANAGEMENT & ORGANIZATION DIVISION.
	DIR, NEW HEADQUARTERS PROJECT STAFF.
	DIR, SFTY, HEALTH & ENVIRONMENTAL MGMT DIV.
OFFICE OF INFORMATION RESOURCES MANAGEMENT	DIR OFC OF INFORMATION RESOURCES MANAGEMENT.
	DEP DIR OFC OF INFORMATION RESOURCES MAGNT.
	DIR, ADMINISTRATIVE SYSTEMS DIVISION.
	DIR, INFORMATION MANAGEMENT & SERVICES DIV.
	DIRECTOR ENTERPRISE SYSTEMS DIVISION.
OFC OF ADMINISTRATION & RESOURCES MGMT—CINCINNATI OH.	DIR OFC OF ADMIN AND RESOURCES MANAGEMENT.
OFFICE OF ADMINISTRATION & RESOURCES MGMT—RTP, NC.	DIRECTOR OFFICE OF ADMINISTRATION & RES MGMT.
	DIRECTOR, OFFICE OF DATA PROCESSING.
OFC OF HUMAN RESOURCES AND ORGANIZATIONAL SERVICES.	DIRECTOR, OFFICE OF HUMAN RESOURCES MGMT.
	SPECIAL ASST TO DIRECTOR, OHRM.
	DEP DIR FOR POL, PROGRAMS & EXEC RESOURCES.
	DEP DIR FOR OPERATIONS COMM & CLIENT SERVICES.
	DIR EXEC RES & SPEC PROG DIV.
	DIR OFFICE OF HUMAN RESOURCES & ORG SERVICES.
	ASSOC DIR FOR INTEGRATION & INNVOAION.
	DEP DIR OFC OF HUMAN RESOURCES & ORG SERVICES.
	ASSOC DIRCTOR FOR REENGINEERING & AUTOMATION.
	DIR EXEC RESOURCES & SPECIAL PROGRAMS STAFF.
	EPA IMMEDIATE OFFICE.
	DIR STRATEGIC PLANNING & POLICY SYSTEMS.
OFFICE OF ACQUISITION MANAGEMENT	DIR, SUPERFUND/RCRA PROCUREMENT OPS DIVISION.
	DIRECTOR, OFFICE OF ACQUISITION MANAGEMENT.
	DEP DIR, OFFICE OF ACQUISITION MANAGEMENT.
OFFICE OF GRANTS AND DEBARMENT	DIRECTOR, OFFICE OF GRANTS & DEBARMENT.
OFFICE OF THE ASSISTANT ADMR FOR E & C ASSURANCE	DIRECTOR, OFC OF ENVIRONMENTAL JUSTICE.
	DIR, ADM & RESOURCE MGMT SUPPORT STAFF.
	DIR, ENFORCEMENT CAPACITY & OUTREACH OFFICE.
ORGANIZATION ABOLISHED	DIR NAT'L ENFORCEMENT INVESTIGATIONS CENTER.
OFFICE OF FEDERAL ACTIVITIES	DIR, INTERNATIONAL ENFORCEMENT PROGRAM.
OFFICE OF REGULATORY ENFORCEMENT	DIRECTOR, OFFICE OF REGULATORY ENFORCEMENT.
	DEP. DIR, OFFICE OF REGULATORY ENFORCEMENT.
	DIR WATER ENFORCEMENT DIVISION.
	DIR AIR ENFORCEMENT DIVISION.
OFFICE OF CRIMINAL ENFORCEMENT, FORENSICS & TRAINING.	DIRECTOR, OFFICE OF CRIMINAL ENFORCEMENT.
	DIR NATL ENFORCEMENT TRAINING INSTITUTE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR OFC OF CRIMINAL ENFORCE FORENSICS TRAIN.
OFFICE OF COMPLIANCE	DEPUTY DIRECTOR, OFFICE OF COMPLIANCE.
OFFICE OF SITE REMEDIATION ENFORCEMENT	DIRECTOR, OFFICE OF COMPLIANCE.
	SENIOR LEGAL ADVISOR.
	DIR, ENFORCEMENT PLANNING, T & D DIVISION.
	DEP DIR, ENFORCEMENT PLANNING, T & D DIVISION.
	DIR, MANUFACTURING, E & T DIVISION.
	DIR. CHEMICAL, COMMERICAL S & M DIVISION.
	DIRECTOR, OFC OF SITE REMEDIATION ENFORCEMENT.
	DEP DIR. OFC OF SITE REMEDIATION ENFORCEMENT.
FEDERAL FACILITIES ENFORCEMENT OFFICE	DIR FEDERAL FACILITIES ENFORCEMENT OFFICE.
OFFICE OF POLICY DEVELOPMENT	DIR WATER & AGRICULTURE POLICY DIV.
	DIR AIR & ENERGY POLICY DIVISION.
	DIR, ECONOMIC ANALYSIS & INNOVATIONS DIV.
OFFICE OF INTERNATIONAL ACTIVITIES	DIR MULTILATERAL STAFF.
OFFICE OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
OFFICE OF INVESTIGATIONS	ASSIST INSPECTOR GEN FOR INVESTIGATIONS.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
OFFICE OF AUDIT	ASST INSPECTOR GENERAL FOR AUDITS.
	DEP ASST INSPECTOR GENERAL FOR AUDITS.
	ASSOC ASST INSPECT GENERAL FOR AQUIST ASST.
	DEP ASST INSP GEN FOR ACQ & ASST AUDITS.
	PRINCIPAL DEP ASST INSP GEN FOR AUDIT.
OFFICE OF MANAGEMENT	ASST INSPECTOR GEN FOR MGMT & TECH ASSESSMENT.
OFFICE OF WASTEWATER MANAGEMENT	DIRECTOR, PERMITS DIVISION.
	DIRECTOR, MUNICIPAL SUPPORT DIVISION.
	DEPUTY DIRECTOR, MUNICIPAL SUPPORT DIVISION.
OFFICE OF SCIENCE AND TECHNOLOGY	SENIOR SCIENCE ADVISOR.
	DIR, STANDARDS & APPLIED SCIENCE DIVISION.
	DIRECTOR, ENGINEERING & ANALYSIS DIVISION.
	DIR, HEALTH & ECOLOGICAL CRITERIA DIVISION.
OFFICE OF WETLANDS, OCEANS AND WATERSHEDS	DIR, ASSESSMENT & WATERSHED PROTECTION DIV.
	DIR, OCEANS & COASTAL PROTECTION DIVISION.
	DIRECTOR, WETLANDS DIVISION.
OFFICE OF GROUND WATER & DRINKING WATER	DIR, E & P IMPLEMENTATION DIVISION.
	DIRECTOR, DRINKING WATER STANDARDS DIVISION.
	DIRECTOR, GROUND WATER PROTECTION DIVISION.
OFC OF THE ASST ADMR FOR SOLID WASTE AND EMGY RESP.	DIR, SUPERFUND REAUTHORIZATION TASK FORCE.
OFFICE OF SOLID WASTE	DIR, CHARACTERIZATION & ASSESSMENT DIVISION.
	DIRECTOR, PERMITS & STATE PROGRAMS DIVISION.
	DIR, MUNICIPAL & INDUSTRIAL SOLID WASTE DIV.
	DIR HAZARDOUS WASTE INDENTIFICATION DIVISION.
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE	DIRECTOR, HAZARDOUS SITE EVALUATION DIVISION.
	DIR, EMERGENCY RESPONSE DIV.
	DIRECTOR, HAZARDOUS SITE CONTROL DIVISION.
OFC OF THE ASST ADMIR FOR AIR AND RADIATION	DIRECTOR OF COMMON SENSE INITIATIVE.
OFFICE OF AIR QUALITY PLANNING AND STANDARDS	DIR, EMISSION STANDARDS DIVISION.
	ASSOC DIR FOR INTERMEDIA & INTGOVT PROG.
	DIR AIR QUALITY STRATEGIES & STANDARDS DIV.
	DIR EMISSIONS MONITORING & ANALYSIS DIVISION.
	DEPUTY DIR OFC OF AIR QUALITY PLANNING & STDS.
OFFICE OF MOBILE SOURCES	DIRECTOR CERTIFICATION DIVISION.
	DIR MANUFACTURERS OPERATIONS DIVISION.
	DIR FIELD OPERATIONS & SUPPORT DIVISION.
	DIR ADVANCED TECHNOLOGY & SUPPORT DIVISION.
	DIR FUELS & ENERGY DIVISION.
	DIR VEHICLE PROGRAMS & COMPLIANCE DIVISION.
OFFICE OF RADIATION & INDOOR AIR	DIR, CRITERIA & STANDARDS DIV.
	DIRECTOR, RADON DIVISION.
	DIR RADIATION STUDIES DIVISION.
OFFICE OF ATMOSPHERIC PROGRAMS	DIR ATMOSPHERIC POLLUTION PREVENTION DIVISION.
	DIRECTOR, ACID RAIN DIVISION.
OFC OF ASST ADMR FOR PESTICIDES AND TOXIC SUBSTANCES.	DIR, OFC OF PROGRAM MANAGEMENT OPERATIONS.
OFFICE OF PESTICIDE PROGRAMS	DIR, REGISTRATION DIVISION.
	DIRECTOR, PROGRAM SUPPORT DIVISION.
	DIR, BIOLOGICAL AND ECONOMIC ANALYSIS DIVISION.
	SENIOR ADVISOR.
	DIR, SPEC REVIEW AND REREGISTRATION DIVISION.
	DIR ENVIR FATE AND EFFECTS DIVISION.
	DIR HEALTH EFFECTS DIVISION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR POLICY AND SPECIAL PROJECTS STAFF.
OFFICE OF POLLUTION PREVENTION AND TOXICS	DIR, HEALTH AND ENVIRONMENTAL REV DIV.
	DIRECTOR, ENVIRONMENTAL ASSISTANCE DIVISION.
	DIR, ECONOMICS EXPOSURE AND TECHNOLOGY DIV.
	DIRECTOR, CHEMICAL CONTROL DIVISION.
	DIRECTOR, INFORMATION MANAGEMENT DIVISION.
	DIR, POLLUTION PREVENTION DIV.
	DIR CHEMICAL SCREENING AND RISK ASSESSMENT DIV.
	DIR CHEMICAL MANAGEMENT DIVISION.
OFFICE OF RESOURCES MANAGEMENT AND ADMINISTRATION.	DIR OFC OF RESOURCES MGNT AND ADMIN.
OFFICE OF SCIENCE POLICY	DIRECTOR EXPOSURE ASSESSMENT GROUP.
	DIRECTOR, HUMAN HEALTH ASSESSMENT GROUP.
	DIRECTOR, OFFICE OF SCIENCE POLICY.
ORGANIZATION ABOLISHED	DIR ENVIRONMENTAL CRITERIA AND ASSES OFC RTP.
ORGANIZATION ABOLISHED	DIR, ENVIRONMENTAL CRITERIA AND ASSESSMENT OFC.
OFFICE OF RESEARCH AND SCIENCE INTEGRATION	DIR, ENVIRONMENTAL M & A PROGRAM CENTER.
	DIR OFC OF RESEARCH AND SCI INTEGRATION.
	DEP DIR OFC OF RESEARCH AND SCIENCE INTEGRATION.
ORGANIZATION ABOLISHED	DIR ATMOSPHERIC RES AND EXP ASSESSMENT LAB.
ORGANIZATION ABOLISHED	DIR ENVIRONMENT MONITORING SYST LAB.
ORGANIZATION ABOLISHED	DIR, ENV MONITORING SYS LAB, LAS VEGAS.
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS RES LAB (RTP).	DIR NATL HEALTH AND ENVIR EFFECTS RES LAB RTP.
	ASSOC DIR FOR HEALTH NHEERL RTP.
	ASSOCIATE DIRECTOR FOR ECOLOGY NHEERL RTP.
ATLANTIC ECOLOGY DIVISION-NARRAGANSETT	DIR AIR AND ENERGY ENG RES LAB.
	DIR, ENVIRONMENTAL RES LAB, NARRAGANSETT.
WESTERN ECOLOGY DIVISION-CORVALLIS	DIR RISK REDUCTION ENGINEERING LABORATORY.
	DIR PACIFIC ECOLOGY DIVISION CORVALLIS.
GULF ECOLOGY DIVISION-GULF BREEZE	DIR, GULF BREEZE ECOLOGY DIVISION.
NATIONAL EXPOSURE RESEARCH LABORATORY (RTP)	DIR NATL EXPOSURE RES LABORATORY RTP.
	DEP DIR FOR MANAGEMENT NERL RTP.
	ASST DIR FOR ECOLOGY NERL RTP.
	ASST TO THE DIR, NATL EXPO RES LABORATORY RTP.
CHARACTERIZATION RESEARCH DIVISION-LAS VEGAS	DIR CHARACTERIZATION RESEARCH DIVISION.
ECOSYSTEMS RESEARCH DIVISION-ATHENS	DIR ENV RESEARCH LABORATORY CORVALLIS.
	DIR ECOSYSTEMS RES DIV, ATHENS.
ORGANIZATION ABOLISHED	DIR ENVIRONMENTAL RESEARCH LAB, ATHENS, GA.
ORGANIZATION ABOLISHED	DIR, ROBERT S KERR ENVIRONMENTAL RES LAB.
ORGANIZATION ABOLISHED	DIR ENVIRONMENTAL RESEARCH LAB-DULUTH.
ORGANIZATION ABOLISHED	DIR ENV RES LAB GULF BREEZE.
NATIONAL RISK MGMT RESEARCH LABORATORY (CINCINNATI).	DIR NATL RISK MGMT LAB CINN.
	DEP DIR FOR MGMT NRML CINN.
	ASSOC DIR FOR HEALTH NRML CINN.
	SPEC ASST DIR NATL RISK MGMT LAB.
	ENVIRONMENTAL TECHNOLOGY EXECUTIVE.
AIR POLLUTION PREVENTION AND CONTROL DIVISION-RTP	DIR-HEALTH EFFECTS RESEARCH LAB-RTP.
	DEP DIR HEALTH EFFECTS RES LAB RTP.
	DIR AIR AND ENERGY ENG RESEARCH DIVISION RTP.
	DIR AIR POLLUTION PREVENTION AND CONTROL DIV.
SUBSURFACE PROCESSES AND SYSTEMS DIVISION-ADA	DIR SUB-SURFACE PROCESS AND SYSTEMS DIVISION.
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT	DIR, OFC OF SCI, PLANNING AND REGULATORY EVAL.
	DIR NATL CTR FOR ENVIRONMENTAL ASSESSMENT.
	ASSOCIATE DIRECTOR FOR HEALTH, NCEA.
	ASSOCIATE DIRECTOR FOR ECOLOGY NCEA.
	SENIOR EXECUTIVE LIAISON FOR GLOBAL CLIMATE.
	SPEC ASST TO ASST ADMIN FOR AIR RADIATION.
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT-WASHINGTON.	DIR CENTER FOR ENVIRONMENTAL RESEARCH INFO.
	DIR NATL CTR ENVIRON ASSESSMENT.
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT-RTP.	DIR NATL CTR ENVIRON ASSESSMENT.
NATIONAL CENTER FOR ENVIRONMENTAL ASSESSMENT-CINCINNATI.	DIR NATL CTR FOR ENVIRONMENTAL ASSESSMENT.
OFFICE OF EXPLORATORY RESEARCH	DIR OFC OF EXPLORATORY RESEARCH.
	DEPUTY DIR FOR MGMT NCERQA.
	PEER REVIEW COMPLIANCE EXECUTIVE.
	DIR ENVIRONMENTAL ENGINEER RESEARCH DIVISION.
	ASSOCIATE DIRECTOR FOR SCIENCE NCERGA.
	DIR NATL CTR DEVL OFC OF RESC QUALITY ASSURE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
REGION I—BOSTON	DIRECTOR, WATER MANAGEMENT DIVISION.
	DIR WASTE MANAGEMENT DIVISION.
	REGIONAL COUNSEL.
	ASST REGL ADMR FOR PLANNING & MANAGEMENT.
	DIR AIR PESTICIDES & TOXICS MANAGEMENT DIV.
	DIR OFC OF ECOSYSTEM PROTECTION
	DIR OFC OF SITE REMEDIATION RESTORATION.
	DIR OFC OF ENVIRONMENTAL STEWARDSHIP.
	ASST REGIONAL ADMINISTRATOR.
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, WATER MANAGEMENT DIVISION REG III.
	REGIONAL COUNSEL
	DIRECTOR, HAZARDOUS WASTE MGMT DIV.
	DIRECTOR, ENVIRONMENTAL SERVICES DIVISION.
	ASST REG ADMIN FOR POLICY & MANAGEMENT.
	DIR. AIR MANAGEMENT DIVISION.
	DIR CHESAPEAKE BAY PROGRAM OFFICE.
REGION IV—ATLANTA	DIR WATER MANAGEMENT DIVISION REGION IV.
	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.
	DIR WASTE PESTICIDES & TOXICS DIVISION.
	ASSOCIATE DIVISION DIRECTOR FOR RCRA.
	ASSOC DIV DIRECTOR FOR SUPERFUND.
	DIR GREAT LAKES NATL PROG OFC.
	DIRECTOR SUPERFUND DIVISION.
REGION VI—DALLAS	DIR AIR & WASTE MANAGEMENT DIV.
	DIR WATER MANAGEMENT DIVISION.
	DIRECTOR, ENVIRONMENTAL SERVICES DIVISION.
	ASST REGIONAL ADMR FOR MANAGEMENT.
	REGIONAL COUNSEL.
	DIR, AIR, PESTICIDES & TOXIC DIVISION.
	DIRECTOR, COMPLIANCE A & E DIVISION.
	DIR SUPERFUND DIVISION.
	DIR WATER QUALITY PROTECTION DIVISION.
	DIR MULTIMEDIA PLANN & PERMITTING.
REGION VII—KANSAS CITY	DIR WATER MANAGEMENT DIVISION.
	REGIONAL COUNSEL.
	DIRECTOR, WASTE MGMT DIVISION.
	ASST REG ADMIN FOR POLICY & MGNT-REG VII.
	DIRECTOR, AIR AND TOXICS DIVISION.
	DIR SUPERFUND DIVISION.
	DIR AIR RCRA AND TOXICS DIVISION.
	DIR WATER WETLANDS & PESTICIDES DIVISION.
REGION VIII—DENVER	DIR WATER MANAGEMENT DIVISION.
	REGIONAL COUNSEL.
	DIR AIR TOXICS DIVISION.
	ASST REGIONAL ADMR FOR POLICY & MANAGEMENT.
	DIR, ENVIRONMENTAL SERVICES DIVISION.
	DIR ECOSYSTEMS PROTECTION & REMEDIATION.
	DIR OFC OF POLLUTION PREVENTION STATE TRIBAL.
	DIR OFC OF TECH & MGNT SERVICES.
	REGIONAL COUNSEL REGION VIII.
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.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR, HAZARDOUS WASTE DIVISION.
	ASST REGL ADMR FOR POLICY & MANAGEMENT.
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION:	
OFFICE OF THE CHAIRMAN	INSPECTOR GENERAL.
FIELD MANAGEMENT—EAST	DIRECTOR FIELD MANAGEMENT PROGRAMS (EAST).
	DISTRICT DIRECTOR (BALTIMORE).
	DIST DIR (NEW YORK).
	DIST DIR (ATLANTA).
	DISTRICT DIRECTOR (DETROIT).
	DIST DIR (MIAMI).
	DIST DIR (MEMPHIS).
	DIST DIR-(BIRMINGHAM).
	DIST DIR-(NEW ORLEANS).
	DIST DIR-(CHARLOTTE).
	DISTRICT DIRECTOR (CLEVELAND).
	DIST DIR-(PHILADELPHIA).
FIELD MANAGEMENT—WEST	DIR FIELD MANAGEMENT PROGRAMS (WEST).
	DIST DIR (HOUSTON).
	DIST DIR (SAN FRANCISCO).
	DIST DIR (DALLAS).
	DIST DIR (CHICAGO).
	DIST DIR-(ST LOUIS).
	DIST DIR-(INDIANAPOLIS).
	PROGRAM MANAGER.
	DIST DIR-(DENVER).
	DIST DIR-(PHOENIX).
	DISTRICT DIR-(SAN ANTONIO).
	DISTRICT DIRECTOR (SEATTLE).
	DISTRICT DIRECTOR (MILWAUKEE).
FEDERAL COMMUNICATIONS COMMISSION:	
OFFICE OF INSPECTOR GENERAL	INSPECTOR GENERAL.
OFFICE OF THE MANAGING DIRECTOR	CHIEF LAND MOBILE & MICROWAVE DIVISION.
	ASSOC MANAGING DIRECTOR/HUMAN RESOURCES MGMT.
OFFICE OF ENGINEERING & TECHNOLOGY	CHIEF, SPECTRUM ENGINEERING DIVISION.
	ASSISTANT BUREAU CHIEF FOR TECHNOLOGY.
COMPLIANCE AND INFORMATION BUREAU	CHIEF ENFORCEMENT DIVISION.
COMMON CARRIER BUREAU	CHIEF, TARIFF DIVISION.
	ASST BUREAU CHIEF (INTERNATIONAL).
	CHIEF DOMESTIC FACILITIES DIVISION.
	CHIEF ACCOUNTING & AUDITS DIVISION.
MASS MEDIA BUREAU	CHIEF AUDIO SERVICES DIVISION.
	CHIEF VIDEO SERVICES DIVISION.
	CHF, ENFORCEMENT DIV.
FEDERAL EMERGENCY MANAGEMENT AGENCY:	
OFFICE OF THE DIRECTOR	CHIEF OF STAFF.
OFFICE OF FINANCIAL MANAGEMENT	CHIEF FINANCIAL OFFICER.
	DEPUTY CHIEF FINANCIAL OFFICER.
	SENIOR PROCUREMENT EXECUTIVE.
OFFICE OF INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
PREPAREDNESS, TRAINING AND EXERCISES DIRECTORATE	DIV DIR, STATE & LOCAL PREPAREDNESS DIVISION.
RESPONSE & RECOVERY DIRECTORATE	DIV DIR, INFRASTRUCTURE SUPPORT DIVISION.
FEDERAL INSURANCE ADMINISTRATION	DEPUTY ADMINISTRATOR.
OPERATIONS SUPPORT DIRECTORATE	ASSOCIATE DIRECTOR.
	DIVISION DIR, ACQUISITION SERVICES DIVISION.
FEDERAL ENERGY REGULATORY COMMISSION (DOE):	
OFC OF CHIEF ACCOUNTANT	DEPUTY CHIEF ACCOUNTANT.
	DIR DIVISION OF AUDITS.
	DIRECTOR, DIVISION OF ACCOUNTING SYSTEMS.
OFC OF HYDROPOWER LICENSING	DIR DIV OF DAM SAFETY & INSPECTIONS.
FEDERAL LABOR RELATIONS AUTHORITY:	
OFFICE OF THE CHAIRMAN	SOLICITOR.
	CHIEF COUNSEL.
	ASST TO THE CHM FOR PROG DEV & NEW INITIATIVE.
OFFICE OF MEMBER	CHIEF COUNSEL.
OFFICE OF MEMBER	CHIEF COUNSEL.
FEDERAL SERVICE IMPASSES PANEL	EXEC DIRECTOR FSIP.
OFC OF THE EXECUTIVE DIRECTOR	EXECUTIVE DIRECTOR.
	DIR, INFORMATION RESOURCES & RESEARCH SERV.
OFC OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL.
	ASST GENERAL COUNSEL (FIELD MANAGEMENT).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASST GENERAL COUNSEL (APPEALS).
	ASST GEN COUNSEL, LEGAL POLICY & ADVICE.
	DIRECTOR OF OPERATIONS & RESOURCES MANAGEMENT.
REGIONAL OFFICES	REGIONAL DIRECTOR-WASHINGTON, DC.
	REGIONAL DIRECTOR-BOSTON.
	REGIONAL DIRECTOR-ATLANTA.
	REGIONAL DIRECTOR-DALLAS.
	REGIONAL DIRECTOR, CHICAGO ILLINOIS.
	REGIONAL DIRECTOR, SAN FRANCISCO.
	REGIONAL DIRECTOR, DENVER.
FEDERAL MARITIME COMMISSION:	
OFFICE OF THE MEMBERS	SECRETARY.
OFFICE OF THE MANAGING DIRECTOR	DEP MANAGING DIR.
	DIR, BUREAU OF ADMINISTRATION.
	PROG MANAGER (DIR BUR OF TRADE M & A).
	PROG MGR (DIR BUR OF TARIFFS C & L).
	DEPUTY DIRECTOR BUREAU OF ENFORCEMENT.
	DIR BUREAU OF ENFORCEMENT.
	DEPUTY MANAGING DIRECTOR.
FEDERAL RETIREMENT THRIFT INVESTMENT BOARD	ASSISTANT GENERAL COUNSEL (ADMIN).
	DIRECTOR OF INVESTMENTS.
	DIRECTOR OF CONTRACTS & ADMINISTRATION.
	DIRECTOR OF AUTOMATED SYSTEMS.
	DIRECTOR OF BENEFITS AND PROGRAM ANALYSIS.
	DIRECTOR OF ACCOUNTING.
	DIRECTOR OF COMMUNICATIONS.
	DEPUTY GENERAL COUNSEL.
	ASSOCIATE GENERAL COUNSEL.
FEDERAL TRADE COMMISSION:	
OFFICE OF THE INSPECTOR GENERAL	INSPECTOR GENERAL.
OFC OF EXECUTIVE DIRECTOR	DEPUTY EXEC DIR FOR MANAGEMENT.
	DEP EXEC DIR FOR PLANNING & INFORMATION.
GENERAL SERVICES ADMINISTRATION:	
OFFICE OF MANAGEMENT SERVICES AND HUMAN RESOURCES.	DIRECTOR OF PERSONNEL.
	DIR OF MANAGEMENT SERVICES.
	DIR TOTAL QUALITY MANAGEMENT & TRAINING.
OFFICE OF FTS 2000	DEP ASSOC ADMIN FOR TELCOMM SYS ACQUISITION.
	DEP ASSOC ADMR FOR NETWORK SERVICES.
OFFICE OF INSPECTION GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GEN FOR AUDITING.
	DEPUTY ASST INSPECTOR GENERAL FOR AUDITING.
	COUNSEL TO THE INSPECTOR GENERAL.
	ASST INSPECTOR GEN FOR INVESTIGATIONS.
	ASST INSPECTOR GENERAL FOR QUALITY MANAGEMENT.
OFFICE OF ACQUISITION POLICY	ASSOC ADMINISTRATOR FOR ACQUISITION POLICY.
	DIRECTOR OF FEDERAL ACQUISITION POLICY.
OFFICE OF THE CHIEF FINANCIAL OFFICER	DIRECTOR OF FINANCE.
	DIRECTOR OF BUDGET.
	DIR OF FINANCIAL MANAGEMENT SYSTEMS.
PUBLIC BUILDING SERVICE	ASSISTANT COMMR FOR PROPERTY MANAGEMENT.
	ASSISTANT COMMR FOR FED PROTECTIVE SERVICE.
	ASST COM FOR PROCUREMENT.
	ASST COM FOR REAL PROPERTY DEVELOPMENT.
	DEP ASST COMMISSIONER FOR PROPERTY MANAGEMENT.
	ASST COMM FOR PORTFOLIO MANAGEMENT.
	SPEC ASST/ASST COMR FOR REAL PROPERTY DEV.
	ASST COMMR FOR BUSINESS DEVELOPMENT.
	ASST COMMR FOR GOVERNMENTWIDE REAL PROP POL.
	ASSISTANT COMMR FOR PROPERTY DISPOSAL.
	ASST COMMISSIONER FOR FEE DEVELOPER.
	DEP ASST COMMISSIONER FOR PORTFOLIO MANAGE.
INFORMATION TECHNOLOGY SERVICE.	
	DEP COMM FOR INFO TECHNOLOGY ACQUISITION.
	ASSISTANT COMMR FOR INFO RESOURCES MGMT POL.
	ASST COMR FOR GSA INFO RESOURCES MANAGEMENT.
	DEPUTY COMMR FOR INFO TECHNOLOGY INTEGRATION.
	DEPUTY COMMR FOR LOCAL TELECOMMUNICATIONS.
	ASSISTANT COMMISSIONER FOR RESOURCE MGMT.
	DEP CHIEF INFORMATION OFFICER.
FEDERAL SUPPLY SERVICE	ASST COMMR FOR QUALITY AND CONTRACT ADMIN.
	ASST COMMISSIONER FOR ACQUISITION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASST COMR FOR TRANSPORTATION & PROPERTY MGT.
	ASST COMM FOR BUS MANAGEMENT & MARKETING.
	ASST COMM FOR DISTRIBUTION MGT.
	DEP ASST COMMISSIONER FOR ACUQISITION.
	ASSISTANT COMMISSIONER FOR FSS INFO SYSTEMS.
NEW ENGLAND REGION	ASST REG ADMR FOR PUBLIC BLDG SERVICE.
NORTHEAST & CARIBBEAN REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
	ASST REG ADMR FOR FEDERAL SUPPLY SERVICE.
MID-ATLANTIC REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
	ASST REG ADMR FOR INFO RESO MGMT SER, NE ZONE.
	ASST REGL ADMR FEDERAL SUPPLY SERVICE.
NATIONAL CAPITAL REGION	ASST REGL ADMR FOR INFO RESOURCES MGMT.
	DIR OF FED DOMES ASST CTLG STAFF (IRMS) NCR.
	ASSISTANT REGIONAL ADMINISTRATOR, PBS, NCR.
SOUTHEAST SUNBELT REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
	ASSITANT REG ADMIN FOR INFORM RES MGMT–R–4.
	ASST REG ADMR FOR FEDERAL SUPPLY & SERVICES.
GREAT LAKES REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
THE HEARTLAND REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
GREATER SOUTHWEST REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
	ASST REGIONAL ADMIN FOR INFO TECH SERVICE.
	ASST REG ADMR FOR FEDERAL SUPPLY SERVICE.
ROCKY MOUNTAIN REGION	ASST REG ADMR FOR PUBLIC BLDS SERVICE.
PACIFIC RIM REGION	ASST REGL ADMR FOR PUBLIC BUILDINGS SERVICES.
	ASST REG ADMR FOR FEDERAL SUPPLY SERVICE.
	ASST REG ADMR FOR INFORMATION RES MANAGEMENT.
NORTHWEST/ARCTIC REGION	ASST REGIONAL ADMINISTRATOR, PBS REGION 10.
	DEP ASST REGL ADMINISTRATOR, PBS.
DEPARTMENT OF HEALTH AND HUMAN SERVICES:	
OFFICE OF THE SECRETARY	SENIOR ADVISOR.
	DEPUTY FOR SCIENTIFIC & MEDICAL AFFAIRS.
ODAS FOR BUDGET	DIR DIV OF INTEGRITY & ORGAN REVIEW.
ODAS FOR FINANCE	DEP ASST SEC, FINANCE.
	DIR, OFFICE OF FINANCIAL POLICY.
ODAS FOR GRANTS & ACQUISITION MANAGEMENT	DEP ASST SECY, OGAM.
OAS FOR PLANNING AND EVALUATION	DEP TO DEPUTY ASST SECRY FOR PLANN & EVALUAT.
OAS FOR PERSONNEL ADMINISTRATION	ASST SEC FOR PERSONNEL ADMINISTRATION.
	DIR, OFC OF HUMAN RELATIONS.
	DIR, CENTER FOR HUMAN RES STRATEGIC P & P.
ASSOCIATE GENERAL COUNSEL DIVISIONS	ASSOC GEN COUN, BUSINESS & ADM LAW DIVISION.
	DEP ASSOC GEN COUNL, BUS & ADM LAW DIV.
OFFICE OF THE INSPECTOR GENERAL	PRINCIPAL DEP INSPECTOR GENERAL.
	DEPUTY INSPECTOR GENERAL FOR MGMT & POLICY.
ODIG FOR INVESTIGATIONS	DEP INSP GEN FOR INVESTIGATIONS.
	ASST INSP GENERAL FOR CRIMINAL INVESTIGATIONS.
	ASST INSP GEN FOR CIVIL & ADM REMEDIES.
	ASST INSP GEN FOR INVESTIGATION P & O.
ODIG FOR AUDIT SERVICES	DEP INSPECTOR GENERAL FOR AUDIT SERVICES.
	ASST INSPECTOR GEN FOR SOCIAL SECURITY AUDITS.
	ASST INSP GEN FOR ADM OF C/F & AGIN AUDITS.
	ASST INSPECTOR GEN FOR HEALTH CARE FIN AUDITS.
	ASST INSPECTOR GEN FOR AUDIT POL & OVERSIGHT.
	ASST INSP GEN FOR PUBLIC HEALTH SERV AUDITS.
ODIG FOR EVALUATION & INSPECTIONS	DEP INSP GEN FOR EVALUATION & INSPECTIONS.
ADMINISTRATION ON AGING	DIRECTOR, OFC OF STATE & COMMUNITY PROGRAMS.
	DAS FOR PROG DEV & ELDER RIGHTS PROGRAMS.
PROGRAM SUPPORT CENTER	DIR PROGRAM SUPPORT CENTER.
OFFICE OF PROGRAM SUPPORT	DIR OFC OF FINANCIAL MANAGEMENT.
OFC OF INFORMATION SYSTEMS MANAGEMENT	DIR, OFC OF INFORMATION SYSTEMS MANAGEMENT.
OAA FOR MANAGEMENT	CHIEF ACTUARY.
	DIR, BUREAU OF DATA MANAGEMENT AND STRATEGY.
	DEP DIR, BUREAU OF DATA MANAGEMENT & STRATEGY.
	DIR, OFFICE OF MEDICARE & MEDICAID COST EST.
	DEP DIRECTOR, OFFICE OF THE ACTUARY.
OFFICE OF ASSOCIATE ADMR FOR POLICY	DIR, OFC OF THE ACTUARY (CHIEF ACTUARY).
	DEPUTY DIRECTOR, OFFICE OF THE ACTUARY.
	DIRECTOR, OFC OF MEDICARE & MEDICAID COST EST.
OFFICE ASSOC ADMR, FOR OPERATIONS & RES MANAGEMENT.	DIR OFC OF CONTRACTING & FINANCIAL MANAGEMENT.
	DIRECTOR, OFFICE OF FINANCIAL & HUMAN RES.
	DIRECTOR, OFFICE OF FINANCIAL MANAGEMENT.
	DEPUTY DIRECTOR, OFC OF FINANCIAL MANAGEMENT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIR, OFC OF MEDICARE BENEFITS ADMINISTRATION.
OAS FOR HEALTH	DIRECTOR, FINANCIAL MANAGEMENT SERVICE.
	DEPUTY DIRECTOR, OFFICE OF MANAGEMENT.
	DIRECTOR, OFFICE OF RESOURCE MANAGEMENT.
	DIR, DIV OF PUBLIC HEALTH SERVICE BUDGET.
	DIRECTOR, OFFICE OF RESEARCH INTEGRITY.
	DIRECTOR, DIV OF RESEARCH INVESTIGATIONS.
	DEPUTY DIRECTOR, OFFICE OF RESEARCH INTEGRITY.
SUBSTANCE ABUSE & MENTAL HEALTH SERVICES ADMINISTRATION.	ASSOC ADMR FOR EXTRAMURAL PROGRAMS.
CENTER FOR SUBSTANCE ABUSE PREVENTION	DIR DIV OF COMM PREVENTION & TRAINING.
	DIRECTOR, DIVISION OF WORKPLACE PROGRAMS.
	DIR, DIV OF DEMONSTRATION FOR HIGH RISK POP.
CENTER FOR MENTAL HEALTH SERVICES	CHIEF RETROVIRUS BRANCH.
	DIR DIV OF STSTE & COMMUNITY SYSTEMS DEVELOP.
CENTER FOR SUBSTANCE ABUSE TREATMENT	DIR, OFC OF SCIENTIFIC ANALYSIS & EVALUATION.
CENTERS FOR DISEASE CONTROL & PREVENTION	DIRECTOR, FINANCIAL MANAGEMENT OFFICE.
	SENIOR ADVISOR FOR MINORITY HEALTH EDUCATION.
CENTER FOR INFECTIOUS DISEASES	ASST DIR FOR LABORATORY SCIENCE.
NATL INSTITUTE FOR OCCUPATIONAL SAFETY & HEALTH	ASSISTANT DIRECTOR FOR SCIENCE.
	EXECUTIVE OFFICER, NIOSH.
CENTER FOR ENV HEALTH & INJURY CONTROL	DIR DIV OF ENVIRONMENTAL HEALTH LAB SCIENCES.
CENTER FOR PREVENTION SERVICES	DIR DIV OF STD/HIV PREVENTION.
NATIONAL CENTER FOR HEALTH STATISTICS	ASSOC DIR FOR ANALYSIS & EPIDEMIOLOGY.
	ASSOCIATE DIR, OFC OF P & E PROGRAMS.
	ASSOC DIR FOR RESEARCH & METHODOLOGY.
	ASSOC DIR. OFC OF VITAL & HEALTH STATS SYST.
	ASSOC DIR FOR INTERNAL STATISTICS.
CENTER FOR BIOLOGICAL EVALUATION & RESEARCH	DIR. DIV OF BLOOD COLLECTION & PROCESSING.
	DIRECTOR, DIVISION OF BACTERIAL PRODUCTS.
	DEP DIR, OFC OF BIOLOGICAL PRODUCT REVIEW.
	DIR, DIV OF BIOSTATISTICS & EPIDEMEMIOLOGY.
	DIR OFC OF COMPLIANCE.
	DIR. DIV OF ALLERGENIC PRODUCTS/PARASITOLOGY.
	DIR. OFC OF VACCINES RESEARCH & REVIEW.
	DIR. OFC OF THERAPEUTICS RESEARCH & REVIEW.
	DIR OFC OF BLOOD RESEARCH & REVIEW.
CENTER FOR DRUG EVALUATION & RESEARCH	DIR, CENTER FOR DRUG EVALUATION & RESEARCH.
	DIRECTOR, OFFICE OF MANAGEMENT.
	ASSOC DIR FOR MED POL DIR OFC OF DRUG EVAL I.
	DEP DIR FOR PROGRAM MANAGEMENT.
	DIR. DIV OF CARDIO-RENTAL DRUG PRODUCTS.
	DIR. DIV OF NEUROPHARMACOLOGICAL DRUG PROD.
	DIR. DIV OF MIDICAL IMAGING S & D PRODUCTS.
	DIR. DIV OF G & C DRUG PRODUCTS.
	DIR. DIV OF ANCOLOGY & PULMONARY DRUG PROD.
	DIRECTOR, OFFICE OF DRUG STANDARDS.
	DEP DIR, OFFICE OF DRUG STANDARDS.
	DIR, DIVISION OF OTC DRUG EVALUATION.
	DEP DIR, OFFICE OF GENERIC DRUGS.
	ASSOCIATE DIRECTOR FOR DRUG MONOGRAPH.
	DIR, OFC OF OVER-THE-COUNTER DRUG EVALUATION.
	DIR, OFFICE OF EPIDEMIOLOGY & BIOSTATISTICS.
	DEP DIR, OFC OF EPIDEMIOLOGY & BIOSTATISTICS.
	DIR DIV OF BIOMETRICS.
	DIR, OFFICE OF DRUG EVALUATION II.
	DEP DIR, OFFICE OF DRUG EVALUATION II.
	DIR, DIV OF M & E DRUG PRODUCTS.
	DIR, DIV OF ANTI-INFECTIVE DRUG PRODUCTS.
	DIR, DIV OF ANTI-VIARAL DRUG PRODUCTS.
	DIRECTOR, OFFICE OF COMPLIANCE.
	DIR, DIV OF SCIENTIFIC INVESTIGATIONS.
	DIRECTOR, OFFICE OF RESEARCH RESOURCES.
	DIRECTOR, DIVISION OF BIOPHARMACENTICS.
	DEP DIR, OFFICE OF RESEARCH RESOURCES.
	DEP CTR FOR PHARMACEUTICAL SCIENCE.
	DIR OFC OF DRUG EVALUATION V.
CENTER FOR FOOD SAFETY & APPLIED NUTRITION	DIRECTOR, OFFICE OF SEAFOOD.
	DIRECTOR, OFFICE OF TOXICOLOGICAL SCIENCES.
	ASSOCIATE DIR FOR LABORATORY INVESTIGATIONS.
	DIRECTOR, OFFICE OF PHYSICAL SCIENCES.
	DIR OFC OF PREMARKET APPROVAL.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
CENTER FOR DEVICES & RADIOLOGICAL HEALTH	DIR OFC OF FIELD PROGRAMS.
	DIR, OFC OF PLANT & DAIRY FOODS & BEVERAGES.
	DIRECTOR, OFFICE OF FOOD LABELING.
	DIR, OFC OF POL, P & S INITIATIVES.
	DIR, OFFICE OF STANDARDS & REGULATIONS.
	DIR OFFICE OF DEVICE EVALUATION.
	DIR, DIV OF SURGICAL & REHABILITATION DEVICES.
	DIR, DIVISION OF CARDIOVASCULAR DEVICES.
	DIR, DIV OF GENERAL & RESTORATION DEVICES.
	DIR OFFICE OF COMPLIANCE.
	DIR, OFFICE OF SCIENCE AND TECHNOLOGY.
	DEP DIR, OFC OF SCIENCE & TECHNOLOGY.
	DIR, DIV OF REPRODUCTIVE ABDOMINAL EAR THROAT
CENTER FOR VETERINARY MEDICINE.	DIRECTOR, OFFICE OF SCIENCE.
	DIRECTOR, OFFICE OF SURVEILLANCE.
	DIR, OFC OF NEW ANIMAL DRUG EVALUATION.
	DEP DIR FOR HFSCS.
	DEP DIR, THERAPEUTIC & PRODUCTION DRUG REVIEW.
	DIR, DIV OF BIOMETRICS & PRODUCTION DRUGS.
OFFICE OF REGULATORY AFFAIRS	ASSOC COMR FOR REGULATORY AFFAIRS.
	DEP ASSOC COMR FOR REGULATORY AFFAIRS.
	REGL FOOD & DRUG DIRECTOR, NE REGION.
	REGL FOOD & DRUG DIRECTOR MID-ATLANTIC REGION.
	REGL FOOD & DRUG DIRECTOR, SOUTHEAST REGION.
	REGL FOOD & DRUG DIRECTOR, MIDWEST REGION.
	REGL FOOD & DRUG DIRECTOR, SOUTHWEST REGION.
	REGL FOOD & DRUG DIRECTOR, PACIFIC REGION.
	DIR, OFC OF CRIMINAL INVESTIGATIONS.
NATIONAL CENTER FOR TOXICOLOGICAL RESEARCH	DIRECTOR, DIV OF BIOMETRY.
	DIRECTOR, OFFICE OF RESEARCH.
OFFICE OF HEALTH AFFAIRS	DIRECTOR MED STAFF, OFC OF HEALTH AFFAIRS.
OFFICE OF MANAGEMENT AND SYSTEMS	DIR OFC OF FINANCIAL MANAGEMENT.
OFFICE MANAGEMENT	DIR, PARKLAWN COMPUTET CENTER.
BUREAU OF HEALTH RESOURCES DEVELOPMENT	DEP DIR, BUREAU OF HEALTH RESOURCES DEV.
OFFICE OF THE DIRECTOR	DIRECTOR, DIV OF FINANCIAL MANAGEMENT.
	DIRECTOR, DIVISION OF CONTRACTS & GRANTS.
	ASSOCIATE DIRECTOR FOR EXTRAMURAL AFFAIRS.
	ASSOCIATE DIRECTOR FOR DISEASE PREVENTION.
	DIR, OFC OF MEDICAL APPLICATIONS OF RESEARCH.
	DIR, OFFICE OF SCIENTIFIC INTEGRITY.
	DEP DIR FOR SCI POL & TECHNOLOGY TRANSFER.
	ASSOCIATE DIRECTOR FOR ADMINISTRATION.
NATL HEART, LUNG, & BLOOD INSTITUTE	DIR, DIV OF LUNG DISEASES.
	DIR, DIV OF BLOOD DISEASES & RESOURCES.
	DIRECTOR, DIVISION OF EXTRAMURAL AFFAIRS.
	ASSOC DIR FOR INTERNATIONAL PROGRAMS.
	DIR OFC OF BIOSTATICS RESEARCH.
	DEP DIR DIV OF HEART VASCULAR DISEASES.
	DEP DIR DIV OF EPIDEM & CLINICAL APPLICATIONS.
INTRAMURAL RESEARCH	DIR, DIVISION OF INTRAMURAL RESEARCH.
	CHF LAB OF BIOCHEMICAL GENETICS.
	CHF LAB OF BIOCHEMISTRY.
	CHIEF LAB OF BIOPHYSICAL CHEMISTRY.
	CHIEF MACROMOLECULES SECTION.
	CHF, INTERMEDIARY M & B SECTION.
	CHIEF, LABORATORY OF CELLULAR METABOLISM.
	CHF, LAB OF KIDNEY & ELECTROLYTE METABOLISM.
	CHIEF LAB OF CARDIAC ENERGETICS.
	CHIEF, METABOLIC REGULATION SECTION.
NATIONAL CANCER INSTITUTE	ASSOC DIR FOR INTRAMURAL MANAGEMENT.
	ASSOC DIRECTOR FOR EXTRAMURAL MANAGEMENT.
DIVISION OF CANCER BIOLOGY, DIAGNOSIS AND CENTERS	DIR, DIV OF CANCER BIOLOGY DIAGNOSIS & CTRS.
	DEP DIR, DIV OF CANCER BIOLOGY DIAG & CENTERS.
	CHF, MICROBIAL G & B SECTION, LAB OF BIOCHEM.
	CHIEF, LAB OF BIOCHEM INTRAMURAL RES PROG.
	ASSOC DIR, EXTRAMURAL RESEARCH PROGRAM.
	CHIEF DERMATOLOGY BR, INTRAMURAL RES PROG.
	CHIEF, CELL MEDIATED IMMUNITY SECTION.
	CHIEF, LAB OF TUMOR & BIOL IMMUNOLOGY, IRP.
	ASSOC DIR, CTRS TRAINING & RESOURCES PROG.
DIVISION OF CANCER ETIOLOGY	DIR, DIV OF CANCER ETIOLOGY.
	CHIEF LAB OF BIOLOGY.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	CHIEF LABORATORY OF MOLECULAR CARCINOGENESIS .
	CHF LAB OF EXPERIMENTAL PATHOLOGY.
DIVISION OF CANCER PREVENTION & CONTROL	DEP DIR, DIV OF CANCER PREVENTION & CONTROL.
	ASSOCIATE DIR, SURVEILLANCE PROGRAM, DCPC .
	ASSOC DIR, EARLY D & C ONCOLOGY PROGRAM.
DIVISION OF EXTRAMURAL ACTIVITIES	DIR, DIV OF EXTRAMURAL ACTIVITIES.
DIVISION OF CANCER TREATMENT	CHF—RADIATION ONCOLOGY BR
NATL INSTITUTE OF DIABETES & DIGESTIVE & KIDNEY DIS	DIR, DIV KIDNEY UROLOGIC & HEMATOLOGIC DISEASES.
	DIR DIVISION OF EXTRAMURAL ACTIVITIES.
	ASSOC DIRECTOR FOR RESEARCH & ASSESSMENT.
	ASSOC DIR FOR MGT & OPERATIONS.
	CHF, LAB OF MOLECULAR & CELLULAR BIOLOGY.
	DEP DIR FOR MANAGEMENT & OPERATIONS.
INTRAMURAL RESEARCH	CHIEF SECTION ON BIOCHEMICAL MECHANISMS.
	CHF SECT ON METABOLIC ENZYMES.
	CHF SECT ON PHYSICAL CHEMISTRY.
	CHIEF, SECTION ON MOLECULAR STRUCTURE.
	CHIEF THEORETICAL BIOPHYSICS SECTION.
	CHIEF, LABORATORY OF BIO-ORGANIC CHEMISTRY.
	CHIEF OXIDATION MECHANISM SECTION L B C
	CHIEF LABORATORY OF BIOCHEMISTRY & METABOLISM.
	CHF, SEC ON NUCLEAR MAG RES. LAB/CHEM PHYSICS.
	CLINICAL DIR & CHIEF, KIDNEY DISEASE SECTION.
	CHIEF, SECTION ON MOLECULAR BIOPHYSICS.
	CHF, SEC CARBOHYDRATES LAB OF CHEMISTRY/NIDDK.
	CHIEF, LABORATORY OF NEUROSCIENCE, NIDDK.
	CHIEF EPIDEMIOLOGY & CLINICAL RESEARCH BRANCH.
	CHF, LABORATORY OF MEDICINAL CHEMISTRY.
	CHIEF, MORPHOGENESIS SECTION.
NATL INST OF ARTHR & MUSCULOSKELETAL & SKIN DISEASES.	DIRECTOR, EXTRAMURAL PROGRAM.
	DEPUTY DIR.
	CHIEF, LABORATORY OF STRUCTURAL BIOLOGY RES.
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.
	DEP DIR LISTER HILL NATL CTR FOR BIOMED COMMS.
	DIRECTOR, INFORMATION SYSTEMS.
	DIR NATL CTR FOR BIOTECH INFO.
	ASSOC DIR FOR HEALTH & INFO PROG DEVELOPMENT.
NATL INST OF ALLERGY & INFECTIOUS DISEASES	DIR, DIV OF ALLERGY/IMMUNOLOGY/TRANSPLANTATN.
	CHF, LAB OF PARASITIC DISEASES.
	DIR, DIV OF MICROBIOLOGY/INFECTIOUS DISEASES.
	CHIEF, LAB OF IMMUNOGENETICS.
	DIR, DIV OF EXTRAMURAL ACTIVITIES.
	CH, LAB OF MICROBIAL STRUCTURE AND FUNCTION.
	CHIEF LAB OF MOLECULAR MICROBIOLOGY.
	DIR, DIV ACQUIRED IMMUNIDEFICIENCY SYNDROME.
	CHIEF, BIOLOGICAL RESOURCES BRANCH.
	HEAD, LYMPHOCYTE BIOLOGY SECTION.
	CHIEF, LABORATORY OF INFECTIOUS DISEASES.
	DEP DIR DIV OF ACQUIRED IMMUNODEFICIENCY.
	HEAD EPIDEMIOLOGY SECTION.
	CHIEF, LABORATORY OF MALARIA RESEARCH.
	DIR DIV OF INTRAMURAL RESEARCH.
NATL INST ON AGING	SCIENTIFIC DIRECTOR GERONTOLOGY RSCH CNTR.
	CLIN DIRECTOR AND CHIEF CLIN PHYSIOLOGY BR.
	ASSOC DIR BIOLOGY OF AGING PROGRAM.
	ASSOC DIR, OFFICE OF EXTRAMURAL AFFAIRS.
	ASSOC DIR, EPIDEMI, DEMO, & BIOMETRY PROGRAM.
	ASSOC DIR, OFC OF PLNNG, A & I ACTIVITIES.
	ASSOC DIR NEUROSCI & NEUROPSYCH OF AGING PROG.
NATL INST OF CHILD HEALTH & HUMAN DEVELOPMENT	CHIEF, LABORATORY OF MOLECULAR GENETICS.
	CHF, ENDOCRINOLOGY & REPRODUCTION RESEARCH BR.
	DIRECTOR CTR FORRES FOR MOTHERS & CHILDREN.
	DIRECTOR CNTR FOR POPULATION RESEARCH.
	CHIEF, SECTION ON GROWTH FACTORS.
	ASSOC DIR FOR PREVENTION RESEARCH.
	CHIEF LABORATORY OF MAMALIAN GENES & DEVELOP.
	CHIEF, SECTION ON MOLECULAR ENDOCRINOLOGY.
	CHIEF SECTION NEUROENDOCRINOLOGY.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	CHIEF SECTION ON MICROBIAL GENETICS.
	CHIEF, LABORATORY OF COMPARATIVE ETHOLOGY.
	ASSOCIATE DIRECTOR FOR ADMINISTRATION.
	DIR, NATL CENTER FOR MEDICAL REHAB RESEARCH.
NATL INST OF DENTAL RESEARCH	CHIEF, LABORATORY OF IMMUNOLOGY.
	CHF, ENZYME CHEMISTRY SECTION.
	DIR, EXTRAMURAL PROGRAM.
	CHIEF NEUROBIOLOGY & ANESTHESIOLOGY BRANCH.
NATL INST OF ENVIRONMENTAL HEALTH SCIENCES	DIR, DIV OF INTRAMURAL, NIEHS.
	CHF LAB OF PULMONARY PATHOBIOLOGY.
	CHIEF, LAB OR GENETICS.
	HEAD MUTAGENESIS SECTION.
	HEAD MAMMALIAN MUTAGENESIS SECTION.
	SENIOR SCIENTIFIC ADVISOR.
	ASSOCIATE DIRECTOR FOR MANAGEMENT.
	CHIEF LAB OF MOLECULAR CARCINOGENESIS.
	DIR NATL INST OF ENVIRONMENTAL HEALTH SCIENCE.
	DIR ENVIRONMENTAL TOXICOLOGY PROGRAM.
NATL INST OF GENERAL MEDICAL SCIENCES	DEP DIR NATL INSTITUTE OF GENERAL MED SCI.
	DIR GENETICS PROGRAM.
	ASSOC DIR FOR PROGRAM ACTIVITIES.
	DIR BIO PHYS SCIENCES PROGRAM BRANCH.
	DIR, MINORITY OPPORTUNITIES IN RES PROG BR.
NATL INST OF NEUROLOGICAL DISORDERS AND STROKE	DIR, DIV OF FUNDAMENTAL NEUROSCIENCES.
	DIRECTOR, DIVISION OF STROKE & TRAUMA.
	ASSOCIATE DIRECTOR FOR ADMINISTRATION.
	DIR, BASIC NEUROSCI PROG/CHF/LAB OR NEUROCHEM.
	CHF, LAB OF MOLECULAR & CELLULAR NEUROBIOLOGY
INTRAMURAL RESEARCH	CHIEF LAB OF CENTRAL NERVOUS SYSTEM STUDIES.
	CHF, DEV & METABOLIC NEUROLOGY BRANCH.
	DEPUTY CHIEF, LAB OF CENTRAL NERVOUS SYS STUD.
	HD CELLULAR NEUROPATHOLOGY SECTION.
	CHIEF, NEUROIMAGING BRANCH.
	CHF, SURGICAL NEUROLOGY BRANCH.
	CHIEF BIOMETRY & FIELD STUDIES BRANCH.
	CHIEF, LABORTORY OF NEUROBIOLOGY.
	CHIEF, LABORATORY OF NEURA CONTROL.
	CHIEF BRAIN STRUCTURAL PLATICITY SECTION.
	CHF, LAB OF VIRAL & MOLECULAR PATHOGENESIS.
	CHIEF STROKE BRANCH.
NATL EYE INSTITUTE	CHIEF LABORATORY OF RETINAL CELL & MOL BIOLOG.
	CHIEF, LAB OF MOLECULAR & DEV. BIOLOGY.
	CHIEF, LABORATORY OF SENSORIMOTOR RESEARCH.
NATL INST ON DEAFNESS & OTHER COMMUNICATION DISORDERS.	CHIEF, LABORATORY OF MOLECULAR BIOLOGY.
	DIR, DIV OF COMMUNICATION SCIENCES & DISORDER.
	DIR, DIV OF INTRA RES, NID & OTHER COMM DISOR.
	DEP DIR, NATL INST ON D & O COMMUNICATION DIS.
	CHIEF LABORATORY OF CELLULAR BIOLOGY.
NIH CLINICAL CENTER	ASSOC DIR OF CLINICAL CARE/DIR, CLINICAL CTR.
	ASSOCIATE DIRECTOR FOR PLANNING.
	ASSOC CHF, POSITION EMISSION T & R.
	DEPUTY DIRECTOR FOR MAGAMENT AND OPERATIONS.
	DEPUTY DIRECTOR FOR CLINICAL CARE.
DIVISION OF COMPUTER RESEARCH & TECH	CHIEF, COMPUTER CENTER BRANCH.
	CHIEF, PHYSICAL SCIENCES LAB.
	DEPUTY DIRECTOR.
	ASSOC DIR OFC OF COMPUTING RESOURCES SERVICES.
JOHN E FOGARTY INTL CENTER	ASSOC DIR FOR INTL ADVANCED STUDIES.
NATIONAL CENTER FOR RESEARCH RESOURCES	DIR, NATL CENTER FOR RESEARCH RESOURCES.
	DIR, GEN CLINICAL RES CTR FOR RES RESOURCES.
	DEP DIR, NATL CENTER FOR RESEARCH RESOURCES.
DIVISION OF RESEARCH GRANTS	ASSOCIATE DIRECTOR FOR REFERRAL AND REVIEW.
	ASSOC DIR FOR STATISTICS & ANALYSIS.
NATIONAL CENTER FOR NURSING RESEARCH	DIRECTOR NATIONAL CNTR FOR NURSING RESEARCH
NATIONAL CENTER FOR HUMAN GENOME RESEARCH	DEPUTY DIRECTOR.
	DIR DIV OF INTRAMURAL RES NATL CTR H G R.
	CHIEF DIAG DEVEL BR NATL CTR HUMAN GEN RES.
	CHF, LAB OF GENETIC DIS RES NATL CTR FOR HGR.
NATIONAL INSTITUTE ON DRUG ABUSE	DIR, OFC OF SCI POL, EDUCATION & LEGISLATION.
	ASSOC DIR FOR PLANNING & RESOURCES MANAGEMENT.
	DIR, OFFICE OF EXTRAMURAL PROGRAM REVIEW.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
NATIONAL INSTITUTE OF MENTAL HEALTH	DIRECTOR DIVISION OF CLINICAL RESEARCH.
	DIR, MEDICATIONS DEVELOPMENT DIVISION.
	CHIEF, NEUROSCIENCE RESEARCH BRANCH.
	ASSOCIATE DIRECTOR FOR SPECIAL POPULATIONS.
	ASSOCIATE DIRECTOR FOR PREVENTION.
	EXEC OFCR, NATL INSTITUTE OF MENTAL HEALTH.
	DIR, OFC OF LEGISLATIVE ANALYSIS & COORD.
	DIR, DIV OF NEUROSCIENCE & BEHAVIORAL SCI.
	DIRECTOR, DIVISION OF EXTRAMURAL ACTIVITIES.
	CHIEF, NEUROPSYCHIATRY BRANCH.
	CHIEF, CHILD PSYCHIATRY BRANCH.
	CHIEF, BIOLOGICAL PSYCHIATRY BRANCH.
	CHIEF, LABORATORY OF CLINICAL SCIENCE.
	CHIEF, SECTION ON HISTOPHARMACOLOGY.
NATIONAL INSTITUTE ON ALCOHOL ABUSE & ALCOHOLISMS	DIR, NATL INSTITUTE ON ALCOHOL A&A.
	DIRECTOR, DIVISION OF BASIC RESEARCH.
	DIR, DIV OF BIOMETRY & EPIDEMIOLOGY.
AGENCY FOR HEALTH CARE POLICY & RESEARCH	DIR, CTR FOR OUTCOMES & EFFECTIVENESS RESEARCH.
	DIR, CTR FOR GEN HEALTH SERV INTRAMURAL RES.
	DIR, CTR GEN HEALTH SVCE EXTRAMURAL RESEARCH.
	DIR, OFC OF SCI & DATA DEV/AGCY FOR HCP & RES.
ORGANIZATION ABOLISHED	CHF ACTUARY.
	DEP CHIEF ACTUARY (LONG-RANGE).
	DEP CHIEF ACTUARY SHORT RANGE SSA.
ORGANIZATION ABOLISHED	SENIOR FINANCIAL EXECUTIVE.
ORGANIZATION ABOLISHED	ASSOC COMR, OFFICE OF FIN POLICY & OPERATIONS.
	DEP ASSOC COMM FINANCIAL POLICY & OPERATIONS.
ORGANIZATION ABOLISHED	ASSOC COMMISSIONER FOR ACQUISITION & GRANTS.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:	
OFFICE OF THE GENERAL COUNSEL	ASSOC GEN COUN FOR PROGRAM ENFORCEMENT.
OFFICE OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	ASSISTANT INSPECTOR GENERAL FOR AUDIT.
	ASST INSPECTOR GENERAL FOR MANAGEMENT & POL.
	DEPUTY ASST INSPECTOR GEN FOR AUDIT OPERATION.
	DEP ASST INSPECTOR GEN FOR P&O.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATION.
	COUNSEL TO THE INSPECTOR GENERAL.
OFFICE OF THE CHIEF FINANCIAL OFFICER	ASSOC DEP CHIEF FINANCIAL OFFICER FOR ACCOUNT.
	DEP CHIEF FINANCIAL OFFICER FOR ACCOUNTING.
	DEP CHIEF FINANCIAL OFFICER FOR FINANCE.
ASSISTANT SECRETARY FOR ADMINISTRATION	DEPUTY DIRECTOR, OFFICE OF HUMAN RESOURCES.
	DIR, OFC OF BUDGET.
	DEP DIR, OFC OF BUDGET.
	DIRECTOR OFC OF PROCUREMENTS & CONTRACTS.
	SPECIAL ADVISOR/COMPTROLLER.
ASSISTANT SECY FOR HOUSING	DIR, MORTGAGE INSURANCE ACCTNG & SERV GROUP.
	DIR OFC OF MULTIFAMILY ASSET MANAGEMENT DISPO.
	HOUSING/FED HOUSINGS ADM COMPTROLLER.
	DIR OFC OF MULTIFAMILY HOUSING PRES PROP DIS.
	DIR OF MULTIFAMILY HOUSING DEVELOPMENT.
	HOUSING FHA DEPUTY COMPTROLLER.
	DIR, OFC OF POL, P&F SYSTEMS ENHANCEMENTS.
	DIRECTOR, RESPA ENFORCEMENT UNIT.
	DIRECTOR, OFFICE OF EVALUATION.
	PROGRAM SYSTEMS PROJECT OFFICER.
	DIR. OFFICE OF MULTIFAMILY HOUSING MANAGEMENT.
ASST SECY FOR FAIR HOUSING AND EQUAL OPPORTUNITY	DIRECTOR, OFFICE OF INVESTIGATIONS.
	DIR, OFC OF FAIR HOUSING I & V PROGRAMS.
	DEP DIR OFC OF EQUAL EMPLOYMENT OPPORTUNITY.
ASST SECY FOR COMMUNITY PLANNING AND DEVELOPMENT.	DIR OFFICE OF ENVIRONMENT AND ENERGY.
	DIRECTOR, OFFICE OF ECONOMIC DEVELOPMENT.
	DIRECTOR, OFC OF COMMUNITY VIABILITY.
GOVERNMENT NATIONAL MORTGAGE ASSOCIATION	VICE PRESIDENT FOR ASSET MANAGEMENT.
	VICE PRESIDENT FOR MORTGAGE BACKED SECURITIES.
	VICE PRESIDENT FOR FINANCE.
	VICE PRESIDENT, OFC OF POL, P&R MANAGEMENT.
	VICE PRESIDENT OFC OF CUSTOMER SERVICE.
ASSTS SECY FOR PUBLIC AND INDIAN HOUSINGS	GEN DEP ASST SECY FOR PUBLIC & INDIAN HOUSING.
	DIR RENTAL ASSISTANCE DIVISION.
	PUBLIC & INDIAN HOUSING-COMPTROLLER.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DEP ASST SECRY FOR PUBLIC & ASST HOUSING OPER.
	DEPUTY PUBLIC & INDIAN HOUSING COMPTROLLER.
	DEP DIR TO DEP ASST FOR PUB ASST HOUSING.
NEW YORK/NEW JERSEY (NEW YORK)	MANAGER NEWARK.
	MANAGER BUFFALO.
SOUTHEAST (ATLANTA)	MANAGER JACKSONVILLE.
MIDWEST (CHICAGO)	MANAGER COLUMBUS.
	MANAGER DETROIT.
	MANAGER INDIANAPOLIS.
	MANAGER MN/ST PAUL.
SOUTHWEST (FORT WORTH)	MANAGER OKLAHOMA.
PACIFIC/HAWAII (SAN FRANCISCO)	MANAGER LOS ANGELES.
DEPARTMENT OF INTERIOR:	
OFC OF THE INSPECTOR GENERAL	ASSISTANT INSPECTOR GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	GENERAL COUNSEL.
	DEPUTY ASST INSPECTOR GENERAL FOR AUDITS.
OFC OF THE SOLICITOR	DEPUTY ASSOC SOLICITOR, GENERAL LAW.
	ASST SOLICITOR BUREAU OF PARKS AND RECREATION.
	SPECIAL ASST TO THE ASSOC SOLICITOR-GEN LAW.
	ASSOCIATE SOLICITOR FOR ADMINISTRATION.
	DEP ASSOCIATE SOLICITOR-ENERGY & RESOURCES.
	DEP ASSOCIATE SOLICITOR-INDIAN AFFAIRS.
ASST SECY FOR PLICY, MANAGEMENT AND BUDGET	ASST DIR FOR ECONOMICS.
	ASST DIR, PROGRAM ANALYSIS STAFF.
	MANAGER, SCIENCE AND ENGINEERING.
	DIR, OFC OF FIN MGMT & DEP CHF FIN OFFICER.
	CHIEF DIV OF BUDGET & PROGRAM REVIEW.
	ASST DIR FOR SPECIAL ANALYSIS.
	MANAGER, INDIAN PROGRAMS.
	CHIEF DIV OF BUDGET ADMIN.
	DEPUTY AGENCY ETHICS STAFF OFFICER.
ASST SECRETARY FOR FISH & WILDLIFE & PARKS	EXECUTIVE DIR REGIONAL ECOSYSTEM OFFICE.
NAT'L PARK SERVICE	PARK MANAGER-YOSEMITE (SUPERINTENDENT).
	SENIOR SCIENTIST.
	SCIENCE & TECHNOLOGY ADVISOR.
	PARK MANAGER EVERGLADES.
	SPEC ASST TO THE DIR (R&C COUNCIL).
	PARK MANAGER-YELLOWSTONE (SUPERINTENDENT).
	ASST DIR, DESIGN & CONSTRUCTION (MGR, DSC).
	PARK MANAGER-INDEPENDENCE NATL HISTORIC PARK.
	PARK MANAGER-GRAND CANYON.
US FISH & WILDLIFE SERVICE	DEP REG DIR REG 8 RSCH & DEV.
	DEPUTY REGL DIRECTOR—ATLANTA.
	SPEC ASST TO THE REG DIR RESEARCH & DEVELOP.
NATIONAL BIOLOGICAL SERVICE	DEP ASST DIR—POL, BUDGET, & ADMINISTRATION.
	RESEARCH DIRECTOR PATUXENT RESEARCH CENTER.
	ASST DIR FOR INFORMATION & TECHNOLOGY SERVICE.
OFFICE OF THE REGIONAL DIRECTOR	ASSISTANT DIRECTOR FOR INVENTORY & MONITORING.
BUREAU OF MINES	RESCH DIR, PITTSBURGH RESEARCH CENTER.
	RESEARCH DIR, TWIN CITIES RESEARCH CTR.
	RESEARCH DIRECTOR, ALBANY RESEARCH CTR.
	DIRECTOR, HEALTH & SAFETY RESEARCH CENTER.
	DIRECTOR, ENVIRONMENTAL REMEDIATION RES CTR.
	DIRECTOR, MATERIALS PARTNERSHIPS RES CENTER.
	CHIEF CENTER FOR ENVIRONMENTAL REDEDIATION.
	CHIEF DIV OF ENVIRONMENTAL TECHNOLOGY.
	CHIEF DIVISION OF HEALTH SAFETY & MIN TECH.
	SPEC ASST TO THE DIR, BUREAU OF MINES.
	SENIOR TECHNICAL ADVISOR.
	CHIEF, DIVISION OF RESOURCE EVALUATION.
	CHIEF, DIVISION OF POLICY ANALYSIS.
	DIRECTOR, OFFICE OF MINERAL ISSUES ANALYSIS.
	DIRECTOR, OFFICE OF ADMINISTRATION.
	HELIUM PROGRAM ADMINISTRATOR.
BUREAU OF RECLAMATION	DIRECTOR, POLICY & PROGRAMS.
	RESEARCH DIRECTOR.
	DIRECTOR, TECHNICAL SERVICES CENTER.
	SENIOR SCIENTIST.
	DEPUTY ASS COMMISSIONER-RESOURCES MANAGEMENT.
	SPEC ASST TO THE DIR, RECLAMATION SERV CENTER.
	PROJECT MANAGER/ARIZONA PROJECTS OFFICE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	CHIEF DIV PROG COORDINATION & FINANCE.
	DIRECTOR, MANAGEMENT SERVICES OFFICE
US GEOLOGICAL SURVEY	STAFF GEOLOGIST FOR NPRA/ALASKA ACTIVITIES.
NATIONAL MAPPING DIV	CHIEF, NATIONAL MAPPING DIVISION.
	ASSOCIATE CHIEF, NATIONAL MAPPING DIVISION
	CHIEF, EROS DATA CENTER.
	CHIEF WESTERN MAPPING CENTER.
	CHIEF MID-CONTINENT MAPPING CENTER.
	CHIEF ROCKY MOUNTAIN MAPPING CENTER.
	ASST DIV CHIEF FOR INFORMATION & DATA SVC.
	CHIEF MAPPING APPLICATIONS.
	ASSOC CHIEF PROGRAMS & FINANCES.
	ASST DIV CHF FOR RESEARCH.
	ASST DIV CHF FOR COORDINATION & REQUIREMENTS.
	ASSOCIATE CHIEF FOR OPERATIONS.
	SR STAFF SCI FOR MAPPING & GEOGRAPHIC DATA.
WATER RESOURCES DIV	CHIEF HYDROLOGIST.
	ASSOC CHIEF HYDROLOGIST.
	REGL HYDROLOGIST CENTRAL REG LAKEWOOD.
	REGL HYDROLOGIST SOUTHEASTERN REGION.
	REGIONAL HYDROLOGIST, WESTERN REGION.
	REGIONAL HYDROLOGIST, NORTHEASTERN REGION.
	ASST CHF HYDROLOGIST FOR OPERATIONS.
	ASST CHIEF HYDROLOGIST FOR SCIEN INFO MGMT.
	ASST CHF HYDROLOGIST FOR WATER A&D COORD.
	ASST CHF HYDRO FOR RES & EXTRNL COORDINATION.
	CHIEF, NATL WATER QUALITY ASSESSMENT (NAWQA).
	ASST CHIEF HYDROLOGIST FOR TECH SUPPORT.
	ASST CHIEF HYDROLOGIST FOR WATER INFORMATION.
	CHF, OFC OF HYDROLOGIC RESEARCH.
	CHIEF OFFICE OF WATER QUALITY.
	CHF, BR OF WATER INFORMATION TRANSFER.
	CHIEF, OFFICE OF GROUND WATER.
	CHIEF OFFICE OF SURFACE WATER.
	CHF, NATIONAL WATER DATA EXCHANGE PROGRAM.
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.
	ASSISTANT CHIEF GEOLOGIST FOR PROGRAMS.
BUREAU OF LAND MANAGEMENT.	
	CHIEF, OFFICE OF IRM/MODERNIZATION.
	SPECIAL ASSISTANT TO THE DIRECTOR.
	DEP ASST DIR LANDS & RENEWABLE RESOURCES.
	INTERNATIONAL TECH ASST PROGRAM MANAGER.
OFC OF SURFACE MINING RECLAM & ENFORCEMENT.	
	ASSISTANT DIRECTOR, WESTERN FIELD OPERATIONS.
	REGIONAL DIRECTOR.
	REGIONAL DIRECTOR.
	REGIONAL DIRECTOR.
MINERALS MANAGEMENT SERVICE	REGIONAL DIRECTOR, GULF OF MEXICO OCS REGION.
	DEP ASSOCIATE DIRECTOR FOR OFFSHORE LEASING.
	CHIEF, LEASING MANAGEMENT DIVISION.
	REGIONAL MANAGER, ALASKA OCS REGION.
	ASSISTANT ASSOC DIR FOR OFFSHORE MINERALS MGT.
	REGIONAL MANAGER, PACIFIC OCS REGION.
	DEP ASSOCIATE DIR FOR OFFSHORE OPERATIONS.
	SPECIAL ASSISTANT TO THE DIRECTOR.
	DEP ASSOC DIR FOR AUDIT.
	DEP ASSOC DIR FOR VALUATION & OPERATIONS.
	DEPUTY ASSOC DIRECTOR FOR ADMINISTRATION.
BUREAU OF INDIAN AFFAIRS.	
	SPECIAL ASSISTANT (SPECIAL PROJECTS OFFICER).
	DEP TO THE DIR INDIAN EDUCATION PROGRAMS.
	SPEC ASST TO THE ASST SECY-INDIAN AFFAIRS.
INTERNATIONAL DEVELOPMENT COOPERATION AGENCY:	
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL.
	ASST GENERAL COUNSEL FOR ETHICS & ADM.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
OFFICE OF THE INSPECTOR GENERAL	ASST INSPECTOR GENERAL FOR SECURITY.
	ASST INSPECTOR GENERAL INVESTIGATIONS.
	COUNSEL TO THE INSPECTOR GENERAL.
	DEPUTY INSPECTOR GENERAL.
OFFICE OF EQUAL OPPORTUNITY PROGRAMS	DIR OFC OF EQUAL OPPORTUNITY PROGRAMS.
BUREAU FOR GLOBAL PROGRAMS, FIELD SUPPORT AND RESEARCH.	ASSOC ASST ADMR CENTER FOR ECONOMIC GROWTH.
	SENIOR DEPUTY ASSISTANT ADMINISTRATOR.
	DEP ASST ADMR CTR FOR POP, H/N BFGP, FS/RES.
	ASSOCIATE ASSISTANT ADMINISTRATOR.
	ASSOC ASST ADMIN.
BUREAU FOR EUROPE AND THE NEW INDEPENDENT STATES.	DEPUTY ASST ADMINISTRATOR.
BUREAU FOR MANAGEMENT	DIRECTOR OFFICE OF FINANCIAL MGMT.
	DEP CHF FIN OFCR, OFC OF FINANCIAL MANAGEMENT.
	DIR OFFICE OF INFORMATION RESOURCE MANAGEMENT.
	DEPUTY DIRECTOR OFC OF PROCUREMENT.
	DEPUTY DIRECTOR.
	DIR, OFC OF ADMIN SERVICES.
	DEP DIR OFC OF PROCUREMENT BUREAU FOR MAGNT.
	DEPUTY ASST ADMR BUREAU FOR MANAGMENT.
INTERSTATE COMMERCE COMMISSION:	
ORGANIZATION ABOLISHED	DIR OF PERSONNEL.
OFFICE OF THE GENERAL COUNSEL	ASSOC GEN COUNSEL—LITIGATION.
	SENIOR ASSOC GENERAL COUNSEL—LITIGATION.
OFFICE OF PROCEEDINGS	DEPUTY DIRECTOR—LEGAL COUNSEL II.
	DEPUTY DIRECTOR—LEGAL COUNSEL.
	ASSISTANT TO THE DIRECTOR.
OFFICE OF COMPLIANCE & ENFORCEMENT	ASSOC DIR, OFC OF COMPLIANCE & ENFORCEMENT.
	DIRECTOR.
	DEP DIR, SECT OF INVESTIGATIONS & ENFORCEMENT.
	ASSOCIATE DIRECTOR POLICY & REVIEW.
	DEPUTY DIRECTOR, SECTION OF TARIFFS.
	DEP DIRECTOR, SECTION OF OPS & INSURANCE.
	DEP DIR, SECTION OF OPS, INS & TARIFFS.
	ASSOC DIR OFC OF COMPLIANCE & ENFORCEMENT.
REGIONAL OFFICES	REGIONAL DIRECTOR (PHILADELPHIA).
	REGIONAL DIRECTOR (CHICAGO).
	REGIONAL DIRECTOR (SAN FRANCISCO).
DEPARTMENT OF JUSTICE:	
OFFICE OF THE ATTORNEY GENERAL	COUNSEL ON PROFESSIONAL RESPONSIBILITY.
	DEP COUNSEL ON PROFESSIONAL RESPONSIBILITY.
OFC OF THE LEGAL COUNSEL	SPECIAL COUNSEL.
	SPECIAL COUNSEL.
OFFICE OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INSPECTIONS.
	ASSISTANT INSPECTOR GENERAL FOR AUDIT.
	ASSISTANT INSPECTOR GENERAL FOR INVESTIGATION.
	ASST INSPECTOR GEN FOR MANAGEMENT & PLANNING.
	GENERAL COUNSEL.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
JUSTICE MANAGEMENT DIVISION	ASST ATTORNEY GENERAL FOR ADMINISTRATION.
	DEPUTY ASST ATTORNEY GENERAL.
	DEP ASST ATTORNEY GEN HUMAN RES/ADMIN.
	DIR, SECURITY & EMERGENCY PLNNG STAFF.
	DIR LIBRARY STAFF.
	DIR, FACILITIES AND ADMINISTRATIVE SVC STAFF.
	DIR TELECOMMUNICATIONS SERVICES STAFF.
	DIRECTOR MANAGEMENT AND PLANNING STAFF.
	DIRECTOR, BUDGET STAFF.
	SENIOR POLICY ADVISOR.
	DEP ASST ATTORNEY GENERAL, INFO RES MGT.
	DIR PROCUREMENT SERVICES STAFF.
	DIR, SYSTEMS TECHNOLOGY STAFF.
	GENERAL COUNSEL.
	DIR, EQUAL EMPLOYMENT OPPORTUNITY STAFF.
	SENIOR COUNSEL.
OFFICE OF THE COMPTROLLER	DEP ASST ATTORNEY GENERAL; CONTROLLER.
	DIR FINANCE STAFF.
	DEP ASST ATTY GEN FOR DEBT COLLECTION.
	ASST DIR, MANAGEMENT & PLANNING STAFF.
OFFICE OF HUMAN RESOURCES AND ADMINISTRATION	DIRECTOR PERSONNEL STAFF.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR, OFC OF ATTY PERS MGMT.
OFFICE OF INFO & ADMIN SERVICES	DIRECTOR, COMPUTER SERVICES STAFF.
	DIRECTOR, SYSTEMS POLICY STAFF.
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW	CHIEF IMMIGRATION JUDGE.
	CHAIRMAN, BOARD OF IMMIGRATION APPEALS.
	CHIEF ADMIN HEARING OFFICER.
ANTITRUST DIVISION	SENIOR LITIGATOR.
	EXECUTIVE OFFICER.
	CHIEF COMPUTERS AND FINANCE SECTION.
OFFICE OF LITIGATION	DEP DIR OF OPERATIONS.
	CHIEF, COMPETITION POLICY SECTION.
CIVIL DIVISION	DIRECTOR OF MANAGEMENT PROGRAMS.
COMMERCIAL LITIGATION BRANCH	SPEC LITIGATION COUNSEL (FOREIGN LITIGATION).
	SPEC LITIGATION COUN, C/L BRANCH.
	DEPUTY BRANCH DIRECTOR/COMMERCIAL LITIGATION.
	DEPUTY BRANCH DIR CIVIL FRAUDS.
FEDERAL PROGRAMS BRANCH	SPECIAL LITIGATION COUNSEL (FEDERAL PROGRAMS).
	DEPUTY BRANCH DIRECTOR.
TORTS BRANCH	SPEC LITIGATION COUNSEL.
	SPEC LITIGATION COUNSEL.
	SPECIAL LITIGATION COUNSEL (TORT LITIGATION).
	DEPUTY BRANCH DIRECTOR.
	DEPUTY BRANCH DIRECTOR.
	DEPUTY BRANCH DIRECTOR.
	DIRECTOR OFFICE OF CONSUMER LITIGATION.
CIVIL RIGHTS DIVISION	SPECIAL LITIGATION COUNSEL.
ENVIRONMENT AND NATURAL RESOURCES DIVISION	APPELLATE LITIGATION COUNSEL.
	EXECUTIVE OFFICER.
OFFICE OF ENVIRONMENTAL RESOURCES	SENIOR LITIGATION COUN ATTORNEY-EXAMINER.
	DEP CHF. ENVIRONMENTAL ENFORCEMENT SECTION.
	DEPUTY CHF, ENVIRONMENTAL ENFORCEMENT SECT.
TAX DIVISION	CHIEF CIVIL TRAIL SECTION SOUTHEASTERN REGION.
DEPUTY ASSISTANT ATTORNEY GENERAL-I	SPECIAL LITIGATION COUNSEL
	SR TRIAL ATTORNEY.
	SPECIAL LITIGATION COUNSEL.
	SPEC LITIGATION COUNSEL
IMMIGRATION AND NATURALIZATION SERVICE	ASST COMMISSIONER FOR DETENTION & DEPORTATION.
	ASST COMMISSIONER FOR ADJUDICATION & NATURAL.
	ASSISTANT COMMISSIONER FOR BORDER PATROL.
	DIRECTOR OF INTERNAL AUDIT.
	DIRECTOR OF SECURITY.
	ASSOC COMR FOR HUMAN RESOURCES & ADMIN.
	ASST COMR, BUDGET.
	REGIONAL DIRECTOR CENTRAL REGION.
	ASST COMMISSIONER ADMINISTRATION.
ASSOCIATE COMMISSIONER FOR EXAMINATIONS	ASST COMM FOR INSPECTIONS.
ASSOCIATE COMMISSIONER FOR ENFORCEMENT	ASSISTANT COMMISSIONER FOR INVESTIGATIONS.
EXECUTIVE ASSOCIATE COMMISSIONER FOR MANAGEMENT	ASSISTANT COMR, HUMAN RESOURCES & DEVELOPMENT.
OFC OF THE ASSOCIATE ATTORNEY GENERAL	DEPUTY ASSOCIATE ATTORNEY GENERAL.
EXECUTIVE OFC FOR U.S. ATTORNEYS	DIR OFC OF MGNT INFORMATION SYSTEMS SUPPORT.
	DIR, OFFICE OF ADMINISTRATION & REVIEW.
	DEP DIR FOR OPERATIONS.
CRIMINAL DIVISION	DEPUTY CHIEF, FRAUD SECTION.
	DIR OFC OF ASSET FORFEITURE.
	SENIOR COUNSEL.
	SENIOR APPEALLEATE COUNSEL.
	SENIOR COUNSEL.
	EXECUTIVE OFFICER.
	DIR INTL CRIMINAL INVEST TRAIN ASST PROGRAM.
OFCE OF DEPUTY ASST ATTORNEY GENERAL I	COUNSEL TO THE OFFICE FRAUD SECTION.
OFC OF DEPUTY ASST ATTORNEY GENERAL II	CHF PUBLIC INTEGRITY SECTION.
	DEPUTY CHIEF PUBLIC INTEGRITY SECTION.
FEDERAL BUREAU OF PRISONS	ASST DIR FOR PLANNING AND DEVELOPMENT.
	GENERAL COUNSEL.
	ASSOC COMMR, FED PRISONS INDUSTRIES, UNICOR.
	DEP ASSOC COMMR FED PRISON INDUSTRIES.
	WARDEN FT WORTH TEXAS
	WARDEN MARIANNA FL
	ASST DIRECTOR FOR HUMAN RES MGMT.
	ASST DIRECTOR FOR PROGRAM REV.
	(WARDEN) MIAMI, FL.
	SENIOR DEPUTY ASST DIR HEALTH SERVICES DIV.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	SENIOR DEPUTY ASSISTANT DIRECTOR.
	REGIONAL DIRECTOR MID ATLANTIC DIVISION.
	ASST DIR., COMMUNITY CORRECTIONS & DETENTION.
	ASST DIR. INFO, POL. & PUBLIC AFRS DIV.
	SR DEP REGL DIRECTOR, MID-ATLANTIC REGION.
	GEN COUNSEL, FED PRISON INDUSTRIES (UNICOR).
	WARDEN, ALLENWOOD, PENNSYLVANIA
	SR MGT COUNSEL, (FEDERAL BUREAU OF PRISONS).
	(WARDEN) FORT DIX, NJ.
	(WARDEN) FCC, FLOREN, CO.
	CORRECTIONAL INST ADMR (ARD) SCR, DALLAS, TX.
	CORRL INST ADMR (SDAD), CC & D DIV. WASH, DC.
	WARDEN, USP, FLORENCE, CO.
	CIA (WARDEN) FED MEDICAL CENTER CARSWELL, TX.
	CIA (WARDEN) U.S. PENITENTIARY, ALLENWOOD, PA.
	(WARDEN) FTC, OKLAHOMA, OK.
	SENIOR DEP ASST DIR (ADMINISTRATION).
	CIA (WARDEN) FED CORTL INST/EL RENO, OK.
	CIA (WARDEN) FED MEDICAL CENTER/MIAMI, FL.
OFFICE OF CORRECTIONAL PROGRAMS	ASST DIR CORRECTIONAL PROGRAMS DIV.
NORTHEAST REGION	REGIONAL DIRECTOR, NORTHEAST REGION.
	WARDEN, LEWISBURG, PA.
	WARDEN, MCKEAN, PA.
	(WARDEN), OAKDALE, LA.
SOUTHEAST REGION	REGIONAL DIRECTOR, SOUTHEAST REGION.
	WARDEN ATLANTA.
	WARDEN, LEXINGTON KENTUCKY.
	WARDEN BUTNER NORTH CAROLINA.
NORTH CENTRAL REGION	REGIONAL DIRECTOR, NORTH CENTRAL REGION.
	WARDEN LEAVENWORTH KANSAS.
	WARDEN SPRINGFIELD MO.
	WARDEN MARION IL.
	WARDEN TERRE HAUTE, IN.
	CORRECTIONAL INSTITUTION ADMR.
	CORRECTIONAL INSTITUTION ADMR (WARDEN).
SOUTH CENTRAL REGION	REGIONAL DIRECTOR, SOUTH CENTRAL REGION.
	WARDEN EL RENO OKLA.
WESTERN REGION	REGIONAL DIRECTOR, WESTERN REGION.
	WARDEN, LOMPOC, CA.
	WARDEN PHOENIX AZ.
	WARDEN FEDERAL CORRECTIONAL INSTITUTION.
OFC OF JUSTICE PROGRAMS	SENIOR COUNSEL.
NATIONAL INSTITUTE OF JUSTICE	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.
	ASSISTANT DIRECTOR FOR HUMAN RESOURCES.
	ASST DIR FOR RESEARCH & DEVELOPMENT.
	ASSOC DIRECTOR FOR OPERATIONAL SUPPORT.
	SENIOR MANAGEMENT ADVISOR.
	ASSOCIATE DIRECTOR FOR TRAINING.
DEPARTMENT OF LABOR:	
OFC OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	ASST INSPECTOR GEN FOR AUDIT.
	COUNSEL TO THE INSPECTOR GENERAL.
OFFICE OF LABOR–MANAGEMENT STANDARDS	DIRECTOR, OFC OF POLICY & PROGRAM SUPPORT.
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.
	ASSOC SOL FOR SPEC APPEL & SUP COURT LIT.
	DEP SOLICITOR FOR PLANNING AND COORDINATION.
	DIR, OFFICE OF MANAGEMENT.
	ASSOC SOLICITOR FOR BLACK LUNG BENEFITS.
REGIONAL SOLICITORS	REGIONAL SOLICITOR.
	REGIONAL SOLICITOR REGION IV–ATLANTA.
	REGL SOLICITOR BOSTON.
	REGL SOLICITOR NEW YORK.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	REGIONAL SOLICITOR PHILADELPHIA.
	REGL SOLICITOR DALLAS.
	REGL SOLICITOR KANSAS CITY.
	REGL SOLICITOR SAN FRANCISCO.
OAS FOR ADMINISTRATION AND MANAGEMENT	DIRECTOR, ADMINISTRATIVE & PROCUREMENT PROGS.
	DIR OF MANAGEMENT POLICY AND SYSTEMS.
	DIRECTOR, NATIONAL CAPITAL SERVICE CENTER.
	DIRECTOR OF HUMAN RESOURCES.
	DIRECTOR, DIRECTORATE OF CIVIL RIGHTS.
	DIR NATL CAPITAL SERVICE CENTER.
	DIRECTOR OF INFORMATION RESOURCES MANAGEMENT.
	DIR, ADMINISTRATIVE & PROCUREMENT PROGRAMS.
	DIRECTOR, OFFICE OF PLANNING & ANALYSIS.
	DIRECTOR OFFICE OF BUDGET.
	DEPUTY CHIEF FINANCIAL OFFICER.
	DIR OFC OF FIN INTEGRITY.
	DEPUTY ASSISTANT SECY FOR BUDGET.
	DIRECTOR BUSINESS OPERATIONS CENTER.
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 POLICY PLANNING & REVIEW.
	DEP WAGE & HOUR ADMIN.
	DEP NATL OFC PROGRAM ADMINISTRATOR.
OFC OF WORKERS COMPENSATION PROGRAMS.	DIR FEDERAL EMPLOYEES COMPENSATION.
	DIR COAL MINE WORKERS COMPENSATION.
PENSION & WELFARE BENEFITS ADMINISTRATION	DIR OF REGULATIONS & INTERPRETATIONS.
	DIRECTOR OF PROGRAM SERVICES.
	DEPUTY DIRECTOR OF PROGRAM SERVICES.
	DEP ASST SECY FOR PROGRAM OPERATIONS.
	DIRECTOR OF EXEMPTION DETERMINATIONS.
	SENIOR POLICY ADVISOR.
	REGIONAL DIRECTOR.
	REGIONAL DIRECTOR.
	REGIONAL DIRECTOR.
	REGIONAL DIRECTOR.
	DIR OF ENFORCEMENT.
BUREAU OF LABOR STATISTICS	DEPUTY COMMISSIONER.
	ASST COMMR FOR CONSUMER PRICES/PRICE INDEXES.
	ASSOCIATE COMMISSIONER FOR FIELD OPERATIONS.
	ASSOC COMMR FOR PUBLICATIONS & SPEC STUDIES.
DATA ANALYSIS	ASSOC COMMR, ECONOMIC GROWTH.
	ASSOC COMR FOR PRICES AND LIVING CONDITIONS.
	ASSOC COMMR PRODUCTIVITY & TECHNOLOGY.
	ASSOC COMMR FOR RESEARCH & EVALUATION.
	ASSOC COMMR FOR EMPLOYMENT & UNEMPL STATISTICS.
	ASST COMMR FOR CONSUMER PRICES & PRICE INDEXES.
	ASSOC COMMR FOR INDUST PRICES & PRICE INDEXES.
	ASSISTANT COMMISSIONER FOR ECONOMIC RESEARCH.
	ASST COMMISSIONER FOR FEDERAL-STATE PROGRAMS.
	ASST COMMISSIONER FOR CURRENT EMPLOY ANALYSIS.
	ASST COMMR FOR COMPENSATION LEVELS & TRENDS.
	ASST COMMR FOR SAFETY, H & W CONDITIONS.
	ASSOC COMMR COMPENSATION & WORKING CONDITIONS.
	ASST COMM FOR SURVEY METHODS RESEARCH.
	ASST COMM FOR INTERNATIONAL PRICES.
ADMINISTRATRATIVE AND INTERNAL OPERATIONS.	
	DEP COMM FOR ADM AND INTERNAL OPERATIONS.
	ASSOCIATE COMMISSIONER FOR ADMINISTRATION.
	DIRECTOR OF SURVEY PROCESSING.
	DIR OF TECHNOLOGY & COMPUTING SVCS.
	ASST COMR FOR TECHNOLOGY & SURVEY PROCESSING.
	DIR QUALITY & INFO MANAGEMENT.
OFFICE OF WORK-BASED LEARNING	DIRECTOR, OFC OF TRADE ADJUSTMENT ASSISTANCE.
OFFICE OF FINANCIAL & ADMINISTRATIVE MANAGEMENT	COMPTROLLER.
	ADMR, OFC OF FINANCIAL & ADMINISTRATIVE MGMT.
	DIR, OFC OF INFORMATION RESOURCES MANAGEMENT.
ADMINISTRATIVE PROGRAMS	DIR, ADM PROGS.
HEALTH STANDARDS PROGRAMS	DIR HEALTH STANDARDS PROGRAMS.
SAFETY STANDARDS PROGRAMS	DIRECTOR SAFETY STANDARDS PROGRAMS.
FEDERAL/STATE OPERATIONS	DIRECTOR, FEDERA/STATE OPERATIONS.
TECHNICAL SUPPORT	DIRECTOR, TECHNICAL SUPPORT.
MINE SAFETY AND HEALTH ADMINISTRATION	CHF OF STANDARDS, REGULATIONS & VARIANCES.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR OF ADMINISTRATION AND MANAGEMENT.
	DIRECTOR OF TECHNICAL SUPPORT.
MERIT SYSTEMS PROTECTION BOARD:	
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL.
OFFICE OF THE CLERK OF THE BOARD	CLERK OF THE BOARD.
OFFICE OF POLICY AND EVALUATION	DIRECTOR, OFFICE OF POLICY & EVALUATION.
OFFICE OF PLANNING & RESOURCE MANAGEMENT SERVICES.	DIRECTOR, OFFICE OF ADMINISTRATION.
OFFICE OF MANAGEMENT ANALYSIS	DIR, OFFICE OF MANAGEMENT ANALYSIS.
OFFICE OF THE ADM LAW JUDGE AND REGIONAL OPERATIONS.	DIRECTOR, OFFICE OF REGIONAL OPERATIONS.
ATLANTA REGIONAL OFFICE	REGIONAL DIRECTOR, ATLANTA.
CHICAGO REGIONAL OFFICE	REGIONAL DIRECTOR, CHICAGO.
DALLAS REGIONAL OFFICE	REGIONAL DIRECTOR, DALLAS.
PHILADELPHIA REGIONAL OFFICE	REGIONAL DIRECTOR, PHILADELPHIA.
SAN FRANCISCO REGIONAL OFFICE	REGIONAL DIRECTOR, SAN FRANCISCO.
WASHINGTON REGIONAL OFFICE	REGIONAL DIRECTOR, WASHINGTON, D.C.
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION:	.
OFC OF THE ADMINISTRATOR	DIR, BENCHMARKING & EXTERNAL PROGRAMS DIV.
	ASSOCIATE DEPUTY ADMINISTRATOR (TECHNICAL).
	TECHNICAL ASSISTANT TO THE CHIEF ENGINEER.
	CHIEF ENGINEER.
	SPECIAL ASSISTANT TO THE CHIEF ENGINEER.
	TECHNICAL ASST TO THE ASSOC DEP ADMR (TECH).
OFFICE OF THE CHIEF FINANCIAL OFFICER/COMPTROLLER	DIR SYSTEMS ANALYSIS DIVISION.
	DEPUTY CHIEF FINANCIAL OFFICER.
	DIRECTOR, FINANCIAL MANAGEMENT DIVISION.
	DIRECTOR, RESOURCES ANALYSIS DIVISION.
	DEPUTY DIRECTOR FOR PROGRAM RESOURCES.
	DEP DIR RESOURCES ANALYSIS DIVISION.
	DEPUTY DIR. FINANCIAL MANAGEMENT DIVISION.
OFFICE OF EQUAL OPPORTUNITY PROGRAMS	DIRECTOR, DISCRIMINATION COMPLAINTS DIVISION.
	DIR MINORITY UNIV RES & EDUC PROG DIV
	DIRECTOR, MULTICULTURAL PROG & SUPPORT DIV.
	MANAGER MINORITY UNIVERSITY PROGRAMS.
OFFICE OF HUMAN RESOURCES & EDUCATION	ASSOCIATE ADMINISTRATOR FOR HUMAN RESOURCES.
	DIRECTOR, EDUCATION DIVISION.
	DIRECTOR, PERSONNEL DIVISION.
	DIRECTOR, MANAGEMENT SYSTEMS DIVISION.
	DEP ASSOC ADM FOR HUMAN RES & EDUCATION.
	DIRECTOR, NATIONAL SERVICE OFFICE.
	SPECIAL ASST TO THE ASSOCIATE ADMR.
OFFICE OF PROCUREMENT	ASST ADMR FOR PROCUREMENT.
	DIR. ADVANCED PROCUREMENT PLANNING DIVISION.
	DIRECTOR, PROGRAM OPERATIONS DIVISION.
	DIRECTOR, PROCUREMENT POLICY DIVISION.
	DEP ASSISTANT ADMINISTRATOR FOR PROCUREMENT.
	DIR CONTRACT PRICING & FINANCE OFFICE.
	DIR CONTRACT MANAGEMENT DIVISION.
	DIRECTOR HEADQUARTERS AQUISITION DIVISION.
OFFICE OF EXTERNAL RELATIONS	DEP DIR INDUSTRY AFFAIRS DIVISION.
	DEP ASSOC ADMIN FOR POL COOR & INTEL RELATION.
	DIRECTOR ANALYSIS DIVISION.
SPECIAL STUDIES	SPECIAL ASSISTANT.
DEFENSE AFFAIRS	MANAGER, PROGRAM COORDINATION.
	ASST DIR FOR INDUSTRY & TECHNOLOGY.
	DIRECTOR, SPACE FLIGHT DIVISION.
SPACE FLIGHT	DEP DIR, INTERNATIONAL RELATIONS DIVISION.
	DEP SPACE STATION SUPPORT.
	SPEC ASST TO THE DIR INTL RELATIONS DIV.
	SPECIAL ASST FOR ADVANCED PLANNING & ANALYSIS.
	SPECIAL ASSISTANT TO THE DIRECTOR.
POLICY COORDINATION	MANAGER, INTERNATIONAL TECHNOL TRANSFER POL.
INTERNATIONAL RELATIONS	MANAGER, OPERATIONS INTEGRATION.
OFFICE OF MANAGEMENT SYSTEMS & FACILITIES	DEP DIR WIND TUNNEL PROJECT.
	SPECIAL ASSISTANT TO THE ASSOC ADMINISTRATOR.
SECURITY, LOGISTICS & INDUSTRIAL RELATIONS	PROGRAM MANAGER.
	CHIEF, INFORMATION SYST & TECHNOL OFFICE.
	DIR, LOGISTICS & SECURITY DIVISION.
AIRCRAFT MANAGEMENT	DIRECTOR, AIRCRAFT MANAGEMENT OFFICE.
INFORMATION RESOURCES MANAGEMENT	DIRECTOR, INFORMATION RESOURCES MGMT DIVISION.
	DEP DIR, INFORMATION RES MGMT DIVISION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR AUTOMATED INFO MGMT PROG OFC.
FACILITIES ENGINEERING	DEPUTY DIRECTOR, FACILITIES, ENGINEERING DIV.
	DIR ENVIRONMENTAL MANAGEMENT DIVISION.
	CHIEF, FACILITIES PLANNING & PROJECTS OFFICE.
	DIRECTOR, FACILITIES ENGINEERING DIVISION.
OFFICE OF SMALL & DISADVANTAGED BUSINESS UTILIZATION.	ASSOC ADMR FOR S & D BUSINESS UTILIZATION.
OFFICE OF LEGISLATIVE AFFAIRS	DEP ASSOC ADMIN.
	DEP ASSOC ADMIN FOR PROGRAMS.
OFFICE OF SPACE FLIGHT	CHIEF MEDICAL OFFICER.
	SPECIAL ASST TO THE ASSOC ADMR.
	TECH ASST TO DEP ASSOC ADMIN FOR SPACE SHUTTL.
	DIRECTOR, ADVANCED PROJECT OFFICE.
	SENIOR ENGINEER SPACE STATION PROGRAM.
POLICY & PLANS	DIR POLICY & PLANS.
INSTITUTIONS	DIRECTOR, RESOURCES MANAGEMENT DIVISION.
	DIR INSTITUTIONS.
	CHIEF PROGRAM EVALUATION.
CHIEF ENGINEER	MANAGER SYSTEMS ENGINEERING INTEGRATION.
	TECH ASST TO THE CHIEF ENGINEER.
	DEPUTY CHIEF ENGINEER.
MISSION DIRECTOR	ASST MISSION DIR MIR.
SPACE SHUTTLE PROGRAM	MANAGER SPACE SHUTTLE SYST INTEGRATION.
	MANAGER, MANAGEMENT INTEGRATION.
	MGR, NATL SPACE TRANS SYST INTEGRATION & OPS.
	ASSISTANT DIRECTOR FOR SPACE SHUTTLE PROGRAM.
	MANAGER, SAFETY & OBSOLESCENCE.
	TECHNICAL ASST TO THE ASSOC ADMIR.
	MANAGER, SHUTTLE PROJECTS OFFICE (MSFC).
	MANAGER SPACELAB CARRIER PROG.
	MANAGER LAUNCH INTEGRATION.
	DIRECTOR, SPACE SHUTTLE OPERATIONS.
	MANAGER, PROGRAM CONTROL (JSC).
	DIRECTOR, PHASE ONE PROGRAM (JSC).
SPACE STATION PROGRAM	MANAGER STRATEGIC UTILIZATION & OPS OFFICE.
	SPACE STATION PROGRAM MANAGER.
	SPACE STATION VEHICLE MANAGER.
	BUSINESS MANAGER, SPACE STATION PROGRAM OFC.
	DEPUTY DIRECTOR, SPACE STATION PROGRAM.
	DIRECTOR, MANAGEMENT OPERATIONS.
	DEPUTY SPACE STATION VEHICLE MANAGER.
	MANAGER INTERNATIONAL PARTNERS OFFICE.
JOHNSON SPACE CENTER	DEP MANAGER, ORBITER & GF PROJECTS OFFICE.
	CHIEF FINANCIAL OFFICER.
	SPEC ASST FOR ENGINEERING OPERATIONS & SAFETY.
	MANAGER FOR TECHNICAL PROJECTS.
	DEPUTY MANAGER FOR INTEGRATION.
	MANAGER FOR DEVELOPMENT.
	DIRECTOR OF HUMAN RESOURCES.
	DEP MGR, SPACE STATION PROJECTS OFFICE.
	MANAGER, ORBETER AND GF PROJECTS OFFICE.
	DEPUTY MANAGER, NEW INITIATIVES OFFICE.
	DEP MGR FOR PROG & OPERATIONS INTEGRATION.
	SPEC ASST FOR COMMUNITY R&S PROJECTS.
	DIR OF TECH TRANSFER & COMMERCIALIZATION.
	CHIEF INFORMATION OFFICER.
	DEPUTY CHIEF INFORMATION OFFICER.
	DEP MANAGER JOHNSON SPACE CTR PROJECTS OFFICE.
MISSION OPERATIONS	ASSISTANT DIRECTOR, MISSION OPERATIONS.
	DIRECTOR, MISSION OPERATIONS.
	ASSISTANT TO THE ASST DIR FOR PROGRAM SUPPORT.
	CHIEF FLIGHT DIRECTOR OFFICE.
	DEPUTY DIRECTOR, MISSION OPERATIONS.
	ASSISTANT DIRECTOR FOR PROGRAM SUPPORT.
	ASST DIR FOR OPERATIONS.
	CHIEF INTEGRATED PLANNING SYSTEM OFFICE.
	CHIEF SIMULATOR & OPERATIONS TECHNOLOGY DIV.
	MANAGER, MISSION OPS BUSINESS MGMT OFFICE.
	CHIEF, CONTROL CENTER SYSTEMS DIVISION.
FLIGHT CREW OPERATIONS	CHIEF, AIRCRAFT OPERATIONS DIVISION.
	DEP DIR, FLIGHT CREW OPERATIONS.
	MANAGER ASSURED CREW RETURN VEHICLE PROJECT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DEPUTY DIRECTOR, ENGINEERING.
	CHIEF STRUCTURES AND MECHANICS DIVISION.
	CHIEF, CREW & THERMAL SYSTEMS DIVISION.
	CHIEF, AUTOMATION, R&S DIVISION.
	CHIEF, SYSTEMS ENGINEERING DIVISION.
	DIRECTOR, ENGINEERING.
	CHIEF ENGINEER SPACE STATION PROGRAM.
	CHIEF TRACKING & COMMUNICATIONS DIVISION.
	DEPUTY MANAGER, ENGINEERING TECHNOL OFFICE.
	ASSISTANT TO THE DIRECTOR.
	CHIEF, NAVIGATION, CONTRL & AERONAUTICS DIV.
	CHIEF AVIONIC SYSTEMS DIVISION.
	DEP MGR, TECHNOL & PROJ IMPLEMENTATION OFC.
	ASSISTANT TO THE DIRECTOR, ENGINEERING.
	MANAGER, TECHNOL & PROJ IMPLEMENTATION OFC.
	DEPUTY CHIEF, AVIONIC SYSTEMS DIVISION.
SPACE & LIFE SCIENCES	MANAGER, LUNAR & MARS EXPLORATION PROG OFFICE.
	CHIEF, MEDICAL SCIENCES DIVISION.
	ASSISTANT DIRECTOR FOR ENGINEERING.
	ASSISTANT TO THE DIRECTOR FOR RUSSIAN PROGS.
	CHIEF, FLIGHT CREW SUPPORT DIVISION.
	ASSISTANT DIRECTOR FOR SPACE SCIENCE.
	MANAGER, ORBITER ENGINEERING OFFICE.
	DEPUTY DIRECTOR, SPACE AND LIFE SCIENCES.
	CHIEF FLIGHT DATA SYSTEMS DIVISION.
	MANAGER PAYLORD INTEGRATION & UTILIZATION OFC.
	LIFE SCIENCES REQUIREMENTS MANAGER.
	CHIEF, SOLAR SYSTEM EXPLORATION DIVISION.
INFORMATION SYSTEMS	DIRECTOR INFORMATION SYSTEMS.
	DEPUTY DIRECTOR, INFORMATION SYSTEMS.
BUSINESS MANAGEMENT	PROCUREMENT OFFICER.
	ASST DIR ADMINISTRATION.
	SPECIAL ASSISTANT TO THE DIRECTOR.
	ASSISTANT TO THE DIRECTOR.
CENTER OPERATIONS	DIR CENTER OPERATIONS.
	DEPUTY DIRECTOR, CENTER OPERATIONS.
SAFETY, RELIABILITY & QUALITY ASSURANCE	DIR, SAFETY, RELIABILITY, & QUALITY ASSURANCE.
	DEP DIR, SAFETY, RELIABILITY & QUALITY ASSURANCE.
WHITE SANDS TEST FACILITY	MANAGER, NASA WHITE SANDS TEST FACILITY.
KENNEDY SPACE CENTER	DIR PUBLIC AFFAIRS.
	ASSOCIATE DIRECTOR.
	DEPUTY CONTROLLER.
SHUTTLE MANAGEMENT & OPERATIONS	DIR, SHUTTLE LOGISTICS PROJECT MANAGEMENT.
	DIR OF SHUTTLE MGMT & OPERATIONS.
	DIRECTOR, GROUND ENGINEERING.
	DEP MANAGER, SPACE SHUTTLE SYST INTEGRATION.
	DEPUTY MANAGER LAUNCH INTGRATION.
SAFETY, RELIABILITY & QUALITY ASSURANCE	DIRECTOR, QUALITY ASSURANCE OFFICE.
	DIRECTOR, SAFETY AND RELIABILITY.
	DIRECTOR, QUALITY ASSURANCE
	DIRECTOR MISSION ASSURANCE
ENGINEERING DEVELOPMENT	DEPUTY DIRECTOR OF ENGINEERING DEVELOPMENT.
	DIR, MECHANICAL ENGINEERING.
	DIRECTOR, ELECTRONIC ENGINEERING.
INSTALLATION MANAGEMENT & OPERATIONS	DIRECTOR, INSTALLATION MGMT & OPERATIONS.
	DIRECTOR, FACILITIES ENGINEERING.
	DEPUTY DIR, OF INSTALLATION MGMT & OPERATIONS.
PAYLOAD MANAGEMENT & OPERATIONS	DIRECTOR, STS PAYLOAD OPERATIONS
	DIRECTOR, EXPENDABLE VEHICLES
	DIRECTOR LOGISTICS OPERATIONS
PROCUREMENT	DIRECTOR, PROCUREMENT.
BIOMEDICAL OPERATIONS & RESEARCH	DIRECTOR, BIOMEDICAL OPS & RES OFFICE.
MARSHALL SPACE FLIGHT CENTER	DIR, SYSTEMS SAFETY & RELIABILITY OFFICE.
	DIRECTOR, PROCUREMENT OFFICE.
	COMPTROLLER.
	ASSOC DIR FOR ADVANCED PLANNING.
	DIRECTOR, SAFETY & MISSION ASSURANCE OFFICE.
	DIR, HUMAN RES & ADMINISTRATIVE SUPPORT OFC.
	ASSOCIATE DIRECTOR.
	ASSISTANT TO THE ASSOCIATE DIRECTOR.
	ASSISTANT TO THE CENTER DIR FOR SPACE STATION.
	ASSOCIATE DIRECTOR (TECHNICAL).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASSOCIATE DIRECTOR, ADMINISTRATIVE.
PROGRAM DEVELOPMENT	DEPUTY DIRECTOR, PROGRAM DEVELOPMENT.
	DIRECTOR, PRELIMINARY DESIGN OFFICE.
	DEPUTY MANAGER, TECHNOLOGY TRANSFER OFFICE.
	DIR, RESEARCH & TECHNOLOGY OFFICE.
SCIENCE & ENGINEERING	DIRECTOR, SPACE SCIENCES LAB.
	DIRECTOR, PROPULSION LABORATORY.
	DIRECTOR, SYST ANAL & INTEGRATION LABORATORY.
	DEP DIR STRUCTURES & DYNAMICS LABORATORY.
	DEPUTY DIR, MATERIALS & PROCESSES LABORATORY.
	DEP DIR, MISSION OPERATIONS LABORATORY.
	DEP DIR, SYST ANAL & INTEGRATION LABORATORY.
	CAREER RESERVED POSITIONS.
	DEPUTY DIRECTOR, PROPULSION LABORATORY.
	DIR ASTRIONICS LABORATORY.
	DEP DIR SCIENCE & ENGINEERING.
	DIR STRUCTURES DYNAMICS LABORATORY.
	CHIEF ENGINEER SPACE SHUTTLE MAIN ENGINE PROJ.
	ASST DIRECTOR SCIENCE & ENGINEERING.
	DIR, MATERIALS & PROCESSES LABORATORY.
	DEP DIR FOR SPACE TRANSPORTATION SYSTEMS.
	MANAGER SPACE STATION FURNACE FACILITY.
	DEPUTY MANAGER FOR DEVELOPMENT.
	ASSOC DIR SCI & ENGINEERING DIRECTORATE.
	DIR ADV TRANSPORTATION TECHN OFFICE.
	DIRECTOR, MISSION OPERATIONS LABORATORY.
	DEP MANAGER SUPER LIGHTWEIGHT EXTERNAL TANK.
	DEPUTY DIRECTOR, SPACE SCI LABORATORY.
	CHF ENG, REUSABLE LAUNCH VEHICLE PROJECT.
INSTITUTIONAL & PROGRAM SUPPORT	DIR INFO SYSTEMS OFFICE.
	DIR, INSTITUTIONAL & PROGRAM SUPPORT.
	DEP DIR, INSTITUTIONAL & SUPPORT.
	DIRECTOR, FACILITIES OFFICE.
	ASST DIR FOR DATA SYSTEMS.
	DIR ENVIRONMENTAL ENGINEERING & MGNT OFFICE.
SPACE SHUTTLE PROJECTS	MANAGER, EXTERNAL TANK PROJECT.
	MGR SOLID ROCKET BOOSTER PROJECT.
	MANAGER SPACE SHUTTLE MAIN ENGINE PROJECTS.
	MANAGER, REUSABLE SOLID ROCKET MOTOR PROJECT.
SCIENCE & APPLICATIONS PROJECTS	MANAGER GLOBAL HYDROLOGY & CLIMATE CENTER.
	MANAGER MICROGRAVITY PROJECTS.
OBSERVATORY PROJECTS	MANAGER, OBSERVATORY PROJECTS OFFICE.
	DEP MGR, OBSERVATORY PROJECTS OFFICE.
	CHIEF ENGINEER, OBSERVATORY PROJECTS.
PAYLOAD PROJECTS	DEP MANAGER PAYLOAD PROJECTS OFFICE.
TECHNOLOGY TRANSFER	DIRECTOR, TECHNOLOGY TRANSFER OFFICE.
	MGR EARTH & SPACE SCIENCES PROJECTS.
STENNIS SPACE CENTER	DIRECTOR, CENTER OPERATIONS.
	DEPUTY DIRECTOR, NASA STENNIS SPACE CENTER.
	ASSOC DIRECTOR FOR INSTITUTION.
	DIRECTOR, TEST ENGINEERING.
	DIR INFOR MANAGEMENT SYSTEMS.
OFFICE OF SPACE COMMUNICATIONS	MANAGER, WHITE SANDS SPACE NETWORK COMPLEX.
	CHIEF, COMMUNICATIONS SYSTEMS BRANCH.
GROUND NETWORKS	ASSISTANT ASSOCIATE ADMINISTRATORS (PLANS).
	DIR PROGRAM INTEGRATION DIVISION.
	SPECIAL ASST (OPERATIONS).
PROGRAM INTEGRATION	DIR, COMMUNICATIONS & DATA SYSTEMS DIV.
COMMUNICATIONS & DATA SYSTEMS	DIR, GROUND NETWORK DIVISION.
	DEP DIR, GROUND NETWORK DIVISION.
SPACE NETWORK	MANAGER, TDRSS CONTINUATION PROGRAM.
	MANAGER SPACE NETWORK OPERATIONS.
	DEPUTY DIRECTOR SPACE NETWORK DIVISION.
OFFICE OF SAFETY & MISSION ASSURANCE	DIR, NASA Q & P IMPROVEMENT PROGRAMS DIVISION
	DIRECTOR, SAFETY DIVISION.
	DIR SOFTWARE INDEPENDENT VERTICATION FACILITY.
	DEP ASSOC ADM FOR SAFETY & MISSION QUALITY.
	DIRECTOR, PROGRAMS ASSURANCE DIVISION.
	MGR INTL SP STN INDEP A & O ACT.
	DIRECTOR, PAYLOADS & AERONAUTICS DIVISION.
	TECHNICAL ADVISOR FOR SR M QA INITIATIVES.
	DIRECTOR, QUALITY MANAGEMENT OFFICE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
OFFICE OF AERONAUTICS	DIRECTOR STRATEGY & POLICY OFFICE.
	DEP ASSOC ADMIN FOR AERONAUTICS MGMT.
	MANAGER TECHNOLOGY TRANSFER.
	SENIOR ENGINEER.
RESOURCES & MANAGEMENT SYSTEMS	DIR, RESOURCES & MANAGEMENT SYSTEMS OFFICE.
HIGH PERFORMANCE COMPUTING & COMMUNICATIONS	MGR HIGH-PERFORMANCE COMPUTING/COMMUNICATIONS.
HIGH PERFORMANCE AIRCRAFT	ASSISTANT DIRECTOR FOR PROGRAM EVALUATION.
HIGH SPEED RESEARCH	DEP DIR HIGH SPEED RESEARCH DIVISION.
INSTITUTIONS	ASST DIRECTOR FOR INSTITUTIONS (FACILITIES).
	DIRECTOR, INSTITUTIONS DIVISION.
NATIONAL AERO-SPACE PLANE	DEP PROG MANAGER NATL AERO-SPACE PLANE.
	DEP DIR, NATIONAL AERO-SPACE PLANE OFFICE.
	DIRECTORM NATIONAL AERO-SPACE PLANE.
	ASST DIR FOR PROGRAM DEVELOPMENT.
CRITICAL TECHNOLOGIES	DIRECTOR, CRITICAL TECHNOLOGIES DIVISION.
AMES RESEARCH CENTER	COMPTROLLER.
	DEPUTY DIRECTOR OF ADMINISTRATION.
	MANAGER, ROTORCRAFT TECHNOLOGY PNNG ACTIVITY.
	SPECIAL ASST FOR ADVANCED CONCEPTS.
	SPECIAL ASSISTANT FOR PROGRAMS.
AEROSPACE SYSTEMS	CHIEF AERONAUTICAL T & S DIVISION.
	CHIEF FLIGHT MGMT & HUMAN FACTORS DIVISION.
	ASSOCIATE DIRECTOR FOR AERONAUTICS.
	DEPUTY DIRECTOR OF AERONAUTICS.
	CHIEF, APPLIED AERODYNAMICS DIVISION.
FLIGHT OPERATIONS	DEPUTY CHF, AIRBORNE SCIENCE & FLIGHT RES DIV.
AEROPHYSICS	CHIEF, SPACE TECHNOLOGY DIVISION.
	DEPUTY DIRECTOR OF INFORMATION SYSTEMS.
SPACE RESEARCH	CHIEF, SPACE SCIENCE DIVISION.
	CHIEF, EARTH SYSTEMS SCIENCE DIVISION.
	CHIEF, ADVANCED LIFE SUPPORT DIVISION.
	CHIEF, INFORMATION SCIENCES DIVISION.
	DEPUTY DIRECTION OF SPACE RESEARCH.
ADMINISTRATION	DEPUTY DIRECTOR OF CENTER OPERATIONS (ADM).
	CHIEF, AIRBORNE SCIENCE & FLIGHT RES DIV.
ENGINEERING & TECHNICAL SERVICES	CHIEF COMPUTATIONAL FLUID DYNAMICS BRANCH.
	CHF, SYSTEMS ENGINEERING DIV.
DRYDEN FLIGHT RESEARCH CENTER	ASST CHIEF, FLIGHT OPERATIONS DIVISION.
FLIGHT OPERATIONS	CHF, FLIGHT OPERATIONS DIVISION.
AEROSPACE PROJECTS	CHIEF AEROSPACE PROJECTS OFFICE.
RESEARCH ENGINEERING	CHF ENGINEER.
	CHIEF RESEARCH ENGINEERING DIVISION.
LANGLEY RESEARCH CENTER	CHIEF ENGINEER.
	DIR OF EDUCATION PROGRAMS.
	ASSISTANT DIRECTOR FOR PLANNING.
	SPECIAL ASSISTANT TO THE DIRECTOR.
AERONAUTICS	CHIEF, AERONAUTICS SYSTEMS ANALYSIS DIV.
	DEPUTY DIRECTOR, AERONAUTICS PROGRAM GROUP.
SPECE & ATMOSPHERIC SCIENCES	CHIEF ATMOSPHERIC SCIENCES DIVISION.
	DEPUTY DIR. S & A SCIENCES PROGRAM GROUP.
	CHIEF, SPACE SYSTEMS & CONCEPT DIVISION.
RESEARCH & TECHNOLOGY	CHIEF MATERIALS DIVISION.
	CHIEF STRUCTURES DIVISION.
	CHIEF INFORMATION SYSTEMS DIVISION.
	CHF, FLIGHT DYNAMICS & CONTROLS DIVISION.
	CHIEF, FLUID MECHANICS DIVISION.
	DEPUTY DIR, RESEARCH & TECHNOLOGY GROUP.
	CHIEF AERODYNAMICS DIVISION.
	MANAGER, SPACE TECHNOLOGY INITIATIVES OFFICE.
	DIRECTOR, RESEARCH & TECHNOLOGY GROUP.
	CHIEF, GAS DYNAMICS DIVISION.
INTERNAL OPERATIONS	CHF., ANALYSIS & COMPUTATION DIVISION.
	DEPUTY DIR, INTERNAL OPS GROUP (FE & O).
	CHIEF FLIGHT ELECTRONICS DIVISION.
	CHIEF EXPERIMENTAL TESTING TECHNOLOGY DIV.
	DEPUTY DIR, FOR ENGINEERING & INFO SYST (IOG).
	CHIEF, AEROSPACE MECHANICAL SYSTEM DIVISION.
	HEAD, PLANNING & RESOURCES MGMT OFFICE.
	CHIEF ENGINEER S E & O.
	SPECIAL ASSISTANT.
HIGH-SPEED RESEARCH PROJECT	DIRECTOR FOR HIGH-SPEED RES PROJECT OFFICE.
HYPERSONIC VEHICLES	DIRECTOR, HYPERSONIC VEHICLES OFFICES.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
SAFETY, ENVIRONMENTAL & MISSION ASSURANCE	CHF, SYST SFTY, QUALITY, & RELIABILITY DIV.
COMPTROLLER	CHIEF FINANCIAL OFFICER.
LEWIS RESEARCH CENTER	DEPUTY DIRECTOR FOR OPERATIONS.
AERONAUTICS	CHF. PROPULSION SYSTEMS DIV.
	CHIEF, INSTRUMENTATION & CONTROL TECHNOL DIV.
	CHF. INTERNAL FLUID MECHANICS DIVISION.
	CHIEF TECHNOLOGIST.
	CHF. AEROPROPULSION ANALYSIS OFFICE.
AEROSPACE TECHNOLOGY	CHIEF, SPACE PROPULSION TECHNOLOGY DIVISION.
	CHIEF, STRUCTURAL SYSTEMS DIVISION.
	CHIEF, STRUCTURES DIVISION.
	DEPUTY DIRECTOR OF AEROSPACE TECHNOLOGY.
	CHIEF, SPACE COMMUNICATIONS DIVISION.
	CHIEF, POWER TECHNOLOGY DIVISION.
	CHIEF, INTERDISCIPLINARY TECHNOLOGY OFFICE.
SPACE FLIGHT SYSTEMS	CHF, ADVANCED SPACE ANALYSIS OFFICE.
	MANAGER, ACTS PROJECT OFFICE.
	CHIEF, SPACE EXPERIMENTS DIVISION.
	DEPUTY DIRECTOR OF SPACE FLIGHT SYSTEMS.
	CHIEF POWER SYSTEMS PROJECT OFFICE.
ENGINEERING	CHF, ELECTRONICS & CONTROL SYSTEMS DIVISION.
	DIRECTOR OF ENGINEERING.
	DEPUTY DIRECTOR OF ENGINEERING.
	CHIEF, PROPULSION & FLUID SERVICES DIVISION.
ADMINSTRATION & COMPUTER SERVICES	CHIEF, COMPUTER SERVICES DIVISION.
	DIR, ADM & COMPUTER SERVICES DIRECTORATE.
EXTERNAL PROGRAMS	DIRECTOR, EXTERNAL PROGRAMS.
MISSION SAFETY & ASSURANCE	CHF, OFC OF SFTY, RELIABILITY & QUALITY ASSUR.
COMPTROLLER	COMPTROLLER.
OFFICE OF SPACE SCIENCE	SPECIAL AST TO THE DEPUTY ASSOC ADMIN.
	ASST ASSOCIATE ADMR FOR TECHNOLOGY.
	MANAGER, CASSINI PROGRAM.
SOLAR SYSTEM EXPLORATION	DEP DIR, SOLAR SYSTEM EXPLORATION DIVISION.
	CHIEF, FLIGHT PROGRAMS BRANCH.
	DEP DIR, SOLAR SYSTEM EXPLORATION DIVISION.
	CHIEF FLIGHT PROGRAMS BRANCH.
	DIRECTOR, SOLAR SYSTEM EXPLORATION DIVISION.
SPACE PHYSICS	CHIEF, SOLAR PHYSICS BRANCH.
	CHIEF, FLIGHT PROGRAMS BRANCH.
	DIRECTOR, SPACE PHYSICS DIVISION.
	CHIEF, PLANETARY SCIENCE BRANCH.
TECHNOLOGY & INFORMATION SYSTEMS	CHIEF, MISSION OPS/SMALL MISSIONS DEV BRANCH.
	DIR HEADQUARTERS INFO RES MGMT DIVISION.
	CHF, INFORMATIN SYSTEMS BRANCH.
ASTROPHYSICS	CHF, HIGH ENERGY ASTROPHYSICS BR.
	CHF, ULTRAVIOLET/VISIBLE ASTROPHYSICS BRANCH.
	DEPUTY DIR ASTROPHYSICS DIVISION.
	ASSISTANT DIRECTOR FOR STRATEGIC PLANNING.
	DIRECTOR, RESOURCES ANALYSIS & INTEGRATION.
OFFICE OF LIFE & MICROGRAVITY SCIENCES & APPLICATIONS.	MANAGER, LAUNCH VEHICLES OFFICE.
MICROGRAVITY SCIENCE & APPLICATIONS	DEP DIR MICROGRAVITY SCIENCE APPLICATIONS DIV.
	DIR, MICROGRAVITY SCIENCES & APPLICATIONS DIV.
LIFE & BIOMEDICAL SCIENCES	CHIEF ENVIR SYS & LIFE SUPPORT BRANCH.
	DIR LIFE & BIOMEDICAL SCIENCE & APPLICS DIV.
	DEP DIR, LIFE SCIENCES DIVISION.
AEROSPACE MEDICINE & OCCUPATIONAL HEALTH	DIRECTOR, PROGRAM INTEGRATION OFFICE.
	DIR, AEROSPACE MED & OCCUPATIONAL HEALTH DIV.
FLIGHT SYSTEMS	CHF, SPACE STATION UTILIZATION BRANCH.
	CHIEF MISSION MANAGEMENT BRANCH.
	DEPUTY DIR FLIGHT SYSTEMS DIVISION.
OFFICE OF INSPECTOR GENERAL	ASSIST INSPECTOR GENERAL FOR INVESTIGATION.
	ASSISTANT INSPECTOR GENERAL FOR AUDITING.
ORGANIZATION ABOLISHED	ASST TO THE ASST DIR FOR PROGRAM SUPPORT.
OFFICE OF SPACE ACCESS & TECHNOLOGY	MANAGER SYSTEMS INTEGRATION.
	CHIEF ENGINEER.
	SPECIAL ASSISTANT TO THE DIRECTOR.
	MANAGER, INDUSTRY PLANNING.
	CAREER RESERVED POSITIONS.
	MANAGER, ORBITAL MANEUVERING VEHICLES.
	MANAGER, COMMUNICATIONS EXPERIMENTS.
	DEPUTY ASSOC ADMR FOR SPACE ACCESS & TECHNOL.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR, COMMERCIAL DEV & TECHNOL TRANSFER.
	MANAGER FOR PROPULSION TECHNOLOGY.
	MANAGER FOR PROGRAM INTEGRATION.
	DIRECTOR, SPACE PROCESSING DIVSION.
	DEPUTY DIRECTOR, MANAGEMENT OPS DIVISION.
	SPECIAL ASST TO THE ASSOC ADMINISTRATOR.
	SPECIAL ASST FOR COMMERCIAL DEVELOPMENT.
	SPECIAL ASSISTANT FOR FACILITIES.
	DEPUTY DIR SPACECRAFT SYSTEMS DIVISION.
	DEPUTY DIR COMMERCIAL DEV & TECHNOL TRANSFER.
	DEPUTY DIRECTOR, SPACE TRANSPORTATION DIV.
	DIRECTOR, SPACE TRANSPORTATION DIVISION.
OFFICE OF MISSION TO PLANET EARTH	DEP ASSOC ADMR FOR MISSION TO PLANET EARTH.
	SENIOR SCIENCE ADVISOR FOR INTL PROGRAMS.
FLIGHT SYSTEMS	DIRECTOR, FLIGHT SYSTEMS DIVISION.
OPERATIONS, DATA & INFORMATION SYSTEMS	DIRECTOR, OPERATIONS DATA & INFO SYST DIV.
	CHIEF, EARTH SCIENCE D & I SYSTEM BRANCH.
SCIENCE	CHF, ATMOSPHERIC DYNAMICS AND RADIATION BR.
	DIRECTOR SCIENCE DIVISION.
GODDARD SPACE FLIGHT CENTER	DIRECTOR OF HUMAN RESOURCES.
	DIR OF UNIVERSITY PROGRAMS.
COMPTROLLER	COMPTROLLER.
MANAGEMENT OPERATIONS	DEP DIR OF MANAGEMENT OPERATIONS.
	ASSOCIATE DIRECTOR.
	ASSOCIATE DIRECTOR FOR ACQUISITION.
FLIGHT ASSURANCE	DIRECTOR OF FLIGHT ASSURANCE.
	DEP DIR OF FLIGHT ASSURANCE.
FLIGHT PROJECTS	DEPUTY DIRECTOR OF FLIGHT PROJECTS.
	DEP DIR FLIGHT PROJECT FOR PLNG BUSINESS MGMT.
	ASSOC DIR OF FLIGHT PROJ FLIGHT PROJ DIR.
	MGR HUBBLE SPACE TELESCOPE OPER & GROUND SYST.
	DEPUTY DIRECTOR FOR INSTITUTIONAL PROJECTS.
	PROJECT MGR, EARTH OBSERVING SYST AM PROJECT.
	ASSOC DIR OF FLT PROJ HUBBLE SPACE TELESCOPE.
	PROJ MGR, INTL SOLAR TERR PHYSICS PROJ (ISTP).
	DIR OF FLIGHT PROJECTS.
	PROJ MGR HUBBLE SPC TELESCOPE SYST & SERV.
	ASSOCIATE DIRECTOR OF FLIGHT PROJECTS.
	TRACKING & DATA RELAY SATELLITE TDRS PROJ MGR.
	PROJECT MANAGER METEOROLOGICAL (METSAT) PROJEC.
	ASSOC DIR FOR EARTH SCI DATA & INFO SYSTEM.
	PROJ MGR, EOS-PM PROJ FLIGHT PROJ DIRECT.
MISSION OPERATIONS & DATA SYSTEMS	CHIEF, NASA COMMUNICATIONS DIVISION.
	ASSOC DIR OF MISSION OPERATIONS & DATA SYST.
	DEP DIR OF MISSION OPERATIONS & DATA SYSTEMS.
	CHIEF NETWORKS DIVISION.
	CHIEF, FLIGHT DYNAMICS DIVISION.
	PROJECT MGR, EARTH SCI DATA & INFO SYSTEM.
	CHF, MISSION OPS & SYST DEV DIVISION.
SPACE SCIENCES	CHIEF, LAB FOR ASTRONOMY AND SOLAR PHYSICS.
	CHIEF, LAB FOR EXTRATERRESTRIAL PHYSICS.
	ASSOC DIR FOR PROJECTS ENGINEERING.
	DIRECTOR OF SPACE SCIENCES.
	CHIEF, GODDARD INSTITUTE FOR SPACE STUDIES.
	CHIEF LABORATORY FOR HIGH ENERGY ASTROPHYSICS.
	DEPUTY DIRECTOR OF SPACE SCIENCES.
ENGINEERING	DEP DIR OF ENGINEERING.
	CHF, APPLIED ENGINEERING DIV.
	CHIEF ENGINEER.
	CHIEF, SPECIAL PAYLOADS DIVISION.
	CHIEF, MECHANICAL SYSTEMS DIVISION.
	CHIEF, SYSTEMS ENGINEERING DIVISION.
SUBORBITAL PROJECTS & OPERATIONS	CHF, OPERATIONS DIVISION.
	GLOBAL GEOSPACE SCIENCES (GGS) PROJECT MGR.
	DEPUTY DIRECTOR, MISSION TO PLANET EARTH.
EARTH SCIENCES	CHIEF LAB FOR HYDROSPHERIC PROCESSES.
	DEP ASSOC DIR OF FLIGHT PROJ FOR EOS RES MGT.
	CHIEF, SPACE DATA AND COMPUTING DIVISION.
	ASSOCIATE DIR FOR MISSION TO PLANET EARTH.
	ASST DIR OF EARTH SCI FOR PROJECTS ENG.
	CHF, LABORATORY FOR ATMOSPHERES.
	DEPUTY DIRECTOR FOR EARTH SCIENCES.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR FOR EARTH SCIENCES.
	CHIEF LABORATORY FOR TERRESTRIAL PHYSICS.
	DEPUTY ASSOC DIR FOR EARTH SCI D & I SYST.
OFFICE OF POLICY AND PLANS	DIRECTOR OF SPECIAL STUDIES.
NATIONAL ARCHIVES & RECORDS ADMINISTRATION:	
NATIONAL ARCHIVES & RECORDS ADMINISTRATION	DEPUTY ARCHIVIST OF THE UNITED STATES.
	ASST ARCHIVIST FOR THE NATIONAL ARCHIVES.
	ASST ARCHIVIST FOR PRESIDENTIAL LIBRARIES.
	ASST ARCHIVIST FOR FEDERAL RECORDS CENTERS.
	DIRECTOR OF THE FEDERAL REGISTER.
	ASST ARCHIVIST FOR RECORDS ADMINISTRATION.
	DIRECTOR, LYNDON B. JOHNSON LIBRARY.
	ASST ARCHIVIST FOR SPEC & REGL ARCHIVES.
	ASSISTANT ARCHIVIST FOR ADMINISTRATIVE SERV.
	ASSISTANT ARCHIVIST FOR POLICY & IRM SERVICES.
NATIONAL CAPITAL PLANNING COMMISSION:	
NATIONAL CAPITAL PLANNING COMMISSION STAFF	EXECUTIVE DIRECTOR.
	DEPUTY EXECUTIVE DIRECTOR.
	DIR OF INTERGOVERNMENTAL & PUBLIC AFFAIRS.
	GENERAL COUNSEL.
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	DIR, OFFICE OF PLANNING & BUDGET.
	ASST CHAIRMAN FOR OPERATIONS.
NATIONAL LABOR RELATIONS BOARD:	
OFC OF THE BOARD MEMBERS	EXECUTIVE SECY.
	DEPUTY EXECUTIVE SECRETARY.
	INSPECTOR GENERAL.
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.
	ASSIST TO THE GENERAL COUNSEL.
REGIONAL OFFICES	REGL DIR REC 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.
	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 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.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	REGL. DIR., REG 32, OAKLAND.
	REGIONAL DIRECTOR, REG. 33 PEORIA, IL.
	REGL DIR REG 31 LOS ANGELES.
	REGIONAL DIRECTOR REG 34 HARTFORD.
NATIONAL SCIENCE FOUNDATION:	
OFFICE OF THE DIRECTOR	SENIOR SCIENCE ADVISOR.
	EXECUTIVE ASST & SPECIAL COUNSEL.
	EXECUTIVE ASST & SPECIAL COUNSEL.
OFFICE OF THE GENERAL COUNSEL	DEPUTY GENERAL COUNSEL.
OFFICE OF POLICY SUPPORT	SENIOR STAFF ASSOCIATE PROGRAM EVALUATION.
	SENIOR STAFF ASSOCIATE POLICY ANALYSIS.
	SENIOR ADVISOR.
	SENIOR ADVISOR.
	SR STAFF ASSOCIATE/POLICY ANALYSIS.
	SENIOR STAFF ASSOCIATE.
OFFICE OF POLAR PROGRAMS	MANAGER POLAR OPS SECTION.
	HEAD, POLAR COORDINATION & INFO SECTION.
	DEPUTY OFFICE DIRECTOR.
	HEAD POLAR RESEARCH SUPPORT SECTION.
OFFICE OF THE INSPECTOR GENERAL	INSPECTOR GENERAL.
	ASSISTANT INSPECTOR GENERAL FOR OVERSIGHT.
	DEP INSPECTOR GEN & SENIOR LEGAL ADVISOR.
	ASST INSPECTOR GENERAL FOR AUDIT.
NATIONAL SCIENCE BOARD	SENIOR STAFF ASSOCIATE.
DIRECTORATE FOR GEOSCIENCES	SENIOR SCIENCE ASSOCIATE.
DIVISION OF ATMOSPHERIC SCIENCES.	HEAD, NCAR COORDINATION STAFF.
	SECTION HEAD, UPPER ATMOSPHERE SECTION.
	HEAD LOWER ATMOSPHERE SECTION.
DIVISION OF EARTH SCIENCES	HEAD MAJOR PROJECTS SECTION.
	SECTION HEAD, RESEARCH GRANTS SECTION.
DIVISION OF OCEAN SCIENCES	SECTION HEAD OCEAN SCIENCES RESEARCH SECTION.
DIRECTORATE FOR ENGINEERING	SENIOR ENGINEERING ADVISOR.
DIVISION OF ENGINEERING EDUCATION & CENTERS	DEPUTY DIVISION DIRECTOR (EDUCATION).
	SENIOR STAFF ASSOCIATE.
DIVISION OF DESIGN, MANUFACTURE & INDUSTRIAL INNOVATION.	SENIOR ADVISOR, TECHNOLOGY INTEGRATION.
	SENIOR ADVISOR.
DIV OF ELECTRICAL AND COMMUNICATIONS SYSTEMS	DEPUTY DIVISION DIRECTOR.
DIVISION OF CIVIL AND MECHANICAL SYSTEMS	HEAD HAZARD MITIGATION SECTION.
	HEAD, MECHANICAL & STRUCTURAL SYST SECTION.
DIRECTORATE FOR BIOLOGICAL SCIENCES	EXECUTIVE OFFICER.
DIVISION OF ENVIRONMENTAL BIOLOGY	DEPUTY DIVISION DIRECTOR.
DIRECTORATE FOR MATHEMATICAL AND PHYSICAL SCIENCES.	EXECUTIVE OFFICER.
	SENIOR ADVISOR FOR PLANNING, ANALY & POLICY.
DIVISION OF PHYSICS	DEPUTY DIVISION DIRECTOR.
	EXECUTIVE OFFICER.
DIVISION OF ASTRONOMICAL SCIENCES	EXECUTIVE OFFICER.
DIVISION OF MATHEMATICAL SCIENCES	DEPUTY DIVISION DIRECTOR.
	EXECUTIVE OFFICER.
DIVISION OF MATERIALS RESEARCH	EXECUTIVE OFFICER.
	SENIOR STAFF SCIENTIST.
DIVISION OF CHEMISTRY	DEP DIR DIVISION OF CHEMISTRY.
DIRECTORATE FOR EDUCATION & HUMAN RESOURCES	DEPUTY ASST DIRECTOR.
	SENIOR STAFF ASSOCIATE.
	SENIOR STAFF ASSOCIATE.
DIVISION OF UNDERGRADUATE EDUCATION	SENIOR STAFF ASSOCIATE.
DIVISION OF HUMAN RESOURCE DEVELOPMENT	DEPUTY DIRECTOR.
DIRECTORATE FOR SOCIAL, BEHAVIORAL AND ECONOMIC SCIENCES.	EXE OFFICER SOCIAL BEHAVIORAL ECON SCIENCES.
	SENIOR ADVISOR PLANNING & POLICY.
DIVISION OF INTERNATIONAL PROGRAMS	DEPUTY DIVISION DIRECTOR.
	SENIOR STAFF ASSOCIATE.
	SENIOR STAFF ASSOCIATE.
DIVISION OF SOCIAL, BEHAVIORAL & ECONOMIC RESEARCH	DEPUTY DIRECTOR.
	SENIOR STAFF ASSOCIATE.
DIRECTORATE FOR COMPUTER & INFO SCIENCE & ENGINEERING.	DEPUTY ASST DIR.
DIV OF COMPUTER AND COMPUTATION RESEARCH	DEPUTY DIVISION DIRECTOR.
DIV OF INFORMATION, ROBOTICS & INTELLIGENT SYSTEMS	DEPUTY DIVISION DIRECTOR.
DIVISION OF MICROELECTRONIC INFORMATION PROCESSING SYS.	DEPUTY DIVISION DIRECTOR.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
DIV OF NETWORKING & COMM RES & INFRASTRUCTURE	DEPUTY DIVISION DIRECTOR.
OFFICE OF BUDGET, FINANCE AND AWARD MANAGEMENT	DIRECTOR, OFC OF BUDGET, F&A MANAGEMENT.
	DEP DIR, OFC OF BUDGET, F&A MANAGEMENT.
BUDGET DIVISION	DIRECTOR, BUDGET DIVISION.
DIVISION OF FINANCIAL MANAGEMENT.	DIVISION DIRECTOR.
DIVISION OF GRANTS & AGREEMENTS.	DIVISION DIRECTOR.
DIVISION OF CONTRACTS, POLICY & OVERSIGHT	DIVISION DIRECTOR.
OFFICE OF INFORMATION AND RESOURCE MANAGEMENT	DEP DIR, OFC OF INFORMATION & RESOURCE MGMT.
	SENIOR STAFF ASSOCIATE.
DIVISION OF INFORMATION SYSTEMS.	DEP DIR, DIV OF INFORMATION SYSTEMS.
DIVISION OF HUMAN RESOURCE MANAGEMENT	DIV DIR, DIV OF HUMAN RESOURCE MANAGEMENT.
DIVISION OF ADMINISTRATIVE SERVICES	DIR, DIVISION OF ADMINISTRATIVE SERVICES.
NATIONAL TRANSPORTATION SAFETY BOARD:	
OFFICE OF THE MANAGING DIRECTOR	DEPUTY MANAGING DIRECTOR.
	CHIEF TECHNICAL ADVISOR.
OFFICE OF ADMINISTRATION	DIR OFFICE OF ADMINISTRATION.
OFFICE OF AVIATION SAFETY	DIRECTOR OFC OF AVIATION SAFETY.
	DEPUTY DIRECTOR OFC OF AVIATION SAFETY.
OFFICE OF RESEARCH & ENGINEERING	DIR OFC OF RESEARCH AND ENGINEERING.
	DEPUTY DIR OFC OF RESEARCH AND ENGINEERING.
OFFICE OF SAFETY RECOMMENDATIONS	DIRECTOR OFC OF SAFETY RECOMMENDATIONS.
OFFICE OF SURFACE TRANSPORTATION SAFETY	DIR OFC OF SURFACE TRANSPORTATION SAFETY.
	DEPUTY DIRECTOR.
NUCLEAR REGULATORY COMMISSION:	
ATOMIC SAFETY AND LICENSING BRD PANEL	CHAIRMAN ASLBP.
	DEPUTY CHIEF ADMINISTRATIVE JUDGE EXECUTIVE.
OFFICE OF THE INSPECTOR GENERAL.	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	ASST INSPECTOR GENERAL FOR AUDITS.
DEPUTY GC FOR LICENSING & REGULATION	DEPUTY ASSISTANT GC/LEGISLATIVE COUNSEL.
DEP GC FOR HEARINGS, ENFORCEMENT & ADMINISTRATION	DEPUTY ASSISTANT GC FOR ADMINISTRATION.
ASSISTANT GC FOR HEARINGS AND ENFORCEMENT	DEPUTY ASSISTANT GENERAL COUNSEL.
	DEPUTY ASSISTANT GENERAL COUNSEL.
	DEPUTY ASSISTANT GENERAL COUNSEL.
OFFICE OF COMMISSION APPELLATE ADJUDICATION	DIR OFC OF COMM APPELLATE ADJUDICATION.
DIVISION OF OPERATIONAL ASSESSMENT	CHIEF ENERGY RESPONSE BRANCH.
	CHF, DIAGNOSTIC EVAL & INCIDENT INVEST BRANCH.
DIVISION OF SAFETY PROGRAMS	CHIEF REACTOR ANALYSIS BRANCH.
	CHF RELIABILITY & RISK ASSESSMENT BRANCH.
OFFICE OF ADMINISTRATION	ASSOC DIR FOR CONTRACT, SECURITY, FOI & PUBL.
	DIRECTOR, DIV OF SECURITY.
	DIR DIV OF FREEDOM OF INFO & PUBLICATIONS.
OFFICE OF INFORMATION RESOURCES MANAGEMENT	DEP DIR/LSS ADMR, OFC OF INFO RES MGMT.
OFFICE OF THE CONTROLLER	DEP CHIEF FINANCIAL OFFICER/CONTROLLER.
	DEPUTY CONTROLLER.
	DIR DIVISION OF BUDGET AND ANALYSIS.
	DIR DIVISION OF ACCOUNTING AND FINANCE.
	SPECIAL ASSISTANT FOR INTERNAL CONTROLS.
OFC OF SMALL AND DISADV BUS UTILIZATION/CIVIL RIGHTS	DIRECTOR.
OFFICE OF NUCLEAR REACTOR REGULATION	PROJ DIR PROJECT DIRECTORATE II 1.
	PROJECT DIRECTOR PROJECT DIRECTORATE IV–3.
	CHF, VENDOR INSPECTION BRANCH.
	CHF, RADIATION PROTECTION BRANCH.
	DEP DIR DIV OF RADIATION SAFETY & SAFEGUARDS.
DIVISION OF INSPECTION AND SUPPORT PROGRAMS	DIR, INSPECTION & SUPPORT PROGRAMS.
	CHIEF, PLNG, PROGRAM & MGMT SUPPORT BRANCH.
	CHF, INSPECTION PROGRAM BRANCH.
	CHF, SPECIAL INSPECTIONS BRANCH.
ASSOCIATE DIRECTOR FOR PROJECTS.	DIR, COST BENEFITS LICENSE ACT PROGRAMS.
DIVISION OF REACTOR PROJECTS I–II.	
	PROJECT DIR, PROJECT DIRECTORATE I–1.
	PROJECT DIRECTOR, PROJECT DIRECTORATE I–2.
	PROJECT DIRECTOR, PROJECT DIRECTORATE I–4.
	PROJ DIR PROJECT DIRECTORATE II 2.
	PROJ DIR PROJECT DIRECTORATE II 3.
	PROJECT DIR PROJECT DIRECTORATE II–4.
	DEPUTY DIR, DIV OF REACTOR PROJECT I & II.
ORGANIZATION ABOLISHED	PROJECT DIRECTOR, PROJECT DIRECTORATE I–3.
DIVISION OF REACTOR PROJECTS III & IV	DEP DIR DIV OF PROJECT SUPPORT.
	CHF, TECHNICAL SPECIFICATION BRANCH.
	PROJ DIR PROJECT DIRECTORATE III 1.
	PROJ DIR PROJECT DIRECTORATE III 2.
	PROJ DIRECTOR PROJECT DIRECTORATE III 3.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	PROJ DIR, PROJECT DIRECTORATE IV–1.
	CHF, EVENTS A&G COMMUNICATIONS BRANCH.
	PROJ DIR, N–P REACTOR, D&E PROJ DIRECTORATE.
	PROJECT DIR, PROJ DIRECTORATE IV–2.
DIVISION OF ENGINEERING	CHIEF, MATERIALS & CHEMICAL ENGINEERING BR.
	CHF, MECHANICAL ENGINEERING BRANCH.
	CHIEF CIVIL ENG & GEOSCIENCES BRANCH.
	CHIEF ELECTRICAL ENGINEERING BRANCH.
DIVISION OF SYSTEMS SAFETY & ANALYSIS	CHF, PLANT SYSTEMS BRANCH.
	CHF, REACTOR SYSTEMS BRANCH.
	CHIEF PROBABLISTIC SAFETY ASSESSMENT BRANCH.
	CHIEF CONTAINMENT SYS SEVERE ACCIDENT BRCH.
DIVISION OF REACTOR CONTROLS AND HUMAN FACTORS	CHF, HUMAN FACTORS ASSESSMENT BRANCH.
	CHF, OPERATOR LICENSING BRANCH.
	CHF, INSTRUMENTATION & CONTROL BRANCH.
	CHF, QUALITY ASSUR & MAINT BRANCH.
DIVISION OF REACTOR PROGRAM MANAGEMENT	CHF, EMERGENCY P&R PROTECTION.
	CHF, SAFEGUARDS BRANCH.
	PROJECT DIR, STANDARDIZATION PROJ DIRECTORATE.
	PROJ DIR LICENSE RENEWAL & ENVIRONMENTAL REV.
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS	DEPUTY DIRECTOR, SPENT FUEL PROJECT OFC.
DIVISION OF FUEL CYCLE SAFETY & SAFEGUARDS	CHIEF, OPERATIONS BRANCH.
	CHIEF, REGL & INTL SAFEGUARDS BRANCH.
	CHIEF, ENRICHMENT BRANCH.
	CHIEF, LICENSING BRANCH.
DIV OF INDUSTRIAL & MEDICAL NUCLEAR SAFETY	CHIEF, OPERATIONS BRANCH.
	CHIEF, MEDICAL, ACAD & COM USE SFTY BRANCH.
	CHIEF SOURCE CONTAINMENT & DEVICES BR.
DIVISION OF WASTE MANAGEMENT	CHF, HIGH LEVEL WASTE & URANIUM RECOVERY PROJ.
	CHIEF, PERF ASSESS & HYDROLOGY BRANCH.
	CHIEF, ENGINEERING & GEOSCIENCES BRANCH.
	ASST TO THE DIR, DIV OF WASTE MANAGEMENT.
	CHF, LOW LEVEL WASTE & DECOMMISSIONING PROJ.
OFC OF NUC REGULATORY RESEARCH	DIRECTOR: FIN MGT, PROCUREMENT & ADMIN STAFF.
DIVISION OF ENGINEERING TECHNOLOGY	CHIEF, MATERIALS ENGINEERING BRANCH.
	CHIEF, GENERIC SAFETY ISSUES BRANCH.
	CHIEF, ELECT, M&M ENGINEER BRANCH.
	CHIEF, STRUCTURAL & GEOLOGICAL ENG BRANCH.
DIVISION OF REGULATORY APPLICATIONS	CHIEF REGULATION DEVELOPMENT BRANCH.
	CHIEF WASTE MANAGEMENT BRANCH.
	CHF, RADIATION PROTECTION & HEALTH EFFECTS BR.
DIVISION OF SYSTEMS TECHNOLOGY	CHIEF ACCIDENT EVALUATION BRANCH.
	CHF, PROBABILISTIC RISK ANALYSIS BRANCH.
	CHIEF, REACTOR AND PLANT SYSTEMS BRANCH.
	CHIEF CONTROL INSTR & HUMAN FACTORS BRANCH.
REGION I	DEPUTY REGIONAL ADMINISTRATOR.
	DIR, DIV OF RADIATION SAFETY & SAFEGUARDS.
	DEP 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.
	DEP 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.
REGION III	DEP REGIONAL ADMINISTRATOR REGION III.
	DIRECTOR, DIVISION OF REACTOR SAFETY.
	DEP DIR, DIV OF REACTOR SAFETY.
	DIRECTOR, DIVISION OF REACTOR PROJECTS.
	DEPUTY DIRECTOR DIVISION OF REACTOR PROJECTS.
	DIR, DIV OF RADIATION SAFETY & SAFEGUARDS.
	DEP DIR, DIV OF RADIATION SAFETY & SAFEGUARDS.
REGION IV	DEPUTY REGIONAL ADMINISTRATOR REGION IV.
	DIRECTOR DIV OF REACTOR PROJECTS.
	DEPUTY DIRECTOR, DIV OF REACTOR PROJECTS.
	DIR, DIV OF RADIATION SAFETY & SAFEGUARDS.
	DIR, DIVISION OF REACTOR SAFETY.
	DEP DIR, DIV OF RADIATION SAFETY & SAFEGUARDS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DEP DIR, DIVISION OF REACTOR SAFETY.
OFFICE OF GOVERNMENT ETHICS:	
OFFICE OF GOVERNMENT ETHICS	DEPUTY DIRECTOR.
	DEPUTY GENERAL COUNSEL.
	ASSOC DIR FOR PROGRAM DEVELOP & COMPLIANCE.
OFFICE OF MANAGEMENT AND BUDGET:	
OFFICE OF THE DIRECTOR	ASSISTANT DIRECTOR FOR ADMINISTRATION.
	DEPUTY ASSOCIATE DIR FOR ECONOMIC POLICY.
	STAFF ASSISTANT.
	SENIOR ADVISOR TO THE DEP DIR FOR MANAGEMENT.
	DEP ASSISTANT DIRECTOR FOR ADMINISTRATION.
	ASSISTANT TO THE DEPUTY DIRECTOR FOR MGMT.
OFFICE OF GENERAL COUNSEL	ASSOCIATE GENERAL COUNSEL FOR BUDGET.
LEGISLATIVE REFERENCE DIVISION	ASST DIR LEGISLATIVE REFERENCE.
	CHIEF, LABOR, WELFARE, PERSONNEL BRANCH.
	CHIEF, ECONOMICS, SCIENCE & GOVT. BRANCH.
	CHIEF, RESOURCES-DEFENSE-INTERNATIONAL BRANCH.
OFFICE OF FEDERAL PROCUREMENT POLICY	DEP ADMIN FOR PROCUREMENT LAW & LEGISLATION.
	ASSOC. ADMINISTRATOR FOR MANAGEMENT CONTROL.
OFFICE OF INFORMATION AND REGULATORY AFFAIRS	CHIEF, INFORMATION POLICY & TECHNOLOGY BRANCH.
	CHIEF, HUMAN RESOURCES AND HOUSING BRANCH.
	CHIEF, COMMERCE AND LANDS BRANCH.
	CHIEF STATISTICAL POLICY BRANCH.
	CHIEF, NATURAL RESOURCES BRANCH.
	CHF, INFO TECHNOLOGY MANAGEMENT BRANCH.
	SENIOR ADVISOR.
	SENIOR ADVISOR.
OFFICE OF FEDERAL FINANCIAL MANAGEMENT	CHIEF MANAGEMENT INTEGRITY BRANCH.
	DEPUTY ASSISTANT FOR GENERAL MANAGEMENT.
	ASSOC DIR FOR LEGISLATIVE REF & ADM.
	DEPUTY CONTROLLER.
	CHIEF FEDERAL FINANCIAL SYSTEMS BRANCH.
BUDGET REVIEW DIVISION	ASST DIR FOR BUDGET REVIEW.
	DEP ASST DIR FOR BUDGET ANALYSIS & SYSTEMS.
	CHIEF BUDGET ANALYSIS BRANCH.
	DEP CHIEF BUDGET ANALYSIS BRANCH.
	DEP ASST DIR FOR BUDGET REVIEW & CONCEPTS.
	CHIEF, BUDGET CONCEPTS BRANCH.
	CHIEF, BUDGET SYSTEMS BRANCH.
INTERNATIONAL AFFAIRS DIVISION	DEP ASSOC DIR FOR INTERNATL AFFAIRS.
	DEP CHIEF, INTERNATIONAL AFFAIRS DIVISION.
	CHIEF, STATE-USIA BRANCH.
	CHIEF, ECONOMIC AFFAIRS BRANCH.
	CHIEF INTERNATIONAL SECURITY AFFAIRS BRANCH.
NATIONAL SECURITY DIVISION	DEP ASSOC DIR FOR NATIONAL SECURITY.
	DEP CHIEF.
	CHIEF, COMMAND, CTRL, COMMS, & INTELLIG BRANCH.
	CHIEF, NAVY BRANCH.
	CHIEF, FORCE STRUCTURE & INVESTMENT BRANCH.
	CHIEF, ARMY BRANCH.
	CHIEF, OPER & SUPPORT BRANCH.
ASSOCIATE DIRECTOR FOR HUMAN RESOURCES	ASSOCIATE DIRECTOR FOR HUMAN RESOURCES.
HUMAN RESOURCES DIVISION	CHIEF, LABOR BRANCH.
	DEPUTY ASSOC DIR FOR HUMAN RESOURCES.
	CHF, INCOME MAINTENANCE BRANCH.
ASSOCIATE DIRECTOR FOR GENERAL GOVERNMENT & FINANCE.	DEP ASSOC DIR FOR SPECIAL STUDIES.
	SENIOR ADVISOR FOR CASH & CREDIT MGMT.
TRANSPORTATION, COMMERCE, JUSTICE & SERVICES DIVISION.	D/A FOR TRANSP COMMERCE, JUSTICE & SERVICES.
	CHIEF COMMERCE BRANCH.
	CHIEF TRANSPORT BRANCH.
	CHIEF, JUSTICE/GSA BRANCH.
HOUSING, TREASURY AND FINANCE DIVISION	DEPUTY ASSOC DIR FOR HOUSING TREASURY FINANCE.
	CHIEF, TREASURY BRANCH.
	CHIEF, FINANCIAL INSTITUTIONS BRANCH.
	CHIEF, HOUSING BRANCH.
ASSOC DIR FOR NATURAL RESOURCES, ENERGY, AND SCIENCE.	SENIOR ADVISOR.
NATURAL RESOURCES DIVISION	DEP. ASSOCIATE DIR. FOR NATURAL RESOURCES.
	CHIEF, WATER RESOURCES BRANCH.
	CHIEF, AGRICULTURAL BRANCH.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	CHIEF, ENVIRONMENT BRANCH.
	CHIEF INTERIOR BRANCH.
	ASST DIVISION CHIEF NRD.
ENERGY AND SCIENCE DIVISION	DEP. ASSOC. DIR FOR ENERGY & SCIENCE.
	CHIEF, NUCLEAR ENERGY BRANCH.
	CHIEF SCIENCE AND SPACE PROGRAMS BRANCH.
	DEPUTY DIV CHIEF.
	CHIEF, ENERGY BRANCH.
HEALTH DIVISION	DEP ASSOC DIR FOR HEALTH.
	CHIEF HEALTH PROGRAMS & SERVICES BRANCH.
	CHIEF HEALTH & FINANCING BRANCH.
VA/PERSONNEL DIVISION	CHF VETERAN AFFAIRS BRANCH.
	DEPUTY ASSOC DIRECTOR FOR VA & PERSONNEL.
	CHIEF, PERSONNEL, PORTAL, EXOP BRANCH.
OFFICE OF PERSONNEL MANAGEMENT:	
OFFICE OF THE CHIEF FINANCIAL OFFICER	CHIEF FINANCIAL OFFICER.
OFFICE OF THE INSPECTOR GENERAL	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR AUDITS
OFFICE OF ACTUARIES	DIRECTOR, OFFICE OF ACTUARIES.
OFFICE OF INSURANCE PROGRAMS	ASST DIR FOR INSURANCE PROGRAM.
OFFICE OF RETIREMENT PROGRAMS	ASST DIR FOR RETIREMENT PROGRAMS.
PERSONNEL RESEARCH AND DEVELOPMENT CENTER	DIRECTOR, PERSONNEL RES & DEVELOPMENT CENTER.
STAFFING SERVICE CENTER	DIRECTOR, STAFFING AUTOMATION.
OFFICE OF CLASSIFICATION	ASST DIR FOR CLASSIFICATION.
INVESTIGATIONS SERVICE	ASST DIR FOR WASH INVESTIGATION & TRAINING.
OFFICE OF FEDERAL INVESTIGATIONS	ASST DIR FOR FEDERAL INVESTIGATIONS.
ORGANIZATION ABOLISHED	ASSISTANT DIRECTOR FOR EXECUTIVE RESOURCES.
OFFICE OF CONTRACTING AND ADMINISTRATIVE SERVICES	DIRECTOR OF CONTRACTING & ADMINISTRATIVE SERV.
OFFICE OF MERIT SYSTEMS OVERSIGHT AND EFFECTIVENESS.	ASST DIR FOR MERIT SYSTEMS OVERSIGHT.
OFFICE OF EXECUTIVE RESOURCES	ASST DIRECTOR FOR EXECUTIVE RESOURCES.
ORGANIZATION ABOLISHED	EXECUTIVE FOR ADP OPERATIONS.
ORGANIZATION ABOLISHED	ASST DIR FOR ADMINISTRATIVE LAW JUDGES.
ORGANIZATION ABOLISHED	ASST DIR FOR AGENCY COMPLIANCE & EVALUATION.
ORGANIZATION ABOLISHED	ASST DIR FOR WASH EXAMINING SERVICES.
OFFICE OF SPECIAL COUNSEL:	
HEADQUARTERS, OFFICE OF SPECIAL COUNSEL	ASSOC SPEC COUNSEL (INVESTIGATION).
	ASSOC SPECIAL COUNSEL (PROSECUTION).
	DEPUTY ASSOCIATE SPEC COUNSEL FOR PROSECUTION.
	DIRECTOR FOR MANAGEMENT.
	ASSOCIATE SPECIAL COUNSEL FOR PLAN & ADVICE.
RAILROAD RETIREMENT BOARD:	
BOARD STAFF	DIR OF UNEMPLOYMENT & SICKNESS INSURANCE.
	DIRECTOR OF DATA PROCESSING.
	DIRECTOR FOR PROGRAM ANALYSIS.
	DIRECTOR OF HEARINGS AND APPEALS.
	DIR OF RETIREMENT & SURVIVOR PROGRAMS.
	CHIEF ACTUARY.
	DIRECTOR OF FIELD SERVICE.
	DIRECTOR OF ADMINISTRATION & OPERATIONS.
	DEPUTY GENERAL COUNSEL.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	CHIEF FINANCIAL OFFICER.
	ASSISTANT INSPECTOR GENERAL FOR AUDIT.
	DIRECTOR OF SYSTEMS INITIATIVES.
	DIRECTOR OF TAXATION.
	GENERAL COUNSEL.
SECURITIES AND EXCHANGE COMMISSION:	
OFFICE OF THE CHIEF ACCOUNTANT	DEP CHF ACCOUNTANT.
OFFICE OF THE EXECUTIVE DIRECTOR	DEP EXEC DIRECTOR.
	ASSOCIATE EXECUTIVE DIRECTOR (FINANCE).
	ASSOCIATE EXECUTIVE DIRECTOR (ADMINISTRATION).
DIV OF CORPORATION FINANCE	ASSOCIATE DIRECTOR (OPERATIONS).
	ASSOCIATE DIRECTOR (LEGAL).
SELECTIVE SERVICE SYSTEM:	
SELECTIVE SERVICE SYSTEM	ASSOC DIR INFORMATION MANAGEMENT.
	ASSOCIATE DIRECTOR, OFC OF MGT. SERVICES.
SMALL BUSINESS ADMINISTRATION:	
OFFICE OF THE INSPECTOR GENERAL	ASST INSPECTOR GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	COUNSEL TO THE INSPECTOR GENERAL.
	DEPUTY INSPECTOR GENERAL.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASST INSPECTOR GENERAL FOR MAGNT LEGAL COUSL.
	ASSISTANT INSPECTOR GEN/INSPECTION & EVAL.
OFFICE OF THE GENERAL COUNSEL	ASSOCIATE GENERAL COUNSEL FOR GENERAL LAW.
	ASSOC GEN COUNSEL LITIGATION.
OFFICE OF DISASTER ASSISTANCE	DEPUTY ASSOC ADMR FOR DISASTER ASSISTANCE.
OFFICE OF EQUAL EMPLOYMENT O & C RIGHTS COMPLIANCE.	ASST ADMR FOR EQUAL O & C RIGHT COMPL.
OFFICE OF HEARINGS AND APPEALS	ASST ADMINISTRATOR FOR HEARINGS AND APPEALS.
OFFICE OF FINANCIAL ASSISTANCE	ASSOC ADMINISTRATOR FOR FINANCIAL ASSIST.
	DEP ASSOC ADMR FOR FINANCIAL ASSISTANCE.
	ASST ADMR FOR BORROWER AND LENDER SERVICING.
OFFICE OF MINORITY ENTERPRISE DEVELOPMENT	ASSOC ADMR FOR MSB–COD.
	DEP ASSOC ADMR FOR PROGRAMS (MSB & COD).
OFFICE OF MANAGEMENT AND ADMINISTRATION	CHIEF FIN OFC & ASSOC DEP ADM FOR MGT & ADM.
OFFICE OF INFORMATION RESOURCES MANAGEMENT	ASST ADM FOR INFORMATION RESOURCES MANAGEMENT.
	DEP ASST ADM FOR INFORMATION RES MGMT.
OFFICE OF HUMAN RESOURCES	ASST ADMINISTRATOR FOR HUMAN RESOURCES.
OFFICE OF COMPTROLLER	COMPTROLLER.
DISTRICT DIRECTORS	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
	DISTRICT DIRECTOR.
SOCIAL SECURITY ADMINISTRATION:	
OFFICE OF COMMISSIONER	SENIOR ADVISOR TO THE COMMISSIONER ON IG AFFR.
OFFICE OF THE INSPECTOR GENERAL	ASST INSPECTOR GEN FOR SOCIAL SECURITY AUDITS.
	ASST INSPECTOR GEN FOR INVESTIGATION, P & O.
OFFICE OF ACTUARY	CHIEF ACTUARY.
	DEPUTY CHIEF ACTUARY (LONG-RANGE).
	DEPUTY CHF ACTUARY SHORT RANGE SSA.
OFFICE OF FINANCE, ASSESSMENT AND MANAGEMENT	SENIOR FINANCIAL EXECUTIVE.
OFFICE OF FINANCIAL POLICY AND OPERATIONS	ASSOC COMR, OFFICE OF FIN POLICY & OPERATIONS.
	DEP ASSOC COMM FINANCIAL POLICY & OPERATIONS.
OFFICE OF ACQUISITION AND GRANTS	ASSOC COMMISSIONER FOR ACQUISITION & GRANTS.
DEPARTMENT OF STATE:	
OFFICE OF FOREIGN BUILDINGS OPERATIONS	SUPERVISORY STRUCTURAL ENGINEER.
BUREAU OF INTELLIGENCE AND RESEARCH	DIR OFC OF INTELLIGENCE RESOURCES.
OFFICE OF THE INSPECTOR GENERAL	ASSISTANT INSPECTOR GENERAL FOR AUDITS.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	COUNSEL TO THE INSPECTOR GENERAL.
	DEP ASST INSPECTOR GENERAL FOR AUDITS.
	ASST INSP GEN FOR POLICY, PLNG AND MANAGEMENT.
	DEP ASST INSPECTOR GEN FOR INSPECTIONS.
	DEP ASST INSP GEN FOR OFC OF SECUR OVERSIGHT.
BUREAU OF PERSONNEL	DIRECTOR, OFC OF CIVIL SERVICE PERSONNEL MGMT.
INTERNATIONAL BOUNDARY & WATER COMMISSION	SUPERVISORY CIVIL ENGINEER, OPERATIONS.
DEPARTMENT OF TRANSPORTATION:	
OFC OF COMMERCIAL SPACE TRANSPORTATION	SENIOR ADVISOR.
OFFICE OF INSPECTOR GENERAL	ASST INSP GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	DEP ASST INSPECTOR GENERAL FOR AUDITING.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	DEPUTY INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR INSPECTIONS & EVAL.
	DEP ASST INSPECTOR GEN FOR INSPECTIONS & EVAL.
	DIRECTOR OF ADMINISTRATION.
	DIR OFC ONFO TECH FINANICAL & SECRETARIAL AUD.
	SENIOR COUNSEL.
ASST SECRETARY FOR BUDGET & PROGRAMS	DEPUTY CHIEF FINANCIAL OFFICER.
ASST SEC FOR ADMINISTRATION	ASST SECY FOR ADMINISTRATION.
OFFICE OF ACQUISITION & GRANT MANAGEMENT	DIRECTOR OFC OF ACQUISITION & GRANT MGNT.
ASSOC ADM'R FOR SAFETY	ASSOC ADMR FOR SAFETY.
OFFICE OF SAFETY ENFORCEMENT	DIRECTOR, OFFICE OF SAFETY ENFORCEMENT.
ASSOCIATE ADMINISTRATION FOR PIPELINE SAFETY	ASSOC ADMR FOR PIPELINE SAFETY.
ORGANIZATION ABOLISHED	ASSOCIATE ADMINISTRATOR FOR MARKETING.
OFC OF ASSOC ADMR FOR SHIP FINANCIAL A & C PREFERENCE.	ASSOC ADMR FOR SHIP FIN A & C PREFERENCE.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
OFFICE OF SYSTEM SAFETY	DIR OFC OF SAFETY SERVICE.
OFFICE OF ACCOUNTING	DIR OFFICE OF ACCOUNTING.
OFFICE OF AIRPORT PLANNING & PROGRAMMING	DIR., OFFICE OF AIRPORT PLANNING & PROGRAM.
	MGR. AIRPORTS FIN ASSISTANCE DIVISION.
ASSISTANT ADMINISTRATOR FOR CIVIL AVIATION SECURITY	DEP ASST ADMR FOR CIVIL AVIATION SECURITY.
OFFICE OF CIVIL AVIATION SECURITY POLICY & PLANNING	DIR, OFC OF CIVIL AVN SECURITY POL & PLANNING.
OFFICE OF CIVIL AVIATION SECURITY OPERATIONS	DIR OFC OF CIVIL AVIATION SECURITY OPERATIONS.
	DEP DIR, OFC OF CIVIL AVIATION SECURITY OPS.
OFFICE OF CIVIL AVIATION SECURITY INTELLIGENCE	DIR OFC CIVIL AVIATION SECURITY INTELLIGENCE.
ASIA/PACIFIC OFFICE	DIRECTOR ASIA/PACIFIC OFFICE.
AIR TRAFFIC SERVICE	DIRECTOR, AIR TRAFFIC SERVICE, AAT–1.
	DEPUTY DIRECTOR, AIR TRAFFIC SERVICE, AAT–2.
AIRWAY FACILITIES SERVICE	PROG DIR, SPECTRUM POL & MANAGEMENT PROGRAM.
REGIONAL AIR TRAFFIC DIVISIONS	MGR, AIR TRAFFIC DIVISION.
	MGR, AIR TRAFFIC DIVISION.
	MGR, AIR TRAFFIC DIV.
	MANAGER, AIR TRAFFIC DIVISION.
	MGR, AIR TRAFFIC DIVISION.
	MGR, AIR TRAFFIC DIVISION.
	MANAGER, AIR TRAFFIC DIVISION.
	MANAGER, AIR TRAFFIC DIVISION, ANE–500.
AIR TRAFFIC RULES & PROCEDURES SERVICE	MANAGER, PROCEDURES DIVISION.
	MGR. AIRSPACE-RULES & AERONAUTICAL INF. DIV.
	DIR, AIR TRAFFIC RULES & PROCEDURES SERVICE.
OFFICE OF AIR TRAFFIC SYSTEM MANAGEMENT	DIRECTOR, AIR TRAFFIC SYSTEM MANAGEMENT.
AIR TRAFFIC PLANS AND REQUIREMENTS SERVICE	DIR, AIR TRAFFIC PLANS & REQUIREMENTS SERV.
	MANAGER SYSTEM PLANS & PROGRAMS DIV.
	MGR AUTOMATION SOFTWARE POL & PLNNG DIVISION.
	MANAGER ADVANCED SYST & FACILITIES DIV.
OFFICE OF AIR TRAFFIC SYSTEM EFFECTIVENESS	DIR, OFC OF AIR TRAFFIC SYST EFFECTIVENESS.
OFFICE OF AIR TRAFFIC PROGRAM MANAGEMENT	DIR, OFC OF AIR TRAFFIC PROGRAM MANAGEMENT.
ASSOCIATE ADMINISTRATOR FOR AVIATION STANDARDS	ASSOC ADMINISTRATOR FOR AVIATION STANDARDS.
	DEPUTY ASSOC ADMINISTRATOR AVIATION STANDARDS.
	DIR, AIRCRAFT PROG, POL & PLANS STAFF, AAD–30.
OFFICE OF AVIATION MEDICINE	FED AIR SURGEON.
	DEPUTY FEDERAL AIR SURGEON.
	MGR, MEDICAL SPECIALITIES DIVISION.
	DIRECTOR CIVIL AEROMED INSTITUTE.
OFFICE OF ACCIDENT INVESTIGATION	DIR, OFFICE OF ACCIDENT INVESTIGATION.
OFFICE OF AVIATION SYSTEMS STANDARDS	PROG DIR, AVIATION SYST STANDARDS.
	DEPUTY DIRECTOR.
	AIRCRAFT OVERSIGHT EXECUTIVE.
NAS TRANSITION & IMPLEMENTATION DIRECTORATE	PROG DIR, NAS TRANSITION & IMPLEMENTATION DIR.
NAS OPERATIONS DIRECTORATE	PROGRAM DIRECTOR, NAS OPERATIONS DIRECTORATE.
ASSOCIATE ADMINISTRATOR FOR REGULATION & CERTIFICATION.	ASSOC ADMR FOR REGULATIONS & CERTIFICATION.
	DEP ASSOC ADMR FOR REGUL & CERTIFICATION.
AIRCRAFT CERTIFICATION SERVICE	DIR, AIRCRAFT CERTIFICATION SERVICE.
	DEPUTY DIRECTOR AIRCRAFT CERTIFICATION SERVIC.
	MANAGER, AIRCRAFT ENGINEERING DIVISION.
	MANAGER, AIRCRAFT MANUFACTURING DIVISION.
REGIONAL AIRCRAFT CERTIFICATION DIVISIONS	MGR TRANSPORT AIRPLANE DIRECTORATE.
	MGR ENGINE & PROPELLER DIRECTORATE.
	MGR SMALL AIRPLANE DIRECTORATE.
	MANAGER ROTORCRAFT DIRECTORATE.
FLIGHT STANDARDS SERVICE	DIR, FLIGHT STANDARDS SERVICE.
	DEP DIR, FLIGHT STANDARDS SERVICE.
	MANAGER, AIR TRANSPORTATION DIVISION.
	MANAGER AIRCRAFT MAINTENANCE DIVISION.
	MGR, FLIGHT STANDARDS NATL FLD OFC, AFS–500.
	MANAGER, TECHNICAL PROGRAMS DIVISION.
REGIONAL FLIGHT STANDARDS DIVISIONS	MGR, FLIGHT STANDARDS DIV.
	MGR, FLIGHT STANDARDS DIVISION.
	MGR, FLIGHT STANDARDS DIV.
	MANAGER, FLIGHT STANDARDS DIVISION.
	MGR. FLIGHT STANDARDS DIV.
	MGR. FLIGHT STANDARDS DIV.
	MGR, FLIGHT STANDARDS DIVISION.
	MGR. FLIGHT STANDARDS DIV.
	MANAGER, FLIGHT STANDARDS DIVISION.
PROGRAM MANAGER FOR ADVANCED AUTOMATION	PROGRAM MGR FOR ADVANCED AUTOMATION.
	DEP PROG MGR FOR ADVANCED AUTOMATED SYSTEM.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DEP PROG MGR FOR VOICE S & C SYSTEM.
	INTEGRATED PROD TEAM LEADER FOR TERM, AUA–300.
	PROGRAM MANAGER FOR ENROUTE SYSTEMS.
PROGRAM DIRECTOR FOR AUTOMATION	PROGRAM DIRECTOR FOR AUTOMATION.
PROGRAM DIR FOR COMMUNICATIONS & AIRCRAFT ACQUISITION.	PROG DIR FOR COMMUNICATIONS & AIRCRAFT ACQ.
PROGRAM DIRECTOR FOR NAVIGATION & LANDING AIDS	PROGRAM DIR FOR NAVIGATION & LANDING AIDS.
PROGRAM DIRECTOR FOR SURVEILLANCE	PROGRAM DIRECTOR FOR SURVEILLANCE.
PROGRAM DIRECTOR FOR WEATHER & FLIGHT SERVICE SYSTEMS.	PROG DIR FOR WEATHER & FLIGHT SERVICES SYST.
OFFICE ACQUISITION POLICY & OVERSIGHT	DIR, OFC OF ACQUISITION POL & OVERSIGHT.
ASSOCIATE ADMINISTRATOR FOR AVIATION SAFETY	ASSOC ADMIN FOR AVIATION SAFETY.
	DEP ASSOC ADMIN FOR AVIATION SAFETY.
OFFICE OF ACQUISITION	MGR, CONTRACTS DIVISION.
	DIRECTOR, OFC OF ACQUISITION, ASU–1.
	DEPUTY DIRECTOR, OFC OF ACQUISITION.
OFC OF COMMUNICATIONS, NAVIGATION & SURVEILLANCE SYS.	PROGRAM MGR BUSINESS & FINANCIAL MGMT.
	INTEGRATED PRODUCT TEAM LEADER VOICE S & C.
	INTEGRATED PRODUCT TEAM COMMUNICATION.
NAS PROGRAMMING & FINANCIAL MANAGEMENT	DEPUTY DIRECTOR.
	PROGRAMS DIRECTOR PROGRAM EVALUAITON.
FEDERAL HIGHWAY ADMINISTRATION	EXECUTIVE DIRECTOR.
OFFICE OF FISCAL SERVICES	DIRECTOR OFFICE OF FISCAL SERVICES.
OFFICE OF CONTRACTS AND PROCUREMENT	DIRECTOR OFFICE OF CONTRACTS AND PROCUREMENT
ASSOCATION ADMINISTRATOR FOR SAFETY & SYSTEM APP	ASSOC ADMR FOR SAFETY & SYSTEM APPLICATIONS.
OFFICE OF HIGHWAY SAFETY	DIR, OFFICE OF HIGHWAY SAFETY.
OFFICE OF MOTOR CARRIER STANDARDS	DIR OFC OF MOTOR RESEARCH & STANDARDS.
OFFICE OF MOTOR CARRIER SAFETY FIELD OPERATIONS	DIRECTOR OFC OF MOTOR CARRIER FIELD OPERATION.
OFFICE OF ENVIRONMENT & PLANNING	CHIEF ENVIRONMENTAL OPERATIONS DIVISION.
OFFICE OF RIGHT OF WAY	DIR OFC OF RIGHT OF WAY.
	CHIEF, OPERATIONS DIVISION.
NATL CENTER FOR STATISTICS AND ANALYSIS	CHF, ACCIDENT INVESTIGATION DIV.
ASSOC ADMR FOR ENFORCEMENT	ASSOCIATE ADMINISTRATOR FOR SAFETY ASSURANCE.
OFC OF DEFECTS INVESTIGATION	DIR-OFC OF DEFECTS INVESTIGATION.
OFC OF VEHICLE SAFETY COMP	DIR-OFC OF VEHICLE SAFETY COMPLIANCE.
OFFICE OF THE CHIEF OF STAFF	DIRECTOR OF FINANCE AND PROCUREMENT.
DEPARTMENT OF TREASURY:	
DEPUTY ASSISTANT SECRETARY (INTL MONETARY POLICY)	DIR OFC OF FOREIGN EXCHANGE OPERATIONS.
DEPUTY ASSISTANT SECRETARY (TRADE AND INVESTMENT POLICY).	DISTRICT COUNSEL SEATTLE.
FISCAL ASSISTANT SECRETARY	FISCAL ASSISTANT SECRETARY.
	ASSISTANT FISCAL ASSISTANT SECRETARY.
FINANCIAL MANAGEMENT SERVICE	COMMR OF FINANCIAL MANAGEMENT SERVICE.
	DEP COM FINANCIAL MANAGEMENT SERVICE.
DIR, REGIONAL FINANCIAL CENTER (CHICAGO)	
	DIRECTOR, REGL FIN CTR (PHILADELPHIA).
	DIRECTOR, REGL FIN CTR (SAN FRANCISCO).
	DIRECTOR, REG. FIN CTR (AUSTIN).
	COMPTROLLER.
	DIRECTOR, SYSTEMS SERVICES DIRECTORATE.
	ASST COMMISSIONER, INFORMATION RESOURCES.
	ASSISTANT COMMISSIONER, FEDERAL FINANCE.
	DIRECTOR OPERATIONS GROUP.
	DIRECTOR CASH MANAGEMENT DIRECTORATE.
	ASSISTANT COMMISSIONER, REGIONAL OPERATIONS.
	ASST COMR, MANAGEMENT (CHIEF FIN OFCR).
	DIR, SYSTEMS DEVELOPMENT DIRECTORATE.
	DIR, FIN INFORMATION MANAGEMENT DIRECTORATE.
	DIR, TECHNOLOGY & INFORMATION GROUP.
	ASSISTANT COMMISSIONER, FINANCIAL INFORMATION.
	ASSISTANT COMMISSIONER (AGENCY SERVICES).
	ASSISTANT DEPUTY COMMISSIONER FOR RE-ENGINEER.
BUREAU OF THE PUBLIC DEBT	COMMISSIONER.
	DEP COMMR OF THE PUBLIC DEBT.
	ASST COMMISSIONER (SAVINGS BOND OPERATIONS).
	ASST COMMR (FINANCING).
	ASST COMMR (ADMINISTRATION).
	GOVERNMENT SECURITIES ACT PROGRAM DIRECTOR.
	GOVERNMENT SECURITIES POLICY ADVISOR.
	ASST COMMR/SECURITIES & ACCOUNTING SERVICES.
	ASST COMMISSIONER (AUTOMATED INFO SYSTEMS).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASST COMMISSIONER (PUBLIC DEBT ACCOUNTING).
ASSISTANT SECRETARY (ECONOMIC POLICY)	ASST DIR FOR ECONOMIC FORECASTING.
	SR ECONOMIST.
OFC OF THE INSPECTOR GENERAL	DEP ASST INSPECTOR GEN FOR AUDIT (FIN MGMT).
	DEP ASST INSPECTOR GEN FOR AUDIT (AUDIT OPS).
	AIG FOR POLICY, PLANNING & RESOURCES.
	ASST INSP GEN FOR OVERSIGHT & QUALITY ASSUR.
	ASST INSPECTOR GENERAL FOR AUDIT.
	DIRECTOR OF OVERSIGHT.
	EXECUTIVE ASSISTANT.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
ASSISTANT SECRETARY (TAX POLICY)	DIR (ECONOMIC MOD & COMPUTER APPLICATIONS).
ASSISTANT SECRETARY (MANAGEMENT)	DIR, MANAGEMENT PROGRAMS DIRECTORATE.
	DIRECTOR, OFFICE OF PROCUREMENT.
ASSISTANT SECRETARY (ENFORCEMENT)	DIR FIN CRIMES ENFORCEMENT NETWORK.
	DEP DIR. FINANCIAL CRIMES ENFORCEMENT NETWORK.
	ASSOC DIR. OFC OF MGMT/CHF FIN OFCR, FINCEN.
	SENIOR ADVISOR TO THE ASST SECY (ENFORCEMENT).
	DIR EXE OFC FOR ASSET FORFEITURE.
	DIRECTOR, OFFICE OF LAW ENFORCEMENT.
BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS	ASST DIR. CONGRESSIONAL AND MEDIA AFFAIRS.
	ASSISTANT DIRECTOR (INSPECTION).
	DIRECTOR, LABORATORY SERVICES.
	SAC, CHICAGO FIELD DIVISION.
	DEPUTY ASST DIR (SCIENCE & INFO TECHNOLOGY).
	ASST DIR SCIENCE & INFORMATION TECHNOLOGY.
	DEP ASST DIR (LIAISON & PUBLIC INFORMATION).
	DEPUTY DIRECTOR.
	ASST DIR (LIAISON & PUBLIC INFORMATION).
OFFICE OF LAW ENFORCEMENT	ASSOCIATE DIRECTOR (ENFORCEMENT).
	CHIEF, SPEC OPERATIONS DIVISION.
	CHIEF, EXPLOSIVES DIVISION.
	DEPUTY ASSOC DIR (LAW ENFORCEMENT).
	DEP ASSOC DIR CRIMINAL ENFORCEMENT FIELD OPER.
	DEP ASSOC DIR CRIMINAL ENFOR FIELD OPER WEST.
	CHIEF, FIREARMS DIVISION.
	DEPUTY ASSOC DIR CRIMINAL ENFORCEMENT PROGRAM.
FIELD OPERATIONS	SPECIAL AGENT IN CHARGE (NY DISTRICT OFFICE).
	SPECIAL AGENT IN CHARGE (LA DISTRICT OFFICE).
	SPECIAL AGENT IN CHARGE (MIAMI DISTRICT OFC).
	SPEC AGENT IN CHARGE (WASHINGTON DIST OFFICE).
	SPECIAL AGENT-IN-CHARGE (NEW YORK FIELD DIV)
OFFICE OF COMPLIANCE OPERATIONS	ASSOCIATE DIRECTOR (COMPLIANCE OPERATIONS)
	DEP. ASSOCIATE DIR. (COMPLIANCE OPERATIONS).
	CHIEF, REVENUE PROGRAMS DIVISION.
	CHIEF, INDUSTRY COMPLIANCE DIVISION.
	DEP ASSOC. DIR REGULATORY ENFORCEMENT PROGRAMS.
FIELD OPERATIONS	DISTRICT DIRECTOR (NORTH ATLANTIC DISTRICT).
CHIEF COUNSEL	ASSISTANT CHIEF COUNSEL (CHICAGO).
	ASSISTANT CHIEF COUNSEL (NEW YORK).
	STAFF ASSISTANT TO THE CHIEF COUNSEL.
US CUSTOMS SERVICE	REGL COMMR REG 2 N Y.
	REG COMMR, REG 1, BOSTON.
	ASST REGN COMMR OPERATIONS REG II NEW YORK.
	REGL COMMR, REG 4, MIAMI.
	REG COMMR, REG V, NEW ORLEANS.
	REGIONAL COMMISSIONER, CHICAGO.
	ASST REGIONAL COMMR (OPERATIONS).
	ASST REGL COMMR (OPERATIONS).
	ASST REGL COMMR (OPERATIONS).
	ASST REGIONAL COMMR (OPERATIONS).
	DEPUTY ASST COMR (INTERNATIONAL AFFAIRS).
	DISTRICT DIRECTOR, MIAMI.
	DISTRICT DIRECTOR, LAREDO.
	AREA DIR, NEWARK.
	DIR STRATEGIC TRADE CENTER NEW YORK.
	ASST COMMR (INSPECTION & CONTROL).
	DEPUTY ASST COMMR (INSPECTION & CONTROL).
	AREA DIRECTOR, JFK AIRPORT.
	AREA DIRECTOR, NEW YORK SEAPORT.
	DEPUTY ASSISTANT COMMISSIONER (MANAGEMENT).
	DIR CUSTOMS MANAGEMENT CENTER SOUTH FLORIDA.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	DIRECTOR, OFC OF AUTOMATED SYSTEMS OPERATIONS.
	DIR BUDGET AND PLANNING.
	EXEC DIR THE INTERDICTION COMMITTEE.
	REGIONAL COMMISSIONER.
	ASSISTANT COMMISSIONER, OFFICE OF MANAGEMENT.
	DISTRICT DIRECTOR, LOS ANGELES.
	DIR CUSTOMS MANAGEMENT CENTER EAST TAXES.
	DIR OFC OF HUMAN RESOURCES.
	DIRECTOR, OFC OF AUTOMATED COMMERCIAL SYSTEMS.
OFFICE OF REGULATIONS & RULINGS	ASST COMMISSIONER, REGULATIONS & RULINGS.
OFFICE OF INVESTIGATIONS	DEPUTY ASSISTANT COMMISSIONER (ENFORCEMENT).
	SPECIAL AGENT IN CHARGE, MIAMI.
	DIR, OFFICE OF INVESTIGATIVE PROGRAMS.
	DIR, OFFICE OF ENFORCEMENT SUPPORT.
	SPECIAL AGENT IN CHARGE-NEW YORK.
	SPECIAL AGENT IN CHARGE.
	SPECIAL AGENT IN CHARGE (NEW ORLEANS).
	DIRECTOR OFC OF FOREIGN OPERATIONS.
	ASST COMMISSIONER, INVESTIGATIONS.
	SPECIAL AGENT IN CHARGE.
	DEP ASST COMR, OFC OF A & M INTERDICTION.
	SPECIAL AGENT IN CHARGE (HOUSTON).
	SPECIAL AGENT-IN-CHARGE (SAN DIEGO).
	SPECIAL AGENT-IN-CHARGE (CHICAGO).
	SPECIAL AGENT-IN-CHARGE-DALLAS.
OFFICE OF FIELD OPERATIONS	DEPUTY ASST COMM OFC OF REGUL & RULINGS.
	DIR, INTERNATIONAL TRADE COMPLIANCE DIVISION.
	DIR OFC OF REGULATORY AUDIT.
	DIR, CUSTOMS MANAGEMENT CENTER NEW YORK.
	DIR CUSTOMS MANAGEMENT CENTER.
	ASST COMMISSIONER, FIELD OPERATIONS.
	DIR, OFFICE OF TECHNICAL SERVICES.
	DEP ASST COMM (OFC OF TRADE OPERATIONS).
	DEP ASST COMMISSIONER COMMERCIAL OPERATIONS.
	DIR CUSTOMS MANAGEMENT CENTER GULF.
	DIR CUSTOMS MANAGEMENT CENTER.
	PROJECT EXECUTIVE.
	DEPUTY CHIEF FINANCIAL OFFICER (CFO).
	DEP DIR, OFC OF REGULATORY AUDIT.
	PROCESSES & POLICY EXECUTIVE.
	DIR LABORATORIES & SCIENTIFIC SERVICES.
	PROJECT EXECUTIVE.
	PROJECT EXECUTIVE.
	DIR TARIFF CLASSIFICATION APPEALS DIVISION.
	DIR CUSTOMS MANAGEMENT CENTER.
	EXECUTIVE DIRECTOR CUSTOMS MANAGEMENT CENTER.
	DIR CUSTOMS MANAGEMENT CENTER SOUTH PACIFIC.
OFFICE OF FIANCE	ASSISTANT COMMISSIONER, FINANCE.
OFFICE OF INFORMATION & TECHNICAL SERVICES	ASST COMMISSIONER, INFOR & TECHNICAL SERVICES.
OFFICE OF HUMAN RESOURCES MANAGEMENT	ASST COMMISSIONER, HUMAN RESOURCES MGMT.
OFFICE OF STRATEGIC TRADE	DIR STRATEGIC TRADE CENTER PLANTATION FL.
	DIR STRATEGIC TRADE CENTER CHICAGO.
	DIR STRATEGIC TRADE CENTER OPERATIONS
	DIR STRATEGIC TRADE CENTER LONG BEACH.
	DIR STRATEGIC TRADE CENTER DALLAS/FT WORTH.
	PROJECT EXEC (DIR INTERVENTION MANAGEMENT).
	ASST COMMISSIONER, STRATEGIC TRADE.
OFFICE OF INTERNAL AFFAIRS	ASST COMMISSIONER FOR INTERNAL AFFAIRS.
OFFICE OF THE CHIEF COUNSEL	ASST CHIEF COUNSEL (CUSTOMS COURT LITIGAT).
	MIAMI REGL COUNSEL.
	CHICAGO REGL COUNSEL.
	NEW YORK REGL COUNSEL.
	ASSOCIATE CHIEF COUNSEL ENFORCEMENT.
	ASSOC CHIEF COUNSEL (TRADE TARIFF & LEG).
	REGIONAL COUNSEL (SOUTHWEST REGION).
	ASSOC CHIEF COUNSEL (ADMINISTRATION).
	REGIONAL COUNSEL (PACIFIC REGION).
US SECRET SERVICE	DIRECTOR OF THE SECRET SERVICE.
	DEPUTY DIRECTOR U.S. SECRET SERVICE.
	ASSISTANT DIRECTOR, ADMINISTRATION.
	ASSISTANT DIRECTOR INSPECTION.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASSISTANT DIRECTOR—TRAINING.
	ASST DIRECTOR-GOVT LIAISON AND PUBLIC AFF.
	DAD—ADMINISTRATION.
	DAD (UNIFORMED FORCES, F & E DEV), OFC TRNG.
	EXEC DIR FOR WORKFORCE PLANN & DIVERSITY MGNT.
	SPECIAL ASST TO THE DIRECTOR.
	DEPUTY ASST DIRECTOR OFFICE OF INSPECTION.
OFFICE OF PROTECTIVE OPERATIONS	ASST DIR (PROTECTIVE OPERATIONS).
	DEP ASST DIR (PROTECTIVE OPERATIONS).
	SPEC AGENT IN CHARGE-PRESIDENTIAL PROTECTIVE.
	SPEC AGENT IN CHARGE-VP PROTECT DIV.
	SPEC AGENT IN CHARGE DIGNITARY PROTECTIVE DIV.
	DEPUTY SPECIAL AGENT IN CHARGE PRES PROT DIV.
	DEPUTY SPECIAL AGENT IN CHARGE—VP PROT DIV.
	DEP ASST DIR PROTECTIVE OPERATIONS.
OFFICE 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.
	DEP SPEC AGENT IN CHARGE, INTELLIGENCE DIV.
	CHF, INFO RESOURCES MANAGEMENT DIVISION.
OFFICE OF INVESTIGATIONS	ASST DIRECTOR, INVESTIGATIONS.
	DEPUTY ASST DIR INVESTIGATIONS.
	DEP ASST DIR INVESTIGATIONS.
FIELD OPERATIONS	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 OFFICE.
	SPC AGENT IN CHARGE SAN FRANCISCO OFFICE.
	SPECIAL AGENT IN CHARGE, DETROIT.
	SPECIAL AGENT IN CHARGE, DALLAS FIELD OFFICE.
	SPEICAL AGENT IN CHARGE—HOUSTON FIELD OFC.
	SPEC AGENT IN CHARGE—MIAMI FIELD OFFICE.
	SPECIAL AGENT IN CHARGE—BOSTON FIELD OFFICE.
	SPEC AGENT IN CHARGE—ATLANTA FIELD OFFICE.
	ASSOC DIRECTOR, CHIEF OPERATING OFFICER.
US MINT	ASSOC DIRECTOR, CHIEF OPERATING OFFICER.
	DEP ASSOC DIR FOR FINANCE & DEP CHIEF FIN OFC.
	ASSOCIATE DIRECTOR FOR MARKETING.
	ASSOC DIR FOR POL & MGMT CHF FIN OFFICER.
INTERNAL REVENUE SERVICE	REGL DIR OF APPEALS-CENTRAL REGION.
	REG DIR OF APPEALS, MID-ATLANTIC REGION.
	REG DIR OF APPEALS-SOUTHWEST REG.
	REGIONAL DIR OF APPEALS NORTH ATLANTIC REGION.
	REGIONAL DIRECTOR OF APPEALS-WESTERN REGION.
	ASST TO THE COMMISSIONER (EQUAL OPPORTUNITY).
	CHIEF APPEALS OFFICE NEW YORK CITY.
	DEPUTY COMMISSIONER.
	SPECIAL ASST TO THE DEPUTY COMMISSIONER.
	NATIONAL TRANSITION EXECUTIVE.
	REGIONAL DIRECTOR OF APPEALS.
	TAXPAYER OMBUDSMAN.
	CHIEF, APPEALS OFFICE, LONG ISLAND.
	REGIONAL DIRECTOR OF APPEALS.
	ASST NATL TRANSITION EXECUTIVE FOR APPEALS.
	NATIONAL DIRECTOR OF APPEALS.
	CHIEF COMPLIANCE.
	ASSOCIATE COMMISSIONER FOR MODERNIZATION.
	DISTRICT OFFICE TRANSITION SITE EXEUCTIVE.
	COMPUTING CET TRANSITION SITE EXECUTIVE.
	ASSISTANT NATIONAL TRANSITION EXEUCTIVE.
	DEPUTY NATIONAL DIR OF APPEALS.
	SUBMISSION PROCESSING TRANSITION SITE EXECU.
	CUSTOMER SERVICE TRANSITION SITE EXECUTIVE.
	ASST TO THE SENIOR DEP COMMISSIONER.
	DIRECTOR, OFFICE OF BUSINESS TRANSITION.
	MANAGEMENT SYSTEMS SITE EXEUCTIVE.
NORTH ATLANTIC REGION	REG COMMR.
	ARC (CRIMINAL INVESTIGATION).
	ASSISTANT REGIONAL COMMISSIONER (DATA PROC).
	SERVICE CENTER DIRECTOR, ANDOVER, MASS.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
MID-ATLANTIC REGION	SRVC CTR DIR, BROOKHAVEN. DISTRICT DIR, MANHATTAN. DISTRICT DIR, BROOKLYN. DISTRICT DIR BOSTON. 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. ASST DISTRICT DIRECTOR BUFFALO. REGIONAL CHIEF CUSTOMER SERVICE. DIRECTOR OF SUPPORT SERVICES. CHIEF COMPLIANCE. FIELD INFORMATION SYSTEMS OFFICER. REG COMMISSIONER. ASSISTANT REGIONAL COMMISSIONER (DATA PROC). SERVICE CENTER DIR, PHILADELPHIA. DISTRICT DIR, NEWARK. DISTRICT DIR, PITTSBURGH. DISTRICT DIRECTOR RICHMOND DISTRICT. ASST DISTRICT DIR, PHILADELPHIA. ASST DISTRICT DIRECTOR (NEWARK). ASST DISTRICT DIRECTOR—BALTIMORE, MD. DISTRICT DIRECT, WILMINGTON. DISTRICT DIR, BALTIMORE. ASST SERVICE CENTER DIRECTOR.
SOUTHEAST REGION	CHIEF COMPLIANCE. DISTRICT DIRECTOR. DIR OF SUPORT SERVICES. REG COMMR. ASST REG COMMISSIONER—CRIMINAL INVESTIGATION. 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. DIR OF SUPPORT SERVICES. ASST DISTRICT DIRECTOR. REGIONAL CHIEF CUSTOMER SERVICE. FIELD INFORMATION SYSTEMS OFFICER, SOUTHEAST.
CENTRAL REGION	DISTRICT DIRECTOR. ASSISTANT SERVICE CENTER DIRECTOR. ASSISTANT DISTRICT DIRECTOR. REGIONAL COMMR, CENTRAL. ASST REGL COMR (CRIMINAL INVESTIGATION). 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. DIRECTOR OF SUPPORT SERVICES. CHIEF COMPLIANCE. ASST DIRECTOR DETROIT COMPUTING CENTER. ASST DISTRICT DIRECTOR DENVER. ASSISTANT DISTRICT DIRECTOR.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
MIDWEST REGION	ASSISTANT DISTRICT DIRECTOR DETROIT.
	REGIONAL COMMR, MIDWEST REGION.
	ARC (CRIMINAL INVESTIGATION) MIDWEST REGION.
	ASSISTANT REGIONAL COMMISSIONER (DATA PROC).
	SRVC CTR DIR, KANSAS CITY.
	DISTRICT DIR, CHICAGO.
	DISTRICT DIRECTOR ST LOUIS.
	DISTRICT DIR, ST PAUL.
	DISTRICT DIR, OMAHA.
	DISTRICT DIR, SPRINGFIELD.
	DISTRICT DIR, MILWAUKEE.
	ASST DISTRICT DIR, CHICAGO.
	DISTRICT DIRECTOR, FARGO.
	DISTRICT DIRECTOR, ABERDEEN.
	DIR OF SUPPORT SERVICES.
	NATIONAL DIRECTOR FOR INTERNAL AUDIT PLANNING.
	ASSISTANT DISTRICT DIRECTOR.
	DISTRICT DIRECTOR, HELENA.
	CHIEF COMPLIANCE DEPT OF TREAS.
	DISTRICT DIRECTOR.
SOUTHWEST REGION	ASSISTANT SERVICE CENTER DIRECTOR.
	REGIONAL COMMISSIONER.
	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.
	ASSISTANT DISTRICT DIRECTOR DALLAS.
	DISTRICT DIRECTOR, ALBUQUERQUE.
	DISTRICT DIRECTOR, CHEYENNE.
	DISTRICT DIRECTOR, SALT LAKE CITY.
	COMPLIANCE CENTER DIRECTOR.
	ASST DISTRICT DIRECTOR AUSTIN.
	FIELD INFORMATION SYSTEMS OFFICER MIDSTATES.
	ASSISTANT SERVICE CENTER DIRECTOR.
	DIRECTOR OF SUPPORT SERVICES.
	CHIEF COMPLIANCE.
	ASSISTANT DISTRICT DIRECTOR, HOUSTON.
	DISTRICT DIRECTOR, HOUSTON.
	REGIONAL CHIEF CUSTOMER SERVICE.
	REGIONAL COMMISSIONER.
	REGIONAL DIRECTOR OF APPEALS MIDSTATES.
	REGIONAL CHF COMPLIANCE OFCR, SOUTHWEST REG COMMR.
WESTERN REGION	ASSISTANT REGIONAL COMMISSIONER (DATA PROC).
	SERVICE CENTER DIRECTOR, FRESNO.
	DISTRICT DIR, LOS ANGELES.
	DISTRICT DIR, SAN FRANCISCO.
	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.
	DISTRICT DIRECTOR (SACRAMENTO).
	DISTRICT DIRECTOR (LAS VEGAS).
	DISTRICT DIRECTOR, SAN JOSE.
	FIELD INFORMATION SYSTEMS OFFICER WESTERN.
	NATIONAL TRANSITION EXECUTIVE FOR APPEALS.
	ASSISTANT DISTRICT DIRECTOR, LAGUNA NIGUEL.
	ASST DISTRICT DIRECTOR SAN JOSE.
	REGIONAL CHIEF CUSTOMER SERVICE.
	ASST DISTRICT DIRECTOR SEATTLE.
	CHIEF COMPLIANCE.
	DISTRICT DIRECTOR, LAGUNA NIGUEL.
	REGIONAL COMMISSIONER, WESTERN.
	DIR OF SUPPORT SERVICES.
	SERVICE CENTER DIRECTOR, FRESNO.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
CHIEF COMPLIANCE OFFICER	ASST COMR (EMPLOYEE P & E ORGANIZATIONS).
	SPECIAL ASST FOR EXEMPT ORGANIZATION MATTERS.
	ASST COMMISSIONER (TAXPAYER SERVICE).
	MODERNIZATION EXECUTIVE.
	ASSISTANT COMMISSIONER (EXAMINATION).
	ASST COMMR (CRIMINAL INVESTIGATION).
	DIR EXEMPT ORGANIZATIONS TECHNICAL DIVISION.
	D/EMPLOYEE PLANS TECH & ACTUARIAL DIVISION.
	DIRECTOR, STATISTICS OF INCOME DIVISION.
	DEP ASST COMMR (CRIMINAL INVESTIGATION).
	DIRECTOR COLLECTION FIELD OPERATIONS.
	ASST/DIR EMPLOYEE PLANS TECHN & ACTURIAL DIV.
	DIRECTOR IF INVESTIGATIONS, EASTERN AREA OPS.
	DIR OF INVESTIGATIONS.
	DIR OF INVESTIGATIONS (TAX REFUND FRAUD).
	DIR OF INVESTIGATIONS, SOUTHERN AREA OF OPS.
	DIRECTOR, OFFICE OF NATIONAL OPERATIONS.
	DIR OF INVESTIGATIONS, CENTRAL AREA OF OPS.
	ASSISTANT COMMISSIONER (COLLECTION).
	ASST COMMISSIONER (COLLECTION).
	NATL DIRECTOR CORPORATE EXAMINATIONS.
	EXEC DIR, ENSUING COMPLIANCE CORE BUSIN SYST.
	ASSISTANT COMMISSIONER (INTERNATIONAL).
	NATIONAL DIRECTOR, COMPLIANCE SPECIALIZATION.
	NATIONAL DIRECTOR, SPECIALTY TAXES.
	CHIEF COMPLIANCE OFFICER.
	SPEC ASST TO THE ASST COMR (CRIMINAL INVEST).
	NATIONAL DIRECTOR SERVICE CENTER COMPLIANCE.
	NATIONAL DIR, COLLECTION FIELD OPERATIONS.
	NATIONAL DIRECTOR COMPLIANCE RESEARCH.
	DEPUTY ASST COMMISSIONER (INTERNATIONAL).
	ASST COMMR (EXAMINATION & GOVNTL LIAISON).
	DIRECTOR, FED STATE RELATIONS DIVISION.
CHIEF, TAXPAYER SERVICES:	EXECUTIVE FOR ELECTRONIC FILING STRATEGY.
	ASST SERVICE CENTER DIR BROOKHAVEN.
	NATL DIR, SUBMISSION PROCESSING DIVISION.
	EXECUTIVE OFCR FOR SERVICE CENTER OPERATIONS.
	CHIEF TAXPAYER SERVICES.
	DIR, TAXPAYER SERVICES DESIGN & REVIEW DIV.
CHIEF FINANCIAL OFFICER	CHIEF FINANCIAL OFFICER.
	CONTROLLER NATIONAL DIR FOR FINANCIAL MGMT.
	NATIONAL DIRECTOR FOR BUDGET.
	DEPUTY ASSISTANT COMMISSIONER (PROCUREMENT).
	DIRECTOR, SUPPORT & SERVICES DIVISION.
	DEP ASST COMMISSIONER (HUMAN RES & SUPPORT).
	DEPUTY CHIEF FINANCIAL OFFICER.
	NATIONAL DIRECTOR FOR SYSTEMS & ACCOUNT STDS.
	NATIONAL DIRECTOR FOR ECONOMIC ANALYSIS.
	ASST COMR (PROCUREMENT).
	NATIONAL DIRECTOR FOR BUDGET.
CHIEF, MANAGEMENT & ADMINISTRATION	SPECIAL ASST TO CHIEF MGMT & ADMINISTRATION.
	DEAN SCHOOL OF INFORMATION TECHNOLOGY.
	DEAN SCHOOL OF PROFESSIONAL DEVELOPMENT.
	NATIONAL DIRECTOR PERSONNEL.
	NATIONAL DIRECTOR OF EDUCATION.
	DIR, RESOURCING BUSINESS SYSTEM & INTEGRATION
	ASST COMMISSIONER (SUPPORT SERVICES)
	CHIEF MANAGEMENT AND ADMINISTRATION.
CHIEF INFORMATION OFFICER	DIR, MARTINSBURG COMPUTING CENTER
	DIR, IRS DATA CENTER DETROIT
	DIRECTOR, SYSTEMS DESIGN DIVISION.
	DIRECTOR, SYSTEMS ACQUISITION DIVISION.
	DIR, INPUT SYSTEMS DIVISION
	DEP ASST COMMISSIONER (INFO SYSTEMS MGMT)
	DIR, PROJECT MGNT DIVISION.
	PRIVACY ADVOCATE.
	DIR, TECHNICAL MANAGEMENT DIVISION.
	DIR, CASE SYSTEMS DIVISION.
	DEP ASST CHF INFO OFFICER INFO SYSTEM DEV.
	DEP NATL DIR APPLICAITONS DESIGN & DEVELOP.
	NATIONAL DIR, APPLICATION DESIGN & DEV.
	DEP NATL DIR, SYST ENG & PROGRAM MANAGEMENT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	NATL DIR NETWORK & SYSTEMS MANAGEMENT.
	DIR, TELECOMMUNICATIONS DIVISION.
	DIR, OPERATIONS MANAGEMENT DIVISION.
	PROJECTS DIRECTOR, CORPORATE COMPUTING.
	DIRECTOR, QUALITY ASSURANCE DIVISION.
	NATIONAL DIR, SYST ENG & PROGRAM MANAGEMENT.
	DEAN SCHOOL OF TAXATION.
	CHIEF INFORMATION OFFICER.
	DIRECTOR, CORPORATE SYSTEMS DIVISION.
	ASST COMMISSIONER (INFORMATION SYSTEMS MGMT)
	DEPUTY CHIEF INFORMATION OFFICER.
CHIEF, STRATEGIC PLANNING & COMMUNICATIONS	DIRECTOR, TAX FORMS & PUBLICATIONS DIVISION.
	DIRECTOR, LEGISLATIVE AFFAIRS DIVISION.
	NATL DIRECTOR, STRATEGIC PLANNING DIVISION.
	NATIONAL DIRECTOR OF QUALITY.
	NATL DIR, INTERGVTL & EXTERNAL RELATIONS DIV.
	CHIEF STRATEGIC PLANNING & COMMUNICATIONS.
CHIEF, HEADQUARTERS OPERATIONS	CHIEF HEADQUARTERS OPERATIONS.
CHIEF INSPECTOR	CHIEF INSPECTOR.
	DEP CHIEF INSPECTOR.
	ASSISTANT CHIEF INSPECTOR (INT AUDIT).
	ASSISTANT DIRECTOR INTERNAL AUDIT DIVISION.
	ASST CHIEF INSPECTOR (INTERNAL SECURITY).
	ASST DIR, INTERNAL SECURITY DIVISION.
	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.
	NATL DIR COMM EDUCATION & QUALITY.
CHIEF COUNSEL	ASST CHIEF COUNSEL (GENERAL LITIGATION)
	ASST CHIEF COUNSEL (CRIMINAL TAX).
	ASST CHIEF COUNSEL (GENERAL LEGAL SERVICES).
	ASST CHIEF COUNSEL (DISCLOSURE LITIGATION).
	ASSISTANT CHIEF COUNSEL (INTERNATIONAL).
	ASSISTANT CHIEF COUNSEL (CORPORATE).
	DEP ASST CHF COUN (INCOME TAX & ACCOUNTING).
	DEP ASST CHF COUN (PASSTHROUGHS/SPEC INDUST).
	ASST CHIEF COUNSEL (FIELD SERVICE).
	ASST CHF COUN (PASSTHROUGHS/SPEC INDUSTRIES).
	DEPUTY ASST CHIEF COUNSEL (CORPORATE).
	DEP ASSOC CHIEF COUNSEL (FIN & MANAGEMENT).
	SPECIAL APPELLATE COUNSEL.
	DEP ASST CHIEF COUNSEL (FIELD SERVICE).
	DEP ASST CHIEF COUN (FINANCIAL INST & PROD).
	DEP ASSOC CHF COUN (ENFORCEMENT LITIGATION).
	DEP ASSOC CHIEF COUNSEL INTERNATIONAL
	ASST CHF COUN (FIN INSTITUTIONS & PRODUCTS).
	DEP ASST CHIEF COUN (INCOME TAX & ACCOUNTING).
	DEP ASSOC CHIEF COUNSEL (EBEO).
	DEP ASST CHF COUN (INCOME TAX & ACCOUNTING).
	ASST CHIEF COUNSEL (INCOME TAX & ACCOUNTING).
	ASSOC CHIEF COUNSEL (ENFORCEMENT LITIGATION).
	ASSOC CHIEF COUNSEL EMP BENEFITS EXEMPT ORG.
	SPECIAL COUNSEL (MODERNIZATION & STRAT PLNNG).
	SPECIAL LITIGATION COUNSEL.
	DEPUTY CHIEF COUNSEL.
	DEP ASSOC CHIEF COUNSEL (DOMESTIC) (TECHNICAL).
	ASSOCIATE CHIEF COUNSEL (INTERNATIONAL).
	ASSOC CHF COUNSEL (FINANCE & MANAGEMENT).
	DEP ASSOC CHIEF COUN (DOMESTIC) (FIELD SERV).
	ASSOC CHIEF COUNSEL (DOMESTIC).
REGIONAL COUNSELS	REGL COUNSEL, CENTRAL REG.
	REGIONAL COUNSEL, MID-ATLANTIC REGION.
	REGL COUNSEL MIDWEST REGION.
	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.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	REGIONAL COUNSEL.
	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.
	DEP REGIONAL COUNSEL (TAX LITIGATION).
	DEP REGIONAL COUNSEL (TAX LITIGATION).
	DISTRICT COUNSEL.
	DISTRICT COUNSEL.
	DEPUTY REGIONAL COUNSEL (TAX LITIGATION).
	DISTRICT COUNSEL—WASHINGTON, DC.
	DEPUTY REGIONAL COUNSEL (TAX LITIGATION).
	DISTRICT COUNSEL, BROOKLYN, NEW YORK.
	DISTRICT COUNSEL, ATLANTA.
	DISTRICT COUNSEL, HOUSTON, TEXAS.
	DISTRICT COUNSEL, DENVER.
US ARMS CONTROL AND DISARMAMENT AGENCY:	
INTELLIGENCE, VERIFICATION & INFORMATION SUPPORT BUREAU.	CHIEF, INTELLIGENCE, TECHNOL & ANALYSIS DIV.
OFC OF ADMINISTRATION	DIRECTOR OF ADMINISTRATION.
STRATEGIC AND EURASIAN AFFAIRS BUREAU	CHIEF, STRATEGIC NEG & IMPLEMENTATION DIV.
	CHF, THEATER & STRATEGIC DEFENSES DIVISION.
	CHIEF, DEFENSE CONVERSION DIVISION.
	CHIEF, STRATEGIC TRANSITION DIVISION.
	CHF, STRATEGIC NEG & IMPLEMENTATION DIVISION.
NON-PROLIFERATION AND REGIONAL ARMS CONTROL BUREAU.	CHIEF SCIENTIST.
	CHF, INTERNATIONAL NUCLEAR AFFAIRS DIVISIONS.
MULTILATERAL AFFAIRS BUREAU	CHIEF INTL SECURITY & NUCLEAR POLICY DIVISION.
	CHIEF SCI & TECHNOLOGICAL DIVISION.
UNITED STATES INFORMATION AGENCY:	
OFC OF THE DIRECTOR	ASSISTANT INSPECTOR GENERAL FOR AUDITS.
	ASSISTANT INSPECTOR GENERAL FOR INSPECTIONS.
BUREAU OF MANAGEMENT	DIRECTOR, OFFICE OF PERSONNEL.
	DIRECTOR, OFFICE OF THE COMPTROLLER.
	DIR OFF SECURITY.
	DIR OFC OF CONTRACTS.
	DIRECTOR, OFFICE OF TECHNOLOGY.
BUREAU OF BROADCASTING	DIR ENGINEERING AND TECHNICAL OPERATIONS.
	DEPUTY OF SYSTEMS ENGINEERING.
	DEPUTY FOR PROJECTS MANAGEMENT.
	DEPUTY FOR OPERATIONS.
OFFICE OF INFORMATION RESOURCES	DIRECTOR, OFC OF INFORMATION RESOURCES.
OFC OF THE GEN COUNSEL	DEPUTY GENERAL COUNSEL.
US INTERNATIONAL TRADE COMMISSION:	
OFFICE OF INDUSTRIES	DIR OFC OF INDUSTRIES.
OFFICE OF INVESTIGATIONS	DIR, OFC OF INVESTIGATIONS.
DEPARTMENT OF VETERANS AFFAIRS:	
OFFICE OF THE INSPECTOR GENERAL	DEP INSPECTOR GENERAL.
	ASSISTANT INSPECTOR GENERAL FOR AUDITING.
	ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	ASST INSP GEN FOR POLICY, PLAN & RESOURCES.
	DEP ASST INSPECTOR GENERAL FOR INVESTIGATIONS.
	COUNSELOR TO THE INSPECTOR GENERAL.
	ASST INSPECTOR GENERAL FOR HEALTHCARE INSPECT.
	DIR, AUDIT PLANNING, FIN REV & OPS SUPPORT.
	DEP ASST INSPECTOR GENERAL FOR AUDITING.
BOARD OF VETERANS APPEALS	VICE CHAIRMAN.
	DEPUTY VICE CHAIRMAN.
OFFICE OF FINANCIAL MANAGEMENT	DEP ASST SECY FOR FINANCIAL MANAGEMENT.
	ASSOC DEP ASST SECY FOR FINANCIAL OPERATIONS.
	DIR, AUSTIN FINANCE CENTER, AUSTIN, TX.
OFFICE OF INFORMATION RESOURCES MANAGEMENT	DIR, VA AUTOMATION CTR, AUSTIN, TX.
	ASSOC DEP ASST SECY FOR TELECOMMUNICATIONS.
	ASSOC DEP ASST SECY FOR INFO RES MANAGEMENT.
	ASSOC DEP ASST SECY FOR POL & PROG ASSISTANCE.
OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT	DEP ASST SEC FOR ACQUISITION & MATERIEL MGMT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR Year 1995—Continued

Agency organization	Career reserved positions
	ASSOC DEP ASSISTANT SECY FOR ACQUISITIONS.
	ASSOC DEP ASST SECY FOR SERV & DISTRIBUTION.
	ASS0C DEP ASST SECY FOR RESOURCES.
	ASSOCIATE DEPUTY ASST SECRETARY FOR MATERIEL.
	ASSOC DAS FOR VA NATL ACQ CENTER HINES., IL.
OFFICE OF HUMAN RESOURCES MANAGEMENT	ASSOC DEP ASST SECY FOR HUMAN RES MANAGEMENT.
	ASSOC DEP ASST SECY FOR HUMAN RES MANAGEMENT.
OFFICE OF SECURITY AND LAW ENFORCEMENT	DEP ASST SECY FOR SECURITY & LAW ENFORCEMENT.
VETERANS BENEFITS ADMINISTRATION	DEPUTY CHIEF FINANCIAL OFFICER.
	DEP DIR COMPENSATION & PENSION SERVICE.
	DEP DIR LOAN GUARANTY SVC.
	CHIEF FINANCIAL OFFICER.
VETERANS HEALTH ADMINISTRATION	DIRECTOR, BUDGET OFFICE.
	DIR, OFFICE OF REAL PROPERTY MANAGEMENT.
	DIR OFFICE OF MEDICAL SHARING.
	DIR, MEDICAL CARE COST RECOVERY OFFICE.
	DIR EMERGENCY MEDICAL PREPAREDNESS OFFICE.
	DEPUTY DIRECTOR EMERGENCY MEDICAL PREP OFC.
	CHIEF FINANCIAL OFFICER.
	DIRECTOR, WESTERN AREA OFFICE.
	DIRECTOR, EASTERN AREA OFFICE.
	DIRECTOR, FACILITIES QUALITY OFFICE.
	DIR CONSULTING SUPPORT OFFICE.
	DIRECTOR, FINANCIAL MANAGEMENT OFFICE.
	DEPUTY CHIEF FINANCIAL OFFICER.
REGIONAL DIRECTORS	DIR CANTEEN SERVICE.

[FR Doc. 96–12103 Filed 5–16–96; 8:45 am]
BILLING CODE 6325–01–M

federal register

Friday
May 17, 1996

Part III

Department of Transportation

Federal Transit Administration

49 CFR Part 639
Capital Leases; Final Rule

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

49 CFR Part 639

[Docket No. FTA–96–1031]

RIN 2132–AA55

Capital Leases

AGENCY: Federal Transit Administration, DOT.

ACTION: Final rule.

SUMMARY: This final rule amends ''Capital Leases'' to treat maintenance costs under a commercial lease of a capital asset as an eligible capital expense. ''Capital Leases'' implements section 308 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, which allows capital grants under the Federal transit laws to be used for leasing facilities or equipment if a lease is more cost effective than purchase or construction of such items. FTA believes that this amendment is consistent with industry practice and with recent Federal initiatives to streamline federally assisted procurement practices and to ensure that Federal investment in the nation's transportation infrastructure is properly protected.

EFFECTIVE DATE: June 17, 1996.

ADDRESS: United States Department of Transportation, Central Dockets Office, P–125, 400 Seventh Street, S.W., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Rita Daguillard, Deputy Assistant Chief Counsel, Office of Chief Counsel, (202) 366–1936, or Douglas Kerr, Office of Program Guidance and Support, (202) 366–1656.

I. Supplementary Information

A. Background

Under 49 U.S.C. 5307, Federal funds are provided to urbanized areas on the basis of a statutory formula. These funds are available for the acquisition or construction of mass transportation facilities and equipment (''capital assistance grants''), as well as for payment of a portion of the net operating cost of mass transportation facilities and equipment (''operating assistance grants'').

Historically, Federal Transit Administration (FTA) recipients had the discretion to acquire capital assets by long-term or short-term lease, but few did so, since the significant portion of the lease cost (as much as forty percent) representing imputed interest was ineligible for reimbursement under Office of Management and Budget (OMB) cost principles (OMB Circular A–87, ''Cost Principles for State, Local, and Indian Tribal Governments'').

In 1987, section 308 of the Surface Transportation and Uniform Relocation Assistance Act, Public Law 100–17 (STURAA), expressly authorized the use of section 5307 capital assistance funds to acquire facilities and equipment by lease where leasing is more cost effective than purchase or construction. As explained in the accompanying Senate Report, section 308

> permits grantees to use [section 5307] grant funds to lease major capital cost items such as computers, maintenance of way and other heavy equipment, maintenance of effort rail equipment, radio equipment, bus garages, property or structures for park and ride, and other buildings or facilities used for mass transit purposes. The Committee recognizes that it is often more cost effective for grantees to lease rather than purchase major capital items. Leasing arrangements can also provide transit authorities with flexibility that is needed, for example, to maintain technological advance in their communications and computing equipment or to adapt buildings and other facilities to changing needs. By including this section, the Committee intends to help grantees better manage their operations and conduct long-term and short-term planning.

S. Rep. No. 3, 100th Cong., 1st Sess. 6 (1987).

On October 15, 1991, FTA issued 49 CFR Part 639 (56 FR 51786), which implements section 308. The rule provides that capital grants under section 5307 may be used for leasing facilities or equipment if leasing is more cost effective than purchase or construction of such items. Section 639.27 lists maintenance costs among the factors that a recipient may consider in making its cost-effectiveness determination. Section 639.17, provides that ''only costs directly attributable to making a capital asset available to the lessee are eligible for capital assistance'' and cites as examples finance charges and ancillary costs such as delivery and installation charges.

B. The Notice of Proposed Rulemaking

On January 31, 1996, FTA issued a notice of proposed rulemaking (NPRM) that would amend section 639.17 to recognize maintenance costs as ''costs directly attributable to making a capital asset available to the lessee.'' In the NPRM, FTA stated that this amendment appeared to be consistent with common industry practice and Federal procurement streamlining measures.

The NPRM pointed out that in reviewing the subject of capital leases, particularly vehicle leases, FTA had noted that maintenance and repair costs are often an integral component of standard commercial lease agreements and that use of capital assistance for such costs is expressly permitted under section 5307. Many commercial vehicle leases, for instance, state that the lessor will provide all maintenance, repairs, and replacement parts needed to keep the capital asset in good operating condition. These services are included in the overall lease cost, rather than being itemized as a separate charge. In such cases, it is not feasible for lessees to separate maintenance charges from the overall lease cost. The NPRM stated that requiring grantees to do so imposes an accounting burden that is inconsistent with Congress' recognition that leasing is often more cost effective and with its intention in section 308 to facilitate grantee operations.

The NPRM moreover noted that since regular maintenance is necessary to ensure the availability and adequate functioning of a capital asset, FTA believes that it is an essential and inseparable element of the lease agreement. Congress has expressly recognized this relationship in allowing capital assistance to be used to acquire ''associated capital maintenance items'' under section 5307(b)(1), where such items would otherwise have to be funded under the operating assistance program. FTA therefore proposed to recognize maintenance charges as eligible capital costs under a commercial lease directly attributable to the lessee's use of the asset within the definition of section 639.17.

The NPRM pointed out that this proposal is consistent with several recent initiatives, including the President's National Performance Review, Executive Order 12931 (Federal Procurement Reform), and the Federal Acquisition Streamlining Act of 1994 (FASA) (Pub. L. 103–355, 108 Stat. 3243 (October 13, 1994)), which direct Federal agencies to remove administrative burdens in procurement processes. They encourage and facilitate the procurement of commercially available items by exempting agencies from unnecessarily burdensome government-unique certifications and accounting requirements that add costs and discourage companies from doing business with them. Section 8203 of FASA, for instance, requires that agencies use uniform, simplified contracts for the procurement of commercial items and that they revise all procurement procedures not required by law to eliminate impediments to use of such contracts. In the NPRM, FTA stated that requiring its recipients to account separately for maintenance costs under a commercial lease is

unnecessarily burdensome and makes such leases more costly and cumbersome to administer. Recognizing these costs explicitly in section 639.17 should facilitate recipients' acquisition and maintenance of capital assets by allowing them to enter into standard commercial lease agreements more easily and at less cost.

The NPRM stated that this proposal is consistent with FTA's recently issued Circular 4220.1C (''Third Party Contracting Requirements,'' October 1, 1995''), which reduces FTA requirements; provides grantees increased flexibility in soliciting, awarding, and administering contracts; reduces FTA's role in third party procurement activity; and allows recipients to use their own procurement practices that reflect State or local laws, provided that they conform to applicable Federal law. FTA noted that neither section 308 of the STURAA nor the accompanying Senate Report indicates that maintenance costs should not be treated as eligible capital expenses.

In the NPRM, FTA sought comment on its proposal to recognize maintenance costs as eligible capital expenses under leasing agreements.

C. Comments on the NPRM

FTA received ten comments in response to the NPRM: six from public transit agencies, two from State departments of transportation, one from a metropolitan planning organization, and one from an association representing local mass transit systems.

All of the commenters strongly supported FTA's proposal to recognize maintenance costs as eligible capital expenses under leasing agreements. They pointed out that the proposed amendment would streamline the procurement process for transit managers and allow them to make contractual arrangements consistent with standard business practices. Two commenters opined that in the current climate of declining Federal operating assistance, the ability to charge maintenance costs as capital expenditures would somewhat ease the impact of these reductions. Overall, the commenters agreed that the amendment would be a positive step toward both increased flexibility in the use of grant funds and decreased administrative burdens on grantees.

One commenter asked whether the costs of maintaining shared elements of a communications network could be eligible capital expenses under the amendment. The commenter noted that the capital items mentioned in the NPRM were for the exclusive use of the lessee, e.g., bus garages, computers, etc. Communications networks, on the other hand, include both shared elements and components that are used exclusively by the lessee. Both, however, are inseparable elements of the network, and maintenance of both is essential to its proper operation.

As the NPRM indicated, the proposed amendment is intended to allow all maintenance services included in the overall lease cost of a capital item to be treated as an eligible capital expense. Therefore, any maintenance services charged to a grantee's capital lease would be eligible, whether they are for shared-use or exclusive-use segments of a system. Moreover, sections 639.25 and 639.27 of the regulation provide that estimated lease costs must be reasonable based on conditions applicable to the recipient, and that recipients are to use maintenance costs as a criterion in comparing leasing with purchasing or constructing an asset. Therefore, recipients may enter into leases of communications networks only if their share of the costs of maintaining common elements is reasonable, and if the cost of leasing, including the maintenance services, is more advantageous than purchase or construction. To the extent that these criteria are met, the cost of maintaining common elements of a communications or other network under a lease agreement would be an eligible capital expense.

One commenter recommended extending the amendment to rural transit services using Federal funds under 49 U.S.C. 5311, since rural systems play an integral role in State transportation networks but lack adequate maintenance resources. As indicated above, under the OMB Circular A–87 requirements that were in effect at the time FTA's leasing regulation was initially promulgated, the portion of the lease cost representing imputed interest was ineligible for reimbursement unless expressly authorized by statute. Because section 308 of the STURAA applied specifically to the use of section 5307 funds, the leasing regulation covered only that program. However, in a recent revision of Circular A–87 (60 FR 26484, May 17, 1995), OMB changed its requirements to allow the reimbursement of interest payments under financing arrangements such as lease agreements. Therefore, specific statutory authorization is no longer required to permit capital reimbursement for the interest portion of any federally funded lease. Accordingly, 49 CFR Part 639 is now applicable to all FTA programs.

One commenter suggested that FTA allow all maintenance costs, including those that are not part of a lease agreement, to be treated as eligible capital expenses. The commenter stated that regular maintenance is necessary to ensure the availability and adequate functioning of all capital assets. Therefore, even in instances where maintenance expenses are paid separately by a recipient under either a lease or purchase arrangement, reimbursement at the capital rate should be allowed.

The commenter's suggestion goes far beyond the scope of this proposed amendment, whose purpose is to facilitate recipient's entry into standard commercial leases that include maintenance and repair costs as integral components. Moreover, as noted above, neither section 308 of the STURAA nor the accompanying Senate Report indicates that maintenance costs should not be treated as eligible capital expenses under a lease arrangement. FTA therefore believes that it has the statutory authority necessary to amend the regulation to allow the reimbursement as capital expenses of maintenance costs included in lease payments. However, FTA does not at the present time interpret its statutory authority to permit maintenance costs incurred outside of a lease agreement to be treated as capital expenses. In order to provide recipients with greater flexibility in their use of grant funds, FTA is considering seeking such authorization, and will amend its grant requirements accordingly at such time.

Another commenter noted that under its Capital Cost of Contracting Policy (FTA Circular 7010.1, December 5, 1986), FTA must approve all leases for vanpool vehicles when section 5307 funds represent more than 35 percent of the lease cost. The commenter proposed that this requirement be eliminated in the interest of streamlining the grant process and removing administrative burdens on acquisitions.

First, the Capital Cost of Contracting Policy should not be confused with capital leasing under 49 CFR 639. Under the Capital Cost of Contracting Policy, a recipient contracts with a private carrier to provide mass transit service. The percentage of the service representing ''the capital consumed in the contract'' may be paid for with capital funds. Under the capital leasing rule, recipients may acquire tangible assets by lease, and all eligible lease costs may be reimbursed as capital expenses. Second, FTA has used industry studies and other objective data to determine which percentage of the service under a Capital Cost of Contracting arrangement

should be eligible for capital reimbursement. Until it receives information justifying another percentage, it will not amend its Capital Cost of Contracting Policy, and reserves the right to review all contracts in which reimbursement with section 5307 capital funds exceeds that percentage.

Five commenters remarked that the language of section 639.17(b) as currently written contradicts the intent of the NPRM, since it could be construed to disqualify maintenance costs as eligible capital expenses. Section 639.17(b) now provides that ''the costs of materials, supplies and services provided under the terms of the lease may not be eligible for capital assistance, if they would not be eligible for capital assistance under a traditional purchase or construction grant.'' Maintenance costs have not been eligible for capital assistance under a traditional purchase or construction grant, and section 639.17(b) could be interpreted to preclude their reimbursement at the capital level. The commenters requested clarification of section 639.17(b), and one recommended revised language for that section providing such clarification.

D. FTA'S Final Action

In keeping with the comments received, FTA will amend section 639.17(a) to recognize maintenance costs as eligible capital expenses under a lease agreement. FTA believes that this action removes a significant impediment to capital leasing, and provides flexibility that can foster further innovations in the use of Federal funds.

FTA is also revising section 639.17(b) to define eligibility for capital assistance in a manner that should not be construed to eliminate maintenance costs as an eligible capital expense.

II. Regulatory Impacts

A. Executive Order 12866

FTA has determined that this action is not significant under Executive Order 12866 or the regulatory policies and procedures of Department of Transportation regulatory policies and procedures. Since this final rule makes only a technical amendment to current regulatory language, it is anticipated that the economic impact of this rulemaking will be minimal; therefore, a full regulatory evaluation is not required.

B. Regulatory Flexibility Act

In accordance with 5 U.S.C. 603(a), as added by the Regulatory Flexibility Act, Pub. L. 96–354, FTA certifies that this rule will not have a significant impact on a substantial number of small entities within the meaning of the Act.

C. Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995.

D. Executive Order 12612

This action has been reviewed under Executive Order 12612 on Federalism and FTA has determined that it does not have implications for principles of federalism that warrant the preparation of a Federalism Assessment. If promulgated, this rule will not limit the policy making or administrative discretion of the States, nor will it impose additional costs or burdens on the States, nor will it affect the States' abilities to discharge the traditional governmental functions or otherwise affect any aspect of State sovereignty.

III. List of Subjects in 49 CFR Part 639

Government contracts, Grant programs—Transportation, Mass transportation.

Accordingly, for the reasons described in the Preamble of this document, FTA is proposing to amend Title 49, Code of Federal Regulations, Part 639 as follows:

PART 639—[AMENDED]

1. The authority citation for Part 639 is revised to read as follows:

Authority: 49 U.S.C. 5307; 49 CFR 1.51.

2. Section 639.17 is revised to read as follows:

§ 639.17 Eligible lease costs.

(a) All costs directly attributable to making a capital asset available to the lessee are eligible for capital assistance, including, but not limited to—

(1) Finance charges, including interest;

(2) Ancillary costs such as delivery and installation charges; and

(3) Maintenance costs.

(b) Any asset leased under this part must be eligible for capital assistance under a traditional purchase or construction grant.

Issued on: May 13, 1996.

Gordon J. Linton,

Administrator.

[FR Doc. 96–12341 Filed 5–16–96; 8:45 am]

BILLING CODE 4910–57–U

federal register

Friday
May 17, 1996

Part IV

Department of Energy

Record of Decision for the Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel; Notice

DEPARTMENT OF ENERGY

Record of Decision for the Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel

AGENCY: Department of Energy.

ACTION: Record of decision.

SUMMARY: DOE, in consultation with the Department of State, has decided to implement a new foreign research reactor spent fuel acceptance policy as specified in the Preferred Alternative contained in the *Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel* (the Final EIS, DOE/EIS–218F of February 1996), subject to additional stipulations specified in Section VII of this Record of Decision. The new policy applies only to aluminum-based and TRIGA (Training, Research, Isotope, General Atomics) foreign research reactor spent nuclear fuel and target material containing uranium enriched in the United States. The purpose of the acceptance policy is to support the broad United States' nuclear weapons nonproliferation policy calling for the reduction and eventual elimination of the use of highly enriched (weapons-grade) uranium in civil commerce worldwide.

EFFECTIVE DATE: The new policy set forth in this Record of Decision is effective upon being made public May 13, 1996, in accordance with DOE's NEPA implementation regulations (10 CFR § 1021.315).

ADDRESSES: Copies of the *Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel* (DOE/EIS–0218F, the Final EIS) and this Record of Decision are available in the public reading rooms and libraries identified in the Federal Register Notice that announced the availability of the Final EIS (61 FR 6983, February 23, 1996), or by calling 1–800–736–3282 (toll free).

FOR FURTHER INFORMATION CONTACT: For information on the management of foreign research reactor spent nuclear fuel or this Record of Decision contact: Mr. Charles Head, Program Manager, Office of Spent Fuel Management (EM–67), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, Telephone (202) 586–9441.

For information on DOE's National Environmental Policy Act (NEPA) process, contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Assistance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, Telephone (202) 586–4600, or leave message at 1–800–472–2756.

SUPPLEMENTARY INFORMATION:

I. Synopsis of the Decision

The U.S. Department of Energy (DOE) and the Department of State jointly issued the Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (the Final EIS, DOE/EIS–218F) on February 16, 1996. In this Final EIS, DOE and the Department of State considered the potential environmental impacts of a proposed policy to manage spent nuclear fuel from foreign research reactors. After consideration of the Final EIS, public comments submitted on the Draft EIS and concerns expressed following issuance of the Final EIS, DOE, in consultation with the Department of State, has decided to implement the proposed policy as identified in the Preferred Alternative contained in the Final EIS, subject to additional stipulations specified in Section VII of this Record of Decision. This implementation will involve acceptance of approximately 19.2 MTHM (metric tonnes of heavy metal) of foreign research reactor spent fuel and approximately 0.6 MTHM of target material into the United States over a 13 year period, beginning on the effective date of the policy. The spent fuel will be received from abroad through the Charleston Naval Weapons Station in South Carolina (about 80%) and the Concord Naval Weapons Station in California (about 5%). Most of the target material and some of the spent fuel (about 15%) will be received overland from Canada. Shipment through Charleston is expected to begin in the summer of 1996 and through Concord in mid-1997. Shipments from Canada have not been scheduled at this time. The Final EIS demonstrates that the spent fuel and target material could be safely transported overland within the United States by either truck or rail, and DOE has decided that either transportation mode may be used. Nevertheless, based on initial input from the public near the ports of entry indicating a preference for shipment by rail, DOE will generally seek to use rail for shipments from the ports of entry to DOE facilities at the Savannah River Site in South Carolina and the Idaho National Engineering Laboratory in Idaho. The particular mode of transportation to be used will be determined after further discussions between DOE and State, Tribal and local officials. After a limited period of interim storage, the spent fuel will be treated and packaged, or chemically separated, at the Savannah River Site and Idaho National Engineering Laboratory as necessary to prepare it for transport to a final disposal repository.

II. Background

Beginning in the 1950's, as part of the ''Atoms for Peace'' program, the United States provided nuclear technology to foreign nations for peaceful applications in exchange for their promise to forego development of nuclear weapons. A major element of this program was the provision of research reactor technology and the highly enriched uranium (HEU) needed in the early years to fuel the research reactors. Research reactors play a vital role in important medical, agricultural, and industrial applications. Nevertheless, the highly enriched uranium initially used in the fuel elements for these reactors can also be used in nuclear weapons. In the past, after irradiation in the research reactor, the used fuel elements (often referred to as ''spent nuclear fuel'' or ''spent fuel'') were transported to the United States, where they were chemically separated to extract the uranium still remaining in the spent nuclear fuel. In this way, the United States maintained control over disposition of the HEU that it provided to other nations.

Before 1964, bilateral agreements with the countries operating research reactors provided for the lease of the enriched uranium, with explicit provision for the return of the spent nuclear fuel to the United States. After 1964, most agreements provided for the sale of this material to the foreign nation, and the United States began to operate under a policy known as the ''Off-Site Fuels Policy'', under which the United States continued to accept, temporarily store, and chemically separate the spent nuclear fuel.

Research reactors have become the major civilian users of HEU. To further reduce the danger of nuclear weapons proliferation, the United States in 1978 initiated the Reduced Enrichment for Research and Test Reactors (RERTR) program, which was aimed at reducing the use of HEU in civilian programs by promoting the conversion of foreign and domestic research reactors from HEU fuel to low enriched uranium (LEU) fuel (LEU cannot be used directly in nuclear weapons). As part of the RERTR program, DOE developed LEU fuel and

worked with foreign research reactor operators to convert their reactors to run on such fuel.

The foreign research reactor operators who converted to LEU fuel did so in support of nuclear weapons nonproliferation objectives, even though such conversions were expensive and generally resulted in reduced reactor capabilities and increased operating costs. From the beginning of the RERTR program, foreign research reactor operators made it clear that their willingness to convert their research reactors to LEU fuel was contingent upon the continued acceptance by DOE of their spent nuclear fuel for disposition in the United States.

The United States accepted foreign research reactor spent nuclear fuel until the ''Off-Site Fuels Policy'' expired (in 1988 for HEU fuels and 1992 for LEU fuels). At that time, DOE committed to conduct an environmental review of the impacts of extending the program for accepting foreign research reactor spent nuclear fuel. In 1991, DOE issued an environmental assessment of the potential environmental impacts of the proposed extension. DOE received numerous comments from the public stating that a new, long-term policy should not be implemented until an EIS had been prepared. DOE decided in mid-1993 to prepare an EIS to evaluate the impacts of implementing a new foreign research reactor spent nuclear fuel acceptance policy.

On October 21, 1993, DOE published a Notice of Intent (NOI) (58 FR 54336) to prepare an environmental impact statement on a proposed policy for the acceptance of foreign research reactor spent nuclear fuel containing uranium enriched in the United States. The NOI announced public scoping meetings and requested public comments and suggestions for DOE to consider in its determination of the scope of the EIS. Nine public scoping meetings were held in November and December 1993. DOE received a total of 2,215 scoping comments from 493 commentors.

On April 21, 1995, DOE published a Notice of Availability (60 FR 19899) of the Draft EIS. The Draft EIS analyzed three Management Alternatives for implementing the proposed action:

Management Alternative 1—Accept and manage foreign research reactor spent nuclear fuel in the United States;

Management Alternative 2—Facilitate the management of foreign research reactor spent nuclear fuel overseas; and

Management Alternative 3—A hybrid, or combination, of elements from the first two Management Alternatives.

During the 90-day public comment period (April 21, 1995 to July 20, 1995), about 900 individuals attended 17 public hearings held in or near candidate ports, management sites, and in Washington, DC. In addition to oral comments, DOE received approximately 5,040 written comments contained within approximately 1,250 comment documents on a wide range of policy, economic, and technical issues. Many commentors supported the United States' nuclear weapons nonproliferation policy objective of seeking to reduce the use of HEU (i.e., nuclear weapons-grade uranium) in civil commerce. However, the comments also reflected a wide range of views as to which Management Alternative should be adopted. Some commentors supported management of the spent nuclear fuel in the United States. Other commentors questioned the need to accept spent nuclear fuel from allies of the United States and those countries that appear to have the capability to manage their own spent nuclear fuel abroad. These commentors generally believed that such spent nuclear fuel should be managed overseas. With regard to implementation of the policy in the United States, some commentors preferred the use of military ports, a practice DOE has followed in the recent past based on strong public preference. Risks during transport, including those from terrorism, a sunken cask, severe shipboard fires, and the level of emergency preparedness at ports were frequently raised as matters of concern.

In consideration of public comments, DOE added information to the Final EIS, including: clarification of the proposed United States policy on accepting spent nuclear fuel from allies; examination of the consequences of sabotage or terrorist attack; safety of transportation casks; re-examination of the shipboard fire analysis; and general descriptions of transportation and emergency response regulations and management activities related to safe transport of the spent fuel and target material. In addition, the Naval Weapons Station at Charleston, South Carolina was analyzed along with the other terminals of the port of Charleston that had been included in the Draft EIS.

On February 23, 1996, the U.S. Environmental Protection Agency published a Notice of Availability (61 FR 6983) of the Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (DOE/EIS–0218F of February 1996), after DOE had distributed approximately 3,000 copies of the EIS and/or the EIS Summary to government officials and interested groups and individuals.

DOE has prepared this Record of Decision in accordance with the regulations of the Council on Environmental Quality for Implementing NEPA (40 CFR Parts 1500–1508) and DOE's NEPA Implementing Procedures (10 CFR Part 1021). This Record of Decision is based on DOE's Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (the Final EIS). In making the decisions announced in this Record of Decision, DOE, in consultation with the Department of State, considered environmental impacts and other factors, such as nuclear weapons nonproliferation policies; public comments received on the Draft EIS and concerns expressed following issuance of the Final EIS; analysis of impacts and alternatives in the DOE Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement (DOE/EIS–0203–F of April 1995, the ''Programmatic SNF&INEL EIS'') and the Records of Decision for that EIS (60 FR 28680, June 1, 1995 and 61 FR 9441, March 8, 1996).

III. Policy Considerations

A key goal of United States' nuclear weapons nonproliferation policy is to reduce international civil commerce in HEU, since HEU can be used directly in the production of nuclear weapons. The proposal by DOE and the Department of State to adopt a policy to manage foreign research reactor spent nuclear fuel containing uranium enriched in the United States is intended to support efforts by the United States to convert foreign research reactors from HEU to LEU fuels (the latter cannot be used directly in nuclear weapons) and to gain worldwide acceptance of the use of LEU fuels in new research reactors.

Failure of the United States to manage foreign research reactor spent nuclear fuel could have a number of adverse consequences. Foreign governments and research reactor operators have participated in the RERTR program in large part because the United States previously accepted the spent nuclear fuel from their research reactors. The United States has not accepted HEU spent nuclear fuel for more than seven years, with the exception of recent limited shipments made after completion of the Environmental Assessment of Urgent-Relief Acceptance

of Foreign Research Reactor Spent Nuclear Fuel (DOE/EA–0912, April 1994). As a result, several foreign research reactor operators are running out of space to store their spent nuclear fuel, and others will run out soon. Under such conditions, the foreign research reactor operators must either shut down their reactors, construct new storage facilities, or ship the spent nuclear fuel offsite for storage or reprocessing. Many of the reactor operators do not have the option of increasing their storage capacities due to local regulatory restrictions. Moreover, construction and licensing of new storage facilities cannot be accomplished in time to support continued operations. The most realistic near-term option for a limited number of the reactor operators (particularly those in countries with power reactor programs that have an infrastructure to accept the return of the radioactive waste generated during reprocessing) is to ship their spent nuclear fuel offsite for reprocessing.

The current practice followed in overseas reprocessing of research reactor spent fuel results in separated HEU that is placed back into commerce (some or all of it may be refabricated into new HEU research reactor fuel), a result that undermines United States' nuclear weapons nonproliferation goals. Furthermore, none of the foreign reprocessing facilities have the capability to reprocess the new, high density LEU fuel developed under the RERTR program. Thus, in the absence of action to resolve the question of the disposition of spent nuclear fuel, many foreign research reactor operators who could reprocess to control their spent fuel inventory would likely continue to use, or convert back to, fuel containing HEU. In such a case, the foreign research reactor operator community as a whole would have little incentive to convert their reactors to LEU fuels. This would have the effect of encouraging the foreign research reactor operators to use HEU (weapons-grade uranium) as fuel for their reactors, would increase the amount of HEU in international commerce, and would inevitably increase the opportunity for diversion of HEU into a nuclear weapons program.

DOE and the Department of State do not seek to indefinitely accept or otherwise manage spent nuclear fuel from foreign research reactors. Rather, the purpose of the new policy is to recover as much HEU that originated in the United States as possible from international commerce, while providing the foreign research reactor operators and their host countries time to convert the reactors to LEU fuel and to make their own arrangements for disposition of subsequently generated LEU spent nuclear fuel. The foreign research reactor operators and host countries must be prepared to implement their own arrangements for disposition of their spent nuclear fuel after the policy expires (i.e., after 10 years of spent fuel generation following the effective date of the policy).

IV. Alternatives Evaluated in the Final EIS

DOE evaluated the following alternatives for management of the foreign research reactor spent nuclear fuel:

A. Management Alternative 1: Accept and Manage Foreign Research Reactor Spent Nuclear Fuel in the United States

Under Management Alternative 1, foreign research reactor spent nuclear fuel containing uranium enriched in the United States would be transported to the United States in casks designed to comply with international regulations that are essentially identical to those promulgated by the U.S. Nuclear Regulatory Commission (NRC) and certified by the U.S. Department of Transportation. In accordance with the Record of Decision for the Programmatic SNF&INEL Final EIS, all of the aluminum-based foreign research reactor spent nuclear fuel accepted by DOE (about 18.2 MTHM) would be managed at the Savannah River Site in South Carolina, and the TRIGA elements (about 1 MTHM) would be managed at the Idaho National Engineering Laboratory, pending ultimate disposition.

The basic implementation elements of Management Alternative 1 provide the foundation for the analyses of impacts presented in the EIS. They are:

Policy Duration. The policy duration would be 10 years. Spent nuclear fuel that is currently being stored or that is generated during a 10 year policy period would be accepted. Actual shipments of spent nuclear fuel to the United States could be made for a period of 13 years, starting from the effective date of policy implementation. A five year policy duration and an indefinite duration for acceptance of HEU (with a ten year duration for LEU) were also analyzed as alternatives in the EIS.

Amount of Foreign Research Reactor Spent Nuclear Fuel. The amount of foreign research reactor spent nuclear fuel that would be accepted under the basic implementation of Management Alternative 1 is up to about 19.2 MTHM in up to approximately 22,700 individual spent nuclear fuel elements. These spent nuclear fuel elements would be received from 41 countries. Alternative amounts of spent nuclear fuel considered as implementation alternatives were: receipt of spent fuel only from countries that do not have high-income economies, acceptance of HEU spent fuel only, and acceptance of target material in addition to spent fuel.

Marine Transport. Under the basic implementation alternative, the spent fuel and target materials would be transported by sea in either chartered or regularly scheduled commercial ships. DOE estimates that 721 cask loads of foreign research reactor spent nuclear fuel (a cask load is one spent fuel shipping cask loaded with spent fuel) would be sent to the United States by ship over a 13-year acceptance period under Management Alternative 1. Acceptance of an additional 15 cask loads of target material by sea is also analyzed.

Potential Port(s) of Entry for Foreign Research Reactor Spent Nuclear Fuel. The following potential ports of entry were selected for analysis because they met basic criteria designed to identify the most appropriate ports for use in accepting foreign research reactor spent fuel:

Charleston, SC (includes Charleston Naval Weapons Station and Wando Terminal, Mt. Pleasant)
Concord Naval Weapons Station, CA
Galveston, TX
Hampton Roads, VA (includes Terminals at Newport News, Norfolk, and Portsmouth, VA)
Jacksonville, FL
Military Ocean Terminal Sunny Point, NC
Portland, OR
Savannah, GA
Tacoma, WA
Wilmington, NC

Ground Transport. The basic implementation of Management Alternative 1 would involve transporting casks containing foreign research reactor spent nuclear fuel by truck, rail, or barge from the ports of entry or Canadian border crossings to potential management sites.

Foreign Research Reactor Spent Nuclear Fuel Management Sites. The analysis considered five potential management sites selected to be consistent with the management sites evaluated in the Programmatic SNF&INEL EIS (i.e., the Savannah River Site in South Carolina, the Idaho National Engineering Laboratory, the Oak Ridge Reservation in Tennessee, the Hanford Site in Washington State, and the Nevada Test Site). The Record of Decision for the Programmatic SNF&INEL EIS subsequently eliminated

the last three sites from consideration as management sites for spent nuclear fuel from foreign research reactors.

Storage Technologies. During the first few years, storage would take place in existing storage facilities that use either wet or dry storage technologies. Under the basic implementation of Management Alternative 1, any new storage capacity that would be built would be dry storage. Wet storage was also evaluated as an alternative to dry storage.

Near-Term Conventional Chemical Separation in the United States. As an alternative to storage of the spent fuel in the United States, the Final EIS evaluated chemical separation of foreign research reactor spent nuclear fuel and target material in existing facilities at the Savannah River Site or the Idaho National Engineering Laboratory. The HEU could be blended down to LEU to preclude its use in nuclear weapons. The resulting high-level waste could be vitrified and managed onsite until a geologic repository becomes available.

Developmental Treatment and/or Packaging Technologies. As another alternative for management of the spent fuel, the Final EIS discussed a potential development program that DOE could conduct leading to a decision on whether to construct and operate a new treatment and/or packaging facility. The objective of this technical strategy would be to treat, package, and store spent nuclear fuel in a manner suitable for direct placement into a geologic repository without necessarily separating the fissile materials, while meeting or exceeding all applicable safety and environmental requirements.

Financing Arrangements. Under the basic implementation of Management Alternative 1, high-income-economy countries would be charged a competitive fee. The United States would bear the full cost of transporting and managing foreign research reactor spent nuclear fuel received from other countries. The Final EIS also evaluated alternatives in which:

1) All countries would be subsidized;

2) All countries would be charged a full-cost recovery fee; or

3) Countries with high income economies would be charged a full-cost recovery fee, while other countries would be subsidized.

Location for Taking Title. Under the basic implementation of Management Alternative 1, the United States would take title to spent nuclear fuel from foreign research reactors at the limit of United States territorial waters or continental border (for shipments from Canada). The Final EIS also evaluated alternatives in which the United States would take title prior to shipment, at the ports of entry, or at the DOE management sites.

Ultimate Disposition. The Nuclear Waste Policy Act of 1982 (as amended) authorizes disposal of the foreign research reactor spent nuclear fuel in a geologic repository. DOE is working with staff from the Nuclear Regulatory Commission to ensure that the spent fuel management actions it is undertaking for all of its spent fuel, and actions that would be undertaken for any additional foreign research reactor spent fuel to be accepted, will allow either direct emplacement of the spent fuel in a geologic repository or acceptance of the spent fuel in a treated form at a geologic repository.

Decisions regarding the actual disposal of DOE's spent nuclear fuel would follow appropriate environmental review under the National Environmental Policy Act.

B. Management Alternative 2: Facilitate the Management of Foreign Research Reactor Spent Nuclear Fuel Overseas

Under this Management Alternative, two subalternatives were analyzed. In the first subalternative, DOE and the Department of State would provide assistance, incentives, and coordination for spent fuel storage at one or more locations overseas, with appropriate storage technologies, regulations, and safeguards. In the second subalternative, DOE and the Department of State would provide nontechnical assistance, incentives, and coordination to foreign research reactor operators and reprocessors to facilitate reprocessing of spent nuclear fuel overseas in facilities operated under international inspections and safeguards. Facilities operated by the United Kingdom Atomic Energy Authority at Dounreay, United Kingdom, and by Cogema at Marcoule, France might be used for this purpose. After reprocessing, the recovered HEU would be blended down to LEU at these same facilities. The wastes resulting from this reprocessing would be sent to the country in which the spent nuclear fuel was irradiated. If the reprocessing wastes could not be sent to the country in which the spent nuclear fuel was irradiated, such wastes would be accepted by the United States for storage and ultimate geologic disposal. It is important to note that the foreign reprocessing facilities do not have the capability to reprocess the new, high density, LEU fuel developed under the RERTR program.

C. Management Alternative 3: A Combination of Elements from Management Alternatives 1 and 2 (Hybrid Alternative)

Under Management Alternative 3, DOE and the Department of State would combine elements from Management Alternatives 1 and 2 to develop new alternatives for management of foreign research reactor spent nuclear fuel in the United States or abroad. For example, DOE and the Department of State could combine partial storage or reprocessing overseas with partial storage or chemical separation in the United States. Implementation alternatives for the portion of the spent nuclear fuel from foreign research reactors to be managed in the United States would be the same as those for Management Alternative 1.

D. No Action Alternative

In the No Action Alternative, the United States would neither manage foreign research reactor spent nuclear fuel containing uranium enriched in the United States, nor provide technical assistance or financial incentives for overseas storage or reprocessing. In this case, there would be no foreign research reactor spent nuclear fuel shipments to the United States and no assistance to foreign countries for managing foreign research reactor spent nuclear fuel overseas.

E. Preferred Alternative

Under the Preferred Alternative (which is a combination of the implementation elements of Management Alternative 1), DOE would accept and manage in the United States up to 19.2 MTHM of foreign research reactor spent nuclear fuel in up to approximately 22,700 individual spent fuel elements and up to an additional 0.6 MTHM of target material. This spent fuel and target material would come from the following countries:

Table 1—High-income economy countries:

Australia
Austria
Belgium
Canada
Denmark
Finland
France
Germany
Israel
Italy
Japan
Netherlands
Spain
Sweden
Switzerland
Taiwan

United Kingdom

Table 2—Other Countries:

Argentina
Bangladesh
Brazil
Chile
Colombia
Greece
Indonesia
Iran
Jamaica
Malaysia
Mexico
Pakistan
Peru
Philippines
Portugal
Romania
Slovenia
South Africa
South Korea
Thailand
Turkey
Uruguay
Venezuela
Zaire

The types of Foreign Research Reactor Spent Nuclear Fuel and Target Material that would be accepted under the Preferred Alternative are as follows:

- Spent nuclear fuel (HEU and/or LEU) from research reactors operating on LEU fuel or in the process of converting to LEU fuel when the policy becomes effective.
- Spent nuclear fuel (HEU and/or LEU) from research reactors that operate on HEU fuel when the policy becomes effective but that agree to convert to LEU fuel. (Spent nuclear fuel would *not* be accepted from research reactors that could convert to LEU fuel but do not agree to do so.)
- Spent nuclear fuel (HEU) from research reactors having lifetime cores, from research reactors planning to shut down by a specific date while the policy is in effect, and from research reactors for which a suitable LEU fuel is not available.
- Spent nuclear fuel (HEU and/or LEU) from research reactors that are already shut down.
- Unirradiated fuel (HEU and/or LEU) from eligible research reactors would be accepted as spent nuclear fuel. (This material could be a particular nuclear weapons proliferation concern because it is not highly radioactive and thus can be handled manually. Thus could allow it to be stolen more easily.)

For research reactors with both HEU and LEU spent nuclear fuel available for shipment, LEU spent nuclear fuel would not be accepted until all HEU spent nuclear fuel has been accepted, unless there are extenuating circumstances (e.g., deterioration of one or more LEU elements sufficient to cause a health or safety problem if acceptance were delayed). Spent nuclear fuel (HEU and/ or LEU) would not be accepted from new research reactors starting operation after the date of implementation of the policy.

The duration of the policy under the Preferred Alternative would be 10 years. Shipments of spent nuclear fuel to the United States could be made for a period of up to 13 years, starting from the effective date of policy implementation, as long as the spent nuclear fuel had already been discharged prior to the beginning of the policy period or is discharged during the policy period. The additional three years in the shipping period were included to provide time for the radiation levels of the last spent fuel discharged during the 10 year policy period to decay enough to allow its transportation, to provide time for logistics in arranging for shipment of the last spent fuel discharged, and to allow for potential shipping delays.

The aluminum-based foreign research reactor spent nuclear fuel (about 18.2 MTHM) and target material (about 0.6 MTHM) would be transported to and managed at the Savannah River Site and the TRIGA foreign research reactor spent nuclear fuel (about 1 MTHM) would be transported to and managed at the Idaho National Engineering Laboratory, in accordance with the Records of Decision for the Programmatic SNF&INEL EIS and the settlement agreement reached between DOE and the State of Idaho [*Public Service Co. of Colorado* v. *Batt*, No. CV 91–0035–S-EJL (D. Id.) and *United States* v. *Batt*, No. CV–91–0054–S-EJL (D. Id.)]. According to this agreement, DOE could accept up to 61 TRIGA spent nuclear fuel shipments from foreign research reactors prior to December 31, 2000 for management at the Idaho National Engineering Laboratory. Before DOE would accept any shipments, the Governor of Idaho would be notified and the Secretary of Energy would certify that the shipments are necessary to meet national security and nonproliferation requirements.

The foreign research reactor spent nuclear fuel and target material would be shipped by either chartered or regularly scheduled commercial ships from the foreign ports to the United States.

Although all of the candidate ports listed in Management Alternative 1 above would be appropriate ports to use for receipt of the spent fuel and target material shipments, DOE would prefer to use the military ports in proximity to the spent nuclear fuel management sites (i.e., Charleston Naval Weapons Station and the Concord Naval Weapons Station) to take advantage of the characteristics of these ports to increase the safety and security of the spent fuel transportation process. (Note: Section VII of this notice designates these two ports as the ports of entry.)

DOE would take title to the foreign research reactor spent nuclear fuel and target material that is shipped by sea after it is unloaded from the ship at the port of entry, and to the spent nuclear fuel and target material shipped solely overland (i.e., from Canada) at the border crossing between Canada and the United States.

The foreign research reactor spent nuclear fuel and target material would be transported from the United States ports to the management sites by truck or rail.

The financing arrangement under the Preferred Alternative would be to charge high-income-economy countries a competitive fee and for the United States to bear the full cost associated with acceptance of spent fuel and target material from other countries. The fee policy for countries with high-income economies would be established in a Federal Register notice to allow DOE flexibility to adjust the fee policy to account for inflation, or further development of spent nuclear fuel management practices in the United States.

For the aluminum-based foreign research reactor spent nuclear fuel, the following three-point management strategy would be implemented:

1. New Technology Development/ Dry Storage. DOE would embark immediately on an accelerated program at the Savannah River Site to identify, develop, and demonstrate one or more non-reprocessing, cost-effective treatment and/or packaging technologies to prepare the foreign research reactor spent nuclear fuel for ultimate disposal. The purpose of any new facilities that might be constructed to implement these technologies would be to change the foreign research reactor spent nuclear fuel into a form that is suitable for geologic disposal, without necessarily separating the fissile materials, while meeting or exceeding all applicable safety and environmental requirements.

In conjunction with the examination of new technologies, variations of conventional direct disposal methods would also be explored. After treatment and/or packaging, the foreign research reactor spent nuclear fuel would be managed on site in ''road ready'' dry storage until transported off-site for continued storage or disposal. DOE

would select, develop, and implement, if possible, one or more of these treatment and/or packaging technologies by the year 2000. DOE is committed to avoiding indefinite storage of this spent nuclear fuel in a form that is unsuitable for disposal.

2. Potential Chemical Separation/Wet Storage. Despite DOE's best efforts, it is possible that a new treatment and/or packaging technology may not be ready for implementation by the year 2000. It may become necessary, therefore, for DOE to use the F-Canyon at the Savannah River Site to chemically separate some foreign research reactor spent nuclear fuel elements, while the F-Canyon is operating to stabilize at-risk materials in accordance with the Records of Decision (60 FR 65300, December 19, 1995 and 61 FR 6633, February 21, 1996) issued after completion of the Interim Management of Nuclear Materials Final Environmental Impact Statement (DOE/EIS–0220 of October 1995). Under current schedules, this chemical separation of foreign research reactor spent fuel could take place between the years 2000 and 2002. In that event, the foreign research reactor spent nuclear fuel would be converted into LEU and wastes. The high-level radioactive wastes would be vitrified in the Savannah River Site Defense Waste Processing Facility, while other wastes (all low level) would be solidified in the Savannah River Site Saltstone facility. In order to provide a sound policy basis for making a determination on whether and how to utilize the F-Canyon for chemical separation tasks that are not driven by health and safety considerations, DOE will commission or conduct an independent study of the nonproliferation and other (e.g., cost and timing) implications of chemical separation of spent nuclear fuel from foreign research reactors. The study will be initiated in mid-1996 and will be completed in a timely fashion to allow a subsequent decision about possible use of the F-Canyon for chemical separation of foreign research reactor spent nuclear fuel to be fully considered by the public, the Congress and Executive Branch agencies. Pending disposition of the foreign research reactor spent nuclear fuel by either a new treatment and/or packaging technology or chemical separation in the F-Canyon, the spent nuclear fuel would be placed in existing wet storage at the Savannah River Site.

3. Spent Nuclear Fuel Monitoring (Wet Storage). DOE would conduct a program of close monitoring of any foreign research reactor spent nuclear fuel and target material that would be accepted for storage in existing wet storage facilities. DOE is presently unaware of any technical basis for believing that this spent nuclear fuel cannot be safely stored until one or more of the treatment and/or packaging technologies becomes available. Nevertheless, if health and safety concerns involving any of the foreign research reactor spent nuclear fuel elements are identified prior to development of an appropriate treatment and/or packaging technology, DOE would use the F-Canyon to chemically separate the affected spent nuclear fuel elements, if it is still operating to stabilize at-risk materials.

Because the F-Canyon is only configured to handle LEU, under no circumstances would it be possible to produce separated HEU that is suitable for a nuclear weapon. Instead, depleted uranium would be added to the foreign research reactor spent nuclear fuel near the beginning of the chemical separations process, so that only LEU would be produced when the uranium is separated from the fission products. The trace quantities of plutonium in the spent nuclear fuel would be left in and solidified along with the high-level radioactive wastes. This would further the President's policy to discourage the accumulation of excess weapons-grade fissile materials, to strengthen controls and constraints on these materials and, over time, to reduce worldwide stocks.

The TRIGA foreign research reactor spent nuclear fuel would be stored at the Idaho National Engineering Laboratory in the Fluorinel Dissolution and Fuel Storage facility (wet storage) or preferably in the dry storage Irradiated Fuel Storage Facility and the CPP–749 dry storage area. After 2003, all foreign research reactor spent nuclear fuel at the Idaho National Engineering Laboratory would be managed in accordance with specific provisions of the settlement agreement between DOE and the State of Idaho, until transported off-site for ultimate disposition. Depending on the nature of any new treatment and/or packaging technology that might be developed, the TRIGA spent nuclear fuel would also be processed using such a new technology, if necessary for disposal.

V. Environmentally Preferable Alternatives

CEQ regulations (40 CFR 1505.2) require identification of the environmentally preferred alternative(s). The analysis of alternatives presented in the EIS indicates that the three Management Alternatives and the Preferred Alternative (a modification of subelements of Management Alternative 1) would have only small impacts on the human environment on or around the DOE management sites, the populations near the cask transportation routes, or the affected ports of entry. Using conservative assumptions (i.e., assumptions that tend to overestimate risks), the only measurable potential impacts from incident-free operations are associated with low radiation exposure to workers near the loaded transportation casks, particularly during transportation cask loading or unloading, or near the spent fuel during storage, and, to a much lesser degree, to the general population in and around the ports of entry and the transportation routes. These conservatively calculated impacts are extremely small, and are well within regulatory standards for health and safety.

Although the impacts would be small for each alternative considered, there are differences among the estimated impacts for the various alternatives. Besides the no-action alternative and overseas storage subalternative of Management Alternative 2, which would generate no direct environmental impact in the United States because they would result in no activity in the United States, the lowest impacts in the United States would be associated with implementing the proposed policy overseas under the overseas reprocessing subalternative of Management Alternative 2. In the overseas reprocessing subalternative, the foreign research reactor spent fuel would be reprocessed overseas and only the vitrified reprocessing wastes would be accepted in the United States. This alternative would have a very small environmental impact in the United States since only a small volume of waste in an inert, vitrified form would enter the United States. This would require only a small amount of transportation, handling, and storage in the United States and therefore would result in very little radiation exposure in the United States. Hence, Management Alternative 2 is the environmentally preferred alternative, next to the no action alternative. Both of the other alternatives, the hybrid alternative and the basic implementation of Management Alternative 1, would have relatively higher, but still extremely low, radiation exposure impacts because of the acceptance of a greater volume of material in the United States, resulting in more shipments and increased handling and storage requirements.

Among the Implementation Alternatives to Management Alternative 1 discussed in the Final EIS, accepting foreign research reactor spent fuel into the United States only from developing

nations (i.e., the ''Other Nations'' listed in Table 2 above) would present the lowest radiological risk in the United States. This is because this subalternative would deal with the least amount of spent fuel. The remaining subalternatives and implementation alternatives discussed in the EIS (including the acceptance of target material in addition to spent fuel, a policy duration of five years instead of ten years, use of wet storage, and chemical separation) do not measurably change the overall potential radiation exposure impact. The chemical separation subalternative would generate slightly higher accident and incident-free radiological exposure risk to the general population, but once again, this is a small variation within the overall small impacts from each of the alternatives.

Implementation of the Preferred Alternative would result in relatively higher, but still extremely low, environmental and health impacts because of the acceptance of the target material (in addition to the maximum amount of spent fuel), resulting in the maximum number of shipments and increased handling and storage requirements, and because of the potential chemical separation of a limited amount of spent fuel.

VI. Comments on the Final EIS

After issuing the Final EIS, DOE and the Department of State received approximately 35 letters commenting on the Preferred Alternative. These included letters from Governor Beasley of South Carolina, Senators Feinstein of California and Glenn of Ohio, Congressmen Baker and Miller of California, and Clyburn of South Carolina, California State officials, mayors and other local officials from the areas around the Charleston Naval Weapons Station and the Concord Naval Weapons Station, and several members of the public. Many of the comments covered issues previously addressed in the Final EIS, such as the following:

- Why is the new spent fuel and target material acceptance policy required?
- How were the preferred ports of entry chosen?
- Why are military ports preferred?
- Has DOE adequately considered the risks associated with shipments through the Concord Naval Shipyard due to its proximity to the highly populated San Francisco Bay area and the potential for seismic activity?
- What kinds of training and other assistance would be provided by DOE to prepare local jurisdictions to deal with the spent fuel shipments?

All of these issues are covered in the Final EIS, either in the body of the EIS or in the responses to comments submitted on the Draft EIS. In the interests of brevity, readers are requested to refer to the Final EIS for information on these issues. In addition, individual responses will be sent to each of the commentors.

The comments on the Final EIS also raised several new issues (i.e., issues not raised during public review of the Draft EIS), as follows:

A. Many commentors from the area around the Concord Naval Weapons Station were concerned that the cost of services required from local police or other city and county departments (e.g., services associated with emergency response, crowd control, etc.) to prepare for or respond to events associated with the spent fuel shipments would unfairly be left to the local communities to fund. The comments stated that DOE should provide funding to cover these additional expenses. To address this concern, DOE has replied that it is willing to enter into an appropriate agreement to reimburse local agencies or provide the incremental resources, either in kind or financial, that would be necessary to enable emergency response personnel to respond to an incident involving the proposed shipments of spent fuel, to provide for public safety in situations that are attributable to the shipment of spent fuel from foreign research reactors, and to allow a greater level of assurance of the protection of the health and safety of the public.

B. Several individuals commented that the Final EIS did not identify the specific local streets and roads over which the spent fuel shipments would travel and did not include site-specific analyses of the risk of the shipments through the ports of entry. DOE replied that the Final EIS does estimate the potential radiological and other health-related impacts (e.g., traffic accidents) of transporting the spent fuel through the ports of entry (see, for example, Volume 1, Table 4–7 in Section 4.2.2.3 of the Final EIS). However, the Final EIS did not address specific characteristics of local streets since local street, or rail, conditions could well change between the time the Final EIS was written and the time the shipments would be made. As a result, the actual route that would be taken for the overland transportation, whether by truck or rail, would be chosen closer to the time the transportation takes place. Selection of the actual route would be accomplished in consultation with the affected States, Tribes, local officials, and the carrier, and considering the conditions of the potential shipment routes at that time. Any route that is chosen would have to meet specific requirements imposed by the Department of Transportation, taking into account specific characteristics of local streets. Thus, when potential impacts are estimated, certain assumptions can be made about the transportation route, without knowing the actual route. Indeed, because the Final EIS analyses are conservative (i.e., they tend to overstate the transportation risks), changes in local conditions would be unlikely to result in changes in transportation risks that would exceed those analyzed in the Final EIS. The Final EIS contains enough information to accurately assess the foreseeable impacts so that the public and Government decision makers are adequately informed of potential consequences.

The same can be said about emergency services, personnel, emergency preparedness and facilities (i.e., specific circumstances may change between issuance of the Final EIS and the time an actual shipment would take place). For this reason, DOE is required to prepare a detailed Transportation Plan in cooperation with State, Tribal and local officials before a shipment is made. The Transportation Plan would specify details concerning how the shipments will be carried out and the routes to be used, planned shipment schedules, roles and responsibilities of emergency response personnel for jurisdictions along the transportation route, emergency plans and communications strategies. The Transportation Plan would also discuss any training to be carried out in preparation for the shipments, and would identify any equipment or other resources required to allow local responders and law enforcement personnel to be adequately prepared for the shipments. This procedure ensures that local officials would be well informed and prepared to handle any contingency before a shipment would be made.

C. One commentor questioned whether an alternate West Coast port would be required if scheduling conflicts occurred at the Concord Naval Weapons Station. DOE explained that this issue had been discussed with the Commander of the Naval Weapons Station and that he had informed DOE that they currently have about 20% slack time available, and that this should be more than adequate to accommodate 5 shipments over 13 years.

D. Recently, new information has come to light regarding the ability of the F and H Canyons (chemical separations

facilities used at the Savannah River Site) to withstand a severe earthquake. One commentor requested that DOE delay issuance of the Record of Decision on the proposed acceptance policy until completion of an on-going detailed safety analysis of the facilities. The commentor noted that the Preferred Alternative in the Final EIS would allow chemical separation under certain circumstances, and that chemical separation followed by vitrification of the high-level radioactive wastes remains the one proven means of stabilizing spent fuel and preparing it for ultimate disposition.

In response, DOE explained that, until the on-going analysis is complete, it will not be known with certainty whether the new information will result in a significant change in the range of potential impacts of chemical separation described in the Final EIS. Analysis to date, however, provides reasonable assurance that completion of the seismic analysis will soon demonstrate that chemical separation in the F and H Canyons remains a viable alternative for management of spent fuel. DOE had not contemplated chemical separation of foreign research reactor spent fuel, if at all, until approximately the year 2000, and the Canyons will not be used if the seismic analysis indicates that they pose an unacceptable risk. Chemical separation however, may never need to be pursued because the Preferred Alternative provides for an aggressive new program to develop and implement new treatment and/or packaging technologies to prepare the spent fuel for ultimate disposition without the use of the F and H Canyons. In light of these factors, and in order to encourage the research reactor operators not to withdraw from the Reduced Enrichment for Research and Test Reactors program (and resume or continue using HEU fuels), DOE and the Department of State believe it is necessary to issue the Record of Decision now, rather than awaiting completion of the seismic analysis. Because research reactors are the major users of HEU in civil programs, it is essential that they support the Reduced Enrichment for Research and Test Reactors program if the United States is to achieve the goal of eventually eliminating the use of HEU in civil commerce, thereby reducing the threat of nuclear weapons proliferation worldwide.

DOE further notes that the Final EIS discusses the potential impacts of chemical separation as merely one means of managing the foreign research reactor spent fuel. Under the Preferred Alternative, chemical separation would be considered only after completion of a study of the impacts of chemical separation on United States nuclear weapons nonproliferation policy, and then only if DOE is not ready to implement a new technology to prepare the spent fuel for ultimate disposition in approximately the year 2000 (see Section IV.E.). Even if both chemical separation and a new technology were not available in the year 2000, the Final EIS fully analyzes the potential impacts of storing the spent fuel in wet and dry storage facilities for up to 40 years, so that the full range of reasonable alternative management options is covered in the Final EIS. Therefore, the decision of whether to accept foreign research reactor spent fuel into the United States does not depend on the availability of chemical separation as a management option.

E. Several commentors objected to the fact that DOE spent Government funds to print and mail the Final EIS (or its Summary) to members of the public. DOE explained that the regulations implementing the National Environmental Policy Act require agencies to provide a copy of a Final EIS to any individual who submits ''substantive'' comment on the draft of that EIS. DOE limited the cost of printing and mailing to the greatest extent possible by mailing only the Summary of the Final EIS to commentors from locations other than Augusta, Georgia, and the States of California, Idaho, and South Carolina who had not specifically requested a copy of the full Final EIS (all individuals and organizations who were sent only a Summary were offered an opportunity to receive the entire Final EIS).

VII. Decision

DOE, in consultation with the Department of State, has decided to implement a new foreign research reactor spent fuel acceptance policy, as specified in the Preferred Alternative in the Final EIS, subject to the additional stipulations noted below. In summary, implementation of the new foreign research reactor spent fuel acceptance policy will involve acceptance of aluminum-based spent fuel, TRIGA spent fuel, and target material containing uranium enriched in the United States, as defined in the Final EIS. This material will be accepted from the 41 countries listed in Section III of this notice. The spent fuel acceptance will involve approximately 19.2 MTHM (metric tonnes of heavy metal) of foreign research reactor spent fuel in up to 22,700 separate spent fuel elements and approximately 0.6 MTHM of target material. This amount of material is the amount that is currently in storage at the foreign research reactors, plus that which DOE estimates will be discharged over the next ten years. Shipments of this spent fuel into the United States will be accepted over a 13 year period, beginning on the effective date of the policy. The foreign research reactor spent nuclear fuel will be shipped by either chartered or regularly scheduled commercial ships. The majority of the spent fuel will be received from abroad through the Charleston Naval Weapons Station in South Carolina (about 80%) and the Concord Naval Weapons Station in California (about 5%). Most of the target material and some of the spent fuel (about 15%) will be received overland from Canada. Shipment through Charleston will begin in the summer of 1996 and through Concord in mid-1997. Shipments from Canada have not been scheduled at this time. After a limited period of interim storage, the spent fuel will be treated and packaged at the Savannah River Site and the Idaho National Engineering Laboratory as necessary to prepare it for transportation to a final disposal repository.

DOE will apply the following additional stipulations to implementation of the new spent fuel acceptance policy:

A. DOE will reduce the number of shipments necessary by coordinating shipments from several reactors at a time (i.e., by placing multiple casks [up to eight] on a ship). DOE currently estimates that a maximum of approximately 150 to 300 shipments through the Charleston Naval Weapons Station and five shipments through the Concord Naval Weapons Station will be necessary during the 13 year spent fuel acceptance period.

B. Target material containing uranium enriched in the United States will be accepted only if a reactor operator wishing to ship target material formally commits to convert to the use of LEU targets, when such targets become available (a program to develop LEU targets is underway as an adjunct to the RERTR program). To demonstrate this commitment, DOE will require that the affected reactor operators enter into an agreement with DOE that sets forth the milestones and schedule for the conversion. Reactor operators currently operating on HEU fuel will be required to enter into a similar agreement regarding conversion of their reactors to operate on LEU fuel.

C. The Final EIS demonstrates that the spent fuel and target material could be safely transported overland within the United States by either truck or rail, and DOE has decided that either

transportation mode may be used. However, based on input from the public in the vicinity of the ports of entry, there appears to be a strong preference for the use of rail. Therefore, DOE will seek to use rail for shipments from the ports of entry to DOE facilities at the Savannah River Site in South Carolina and the Idaho National Engineering Laboratory in Idaho, pending further discussions with the States, Tribes and local jurisdictions along the proposed transportation routes.

D. During the period starting with initial implementation of the new spent fuel acceptance policy through approximately the end of 1999, the Department will aggressively pursue one or more new technologies that would put the foreign research reactor spent fuel in a form or container that is eligible for direct disposal in a geologic repository.

Should a new treatment or packaging technology not be ready for implementation by the year 2000, DOE has under active consideration chemical separation of some of the foreign research reactor spent fuel in the F-Canyon at the Savannah River Site, where it would be blended down to LEU and potentially placed under International Atomic Energy Agency safeguards. The Department intends to conduct a study that will look in more depth at the issues associated with a decision to chemically separate this spent fuel. Issues to be considered include minimizing any potential proliferation risks, cost and timing. The State of South Carolina will be invited to participate in the study.

A subsequent Record of Decision will be issued at approximately the end of 1999 (or sooner if possible) to announce DOE's future management plans for the foreign research reactor spent fuel and target material based on the results of the Department's program to develop the new treatment and/or packaging technologies by that time (including any necessary environmental reviews), and the study discussed above.

Staff from the Nuclear Regulatory Commission have agreed to undertake an independent review of any new technology, or application of existing technologies, that DOE proposes to develop, to provide a high degree of confidence that implementation of such a technology would produce a product that will be acceptable for disposal in a geologic repository.

VIII. Use of All Practicable Means To Avoid or Minimize Harm

Implementation of this decision will result in low environmental and health impacts. However, DOE will take the following steps to avoid or minimize harm wherever possible:

A. DOE will use current safety and health programs and practices to reduce impacts by maintaining worker radiation exposure as low as reasonably achievable and by meeting appropriate waste minimization and pollution prevention objectives.

B. DOE will require that the shipping contractors implement a system to keep records of which ships are used to transport foreign research reactor spent fuel and target materials and which ship crew members, port workers and land transportation workers are involved in the shipments. DOE will include a clause in the contract for shipment of the spent fuel and target material requiring that other ship crew members, port workers and land transportation workers be used if any worker in these categories could approach a 100 mrem dose in any year (the regulatory limit set in 10 CFR Part 20 for radiation exposure to a member of the general public).

C. DOE will reduce the risk associated with shipment of the spent fuel by shipping multiple casks per shipment, up to a maximum of eight, whenever possible, thus reducing the total number of shipments.

D. DOE will implement a process of detailed transportation planning, involving States, Tribes and local jurisdictions through which the shipments will pass, to ensure that all organizations that would respond to an accident involving a foreign research reactor spent fuel shipment will be fully prepared and informed prior to any shipment taking place.

E. DOE will conduct the program to identify and develop an improved means of treating and/or packaging the foreign research reactor spent fuel with the intent of providing a technology to be used to prepare the spent fuel for geologic disposal that has less environmental impacts than the technologies that are currently available.

Items A, C, D, and E above will be accomplished under existing business practices in the normal course of implementing the new spent fuel acceptance policy. For item B, DOE will prepare a Mitigation Action Plan under the provisions of DOE's NEPA implementation procedures (10 CFR 1021.331).

IX. Basis for the Decision

The elements of the decision discussed in Section VI above (i.e., the Preferred Alternative with additional stipulations) have been selected based on the following considerations:

A. Management Alternative.

The various management alternatives considered are discussed in Section 2 of the Final EIS. The analyses in Section 4 of the Final EIS demonstrate that the impacts on the environment, involved workers, and the citizens of the United States from implementation of any of the management alternatives or implementation alternatives analyzed (other than beneficial impacts associated with support for United States nuclear weapons nonproliferation policy) would be small and within applicable regulatory limits, and would not provide a basis for discrimination among the alternatives. As a result, the process for selection of the elements of the action to be taken focused on programmatic considerations:

1. DOE, in consultation with the Department of State, concluded that the No Action Alternative and Management Alternative 2, Implementation Alternative 1a (Overseas Storage) would be unacceptable since these alternatives are not consistent with United States nuclear weapons nonproliferation policy objectives.

2. DOE, in consultation with the Department of State, also believes that Management Alternative 2, Implementation Alternative 1b (Overseas Reprocessing) would not provide an incentive for reactor operators to switch to LEU fuel or continue using LEU fuel. Since there is no overseas reprocessing capability for the new, high density LEU fuel developed by the RERTR program, foreign research reactor operators would have to continue using HEU fuel in order to be able to rely on reprocessing as a spent fuel management approach. In addition, reprocessing could result in the continued production of HEU, which could then be made available in civil commerce. Furthermore, the two countries that provide reprocessing require that the resulting wastes be returned to the countries of origin. Many of the countries in which the foreign research reactors are located do not have the technical or regulatory infrastructure to manage these wastes. Finally, the United States would not be able to impose conditions on the reactor operators or reprocessing firms to assure that its nuclear weapons nonproliferation objectives would be met.

3. The sample hybrid alternative (Management Alternative 3) analyzed in the Draft EIS involved partial reprocessing overseas coupled with partial management in the United States. Even though the use of overseas reprocessing would be more limited in

this alternative, many of the concerns raised above with regard to reprocessing would apply. Because of these concerns and uncertainties, DOE and the Department of State do not believe it would be prudent to rely on the use of overseas reprocessing to meet United States' nuclear weapons nonproliferation objectives.

DOE, in consultation with the Department of State, has concluded that a modification of the basic implementation of Management Alternative 1 as specified in the Preferred Alternative balances policy, technical, cost and schedule requirements, and provides the strongest support for United States' nuclear weapons nonproliferation policy objectives because all aspects of the alternative will be under the control of DOE, either directly or through the spent nuclear fuel acceptance contracts with the reactor operators.

B. Management Technology

The alternative spent nuclear fuel management technologies considered are discussed in Sections 2.2.2.7 and 2.6.5 of the Final EIS. The approaches fall into four broad categories, as follows:

Wet Storage. Wet storage is a proven technology, that has been used for decades to safely store research reactor spent fuel from both domestic and foreign reactors. The impacts of continued use of wet storage would be small, and completely within applicable regulatory limits. Furthermore, DOE currently has wet storage facilities in operation at the Savannah River Site and the Idaho National Engineering Laboratory that can be used for storage of foreign research reactor spent nuclear fuel. The water chemistry of the wet storage pools is carefully controlled to minimize the possibility of degradation and allow continued safe operation of the pools.

Dry Storage. Dry storage is also a proven technology that would also have no more than small impacts, completely within applicable regulatory limits. It is the storage medium that is being selected at all commercial power reactor sites where additional storage capacity is being built. Dry storage capacity could be provided at the management sites in time to meet the program's projected needs, if initial spent nuclear fuel receipts were placed into the available wet storage.

Chemical Separation. Chemical separation is also a proven technology, the impacts of which would be small, and completely within applicable regulatory limits. However, DOE is phasing out its chemical separation activities and is currently conducting chemical separations only at the Savannah River Site to stabilize materials for health and safety reasons. Because these chemical separations facilities could be used to treat the foreign research reactor spent nuclear fuel, they provide a contingency to be considered pending availability of an alternate means of treating and/or packaging the spent nuclear fuel prior to ultimate disposition.

New Technologies. In order to prepare the spent fuel for ultimate disposition, some form of treatment and/or packaging may be required. Several promising new technologies, as well as variations of existing technologies, have been proposed and are under evaluation. Relatively simple technologies appear to be feasible, although they require more development work to confirm their viability and the cost of their implementation. This development will take place before DOE makes a decision on implementation of any of the new technologies.

In order to effectively accept and manage the foreign research reactor spent nuclear fuel in the United States, DOE, in consultation with the Department of State, developed the three point strategy for management of aluminum-based spent nuclear fuel discussed in the description of the Preferred Alternative (see Section IV.E.). This strategy draws on the strengths of each of the spent nuclear fuel management technologies discussed above, while avoiding sole reliance on any of them. Due to the relatively more robust nature of the TRIGA spent nuclear fuel, DOE believes that minimal additional development may be needed to prepare it for storage and final disposition. Accordingly, the decision specified in this Record of Decision is to place the TRIGA spent nuclear fuel in existing dry storage facilities at the Idaho National Engineering Laboratory. However, the analysis to determine what treatment, if any, will be necessary to qualify the TRIGA spent fuel for geologic disposal will continue and the appropriate treatment, if any, will be identified and implemented.

DOE will issue a second, separate Record of Decision at approximately the end of 1999 (or sooner if possible) to provide assurance to the States hosting the DOE spent fuel management sites that DOE will place sufficient priority on the new technology development effort, and to ensure that the decision on which spent fuel management approach to adopt for use past the year 2000 receives appropriate scrutiny by Executive Branch agencies, Congress and the public.

C. Duration of the Policy

The alternatives for the duration of the policy that were considered are discussed in Sections 2.2.2.1 and 2.2.2.2 of the Final EIS. In analyzing these alternatives, DOE concluded that the 5-year option is unlikely to provide sufficient time for the reactor operators to arrange for alternative spent nuclear fuel disposal mechanisms, and thus might result in some reactor operators refusing to participate in the program to convert or continue to use LEU fuel. That would substantially undermine the goal of eliminating civil commerce in HEU.

On the other hand, the analysis determined that there was insufficient benefit to be gained from extending acceptance of all foreign research reactor spent fuel containing HEU into the indefinite future because such an approach would be unlikely to provide sufficient incentive for other countries to proceed expeditiously with development of alternative arrangements for disposal not involving the United States.

The approach selected provides the incentive needed to gain the reactor operators' cooperation, while specifying a definite cut-off point. This alternative provides sufficient lead time to allow the reactor operators to make other arrangements for disposition of their spent nuclear fuel, and provides sufficient time to accept all spent nuclear fuel containing HEU enriched in the United States.

D. Amount of Material to Manage

The alternative amounts of material that might be covered by the proposed policy are described in Sections 2.2.1.3 and 2.2.2.1 of the Final EIS. DOE, in consultation with the Department of State, concluded that management of spent nuclear fuel only from countries that do not have high income economies would strongly encourage the resurgence of the use of HEU in the high-income economy countries, as well as opening the United States, fairly or unfairly, to charges that it was not living up to commitments under the Treaty on the Non-Proliferation of Nuclear Weapons. Management of only spent nuclear fuel containing HEU would penalize those reactors that have already converted to the use of LEU fuel, and would provide an incentive for reactors to continue to use HEU fuel, or switch back to its use.

DOE, in consultation with the Department of State, concluded that management of all of the aluminum-

based and TRIGA foreign research reactor spent nuclear fuel currently in storage or projected to be discharged during the policy period, and target material containing uranium enriched in the United States, will provide the best support for United States' nuclear weapons nonproliferation policy. Implementation of this approach will provide an opportunity for removal of all United States origin HEU from civil commerce and will provide an incentive for the continued conversion to and use of LEU as fuel for foreign research reactors, in place of HEU.

DOE added the stipulation specifying that target material will be accepted only from foreign research reactors whose operators who formally agree to switch to use of LEU targets, when such targets become available, to provide an additional incentive for the reactor operators to make the switch to LEU targets.

E. Marine Transport

The alternative approaches to marine transport of foreign research reactor spent nuclear fuel are discussed in Section 2.2.1.5 of the Final EIS. The analyses in the Final EIS demonstrate that the impacts to the environment, workers, or the public from transport of the spent nuclear fuel using any of these types of ships would be small, and within applicable regulatory limits. The analyses do not identify any difference in the small impacts that would result from the use of purpose-built vs. general purpose ships. In addition, ''military transports'' are in fact the same type of ship as chartered commercial cargo ships and are crewed by civilians, use of ''military transports'' would not actually result in any difference in impacts. DOE, after consultation with the Department of State, believes that use of actual warships would be unnecessary from a security standpoint.

The approach selected by DOE, after consultation with the Department of State, (use of chartered or commercial ships) provides maximum flexibility for marine transport.

DOE has decided to specify the additional stipulation on reduction of the number of shipments as a means of responding to public concerns regarding the risk of the shipments and to reduce shipping costs.

F. Ground Transport

The ground transportation alternatives (i.e., truck, rail and barge) are discussed in Section 2.2.1.7 of the Final EIS. The analyses in the Final EIS demonstrate that the impacts to the environment, workers, or the public, from any of these modes of ground transport (counting barge as a mode of ''ground transport'') would be small and within the applicable regulatory limits. Furthermore, the differences in potential impacts between the truck, rail and barge alternatives were not significant.

Both the truck and rail transportation options have been used successfully to transport foreign research reactor spent nuclear fuel in the past. Truck transport was the predominant mode used for over twenty years, until the old ''Off-Site Fuels Policy'' lapsed in 1988. Rail was the mode used for both shipments under the Environmental Assessment of Urgent-Relief Acceptance of Foreign Research Reactor Spent Nuclear Fuel. Since neither of the ports of entry (see item H below) can reasonably provide barge transport to either of the management sites, barge transport was not included in the preferred alternative.

The Final EIS demonstrates that the spent fuel and target material could be safely transported overland within the United States by either truck or rail, and DOE has decided that either transportation mode may be used. However, there appears to be a strong preference by some members of the public in the port areas for the use of rail. Therefore, in response to this preference, DOE has decided that it will seek to use rail for shipments from the ports of entry to DOE facilities at the Savannah River Site in South Carolina and the Idaho National Engineering Laboratory in Idaho as a general matter, subject to further discussions with the States, Tribes and local jurisdictions along the proposed transportation routes.

G. Title Transfer Location

The alternative points at which DOE might take title to the spent nuclear fuel and target material are discussed in Sections 2.2.1.4 and 2.2.2.4 of the Final EIS.

The point at which title will be transferred has no effect on the physical processes that would take place, and thus will not have any effect on the impacts on the environment, workers, or the public. The Price-Anderson Act would provide liability protection in the unlikely event of a nuclear accident in the United States, whether or not DOE has taken title to the spent nuclear fuel at the time of such an accident. As a result, DOE, after consultation with the Department of State, concluded that the selection of the title transfer location could be made solely on programmatic considerations.

Acceptance of title at the foreign research reactor sites could make the United States Government liable for any accident that might occur in the country of origin, or on the high seas. DOE has been unable to identify any advantage to the United States of taking title outside the United States. Taking title at the limit of United States territorial waters would make the title transfer depend solely on when the ship enters United States waters, which could be difficult for DOE to control in certain circumstances (e.g., during a storm). Acceptance of title when the foreign research reactor spent nuclear fuel actually enters the land mass of the United States (the approach selected) provides the most certainty for implementation. The approach selected ensures that liability for accidents during the transportation process outside the United States will remain with the reactor operators, while reinforcing in the minds of the public that the United States Government will be accountable in the unlikely event of an accident within United States territory.

H. Ports of Entry

The alternative ports of entry considered are discussed in Sections 2.2.1.6 and 3.2 of the Final EIS. The analyses in the EIS demonstrate that the impacts on either the environment, workers, or the public due to use of any of the potential ports of entry analyzed would be small and within applicable regulatory limits.

Although any one or all of the ten ports of entry described in the Final EIS would be acceptable ports of entry, DOE, in consultation with the Department of State, concluded that foreign research reactor spent nuclear fuel marine shipments to the United States should be made via the military ports (selected from among those analyzed in the Final EIS and found acceptable) in closest proximity to the spent nuclear fuel management sites (i.e., the Charleston Naval Weapons Station and the Concord Naval Weapons Station). DOE will seek to transport multiple casks per ship to keep the total number of shipments as small as possible, as well as to reduce risks and costs.

Use of military ports will provide additional confidence in the safety of the shipments due to the increased security associated with the military ports. This could also require much of the spent nuclear fuel to be shipped via chartered ships because commercial ships do not schedule stops at military ports. Use of chartered ships will increase the cost of shipping spent nuclear fuel. This additional cost will be borne by the reactor operators for

shipments from high-income economy countries, and by the United States for reactor operators from other countries. The additional cost will be kept to a minimum by shipping as many casks as possible on each ship (up to a maximum of eight per ship).

I. Management Sites

The question of which sites should be used for management of all of DOE's spent nuclear fuel was addressed in the Programmatic SNF&INEL Final EIS, including consideration of the potential receipt of the foreign research reactor spent nuclear fuel. The initial Record of Decision for the Programmatic SNF&INEL Final EIS (60 FR 28680, June 1, 1995), specifies that any aluminum-based foreign research reactor spent nuclear fuel accepted in the United States will be managed at the Savannah River Site; and that the remaining foreign research reactor spent nuclear fuel will be managed at the Idaho National Engineering Laboratory. This decision was not affected by the second Record of Decision for the Programmatic SNF&INEL Final EIS (61 FR 9441, March 8, 1996). The site for management of the target material was left to be decided under the Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (i.e., the Final EIS). All of the target material currently in DOE's possession is managed at the Savannah River Site. The approach selected (i.e., management of target material at the Savannah River Site) is not inconsistent with the decision specified in the Records of Decision for the Programmatic SNF&INEL Final EIS.

The analyses in the Final EIS demonstrate that the impacts to either the environment or the public through use of any of the sites for management of the foreign research reactor spent nuclear fuel and target material would be small, and well within applicable regulatory limits.

J. Financing Arrangement

The alternative financing arrangements are discussed in Sections 2.2.1.2 and 2.2.2.3 of the Final EIS. The financing arrangement selected will have no effect on the physical processes that will take place, and thus will not have any direct environmental effects. However, it could affect how many foreign research reactor operators elect to ship spent nuclear fuel to the United States. For instance, if DOE and the Department of State were to charge a full cost recovery fee to all reactors, some of the reactors in high-income countries and many, if not all, of the reactors in other countries would not have the financial resources to participate. This would reduce the amount of spent fuel to be accepted and also reduce the potential environmental impacts that would be associated with shipment and management of the spent fuel, but would result in an increased risk of diversion of highly enriched uranium into a foreign nuclear weapons program. On the other hand, if the United States subsidized all of the reactors, the United States would bear the full financial burden, even for reactors that can afford to pay their fair share.

DOE, in consultation with the Department of State, concluded that, to encourage that reactor operators in countries with other-than-high-income-economies to participate in the program, the United States should subsidize receipt of their spent nuclear fuel. DOE and the Department of State also concluded that DOE should strive to recover as much of the cost of managing the spent nuclear fuel as possible from high-income economy countries. DOE concluded that it will announce the fee policy in a Federal Register notice (separate from this Federal Register notice announcing the Record of Decision), so that the fee policy may be changed from time to time as necessary to reflect changes in cost or new information that may be relevant to the policy.

Such an approach will recover as much as possible of the United States' expenses for management of spent nuclear fuel from high-income economy countries (without encouraging any of them to resort to reprocessing of their spent nuclear fuel), will encourage participation by other countries, and will provide a mechanism through which to account for changes in cost and future definition of program details.

X. Conclusion

DOE, in consultation with the Department of State, has decided to implement a new foreign research reactor spent fuel and target material acceptance policy, as specified in the Preferred Alternative contained in the Final EIS, subject to the additional stipulations noted in Section VII and including the mitigation activities identified in Section VIII. This new policy is effective upon being made public, in accordance with DOE's NEPA implementation regulations (10 CFR § 1021.315). The goals of this policy are to support the United States' nuclear weapons nonproliferation policy calling for the reduction, and eventual elimination, of HEU from civil commerce, and to encourage foreign research reactors to switch from HEU fuels to alternative LEU fuels developed under the RERTR program. In reaching this decision, DOE has considered the concerns expressed by the Department of State, the Nuclear Regulatory Commission, the Arms Control and Disarmament Agency, the National Security Council, and the International Atomic Energy Agency concerning the need for such a policy. A critical result of implementing this policy will be the continued viability and vitality of the RERTR program because foreign research reactor operators will have a continued incentive to participate. Similarly, implementation of programs similar to the RERTR program in Russia, the other newly-independent states of the former Soviet Union, China, South Africa, and other countries, and the establishment of a world-wide norm discouraging the use of HEU depends on a commitment by the United States to action such as that embodied in the new foreign research reactor spent fuel and target material acceptance policy. At the same time, the impacts on the environment, workers, and the public from implementing the acceptance program are estimated to be small and well within applicable regulatory limits.

The decision process reflected in this Notice complies with the requirements of the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and its implementing regulations at 40 CFR Parts 1500–1508 and 10 CFR Part 1021.

Issued in Washington, D.C., this 13th day of May, 1996.

Hazel R. O'Leary,

Secretary of Energy.

[FR Doc. 96–12420 Filed 5–16–96; 8:45 am]

BILLING CODE 6450–01–P

federal register

Friday
May 17, 1996

Part V

Department of Health and Human Services

Food and Drug Administration

21 CFR Part 530

Extralabel Drug Use in Animals; Propose Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 530

[Docket No. 96N–0081]

RIN 0910–AA47

Extralabel Drug Use in Animals

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Food and Drug Administration (FDA) is proposing to allow veterinarians to prescribe extralabel uses of certain approved animal drugs and approved human drugs for animals. This action implements the Animal Medicinal Drug Use Clarification Act of 1994 (the AMDUCA). This proposed rule will provide veterinarians greater flexibility for using approved drugs for animal use.

DATES: Written comments on the proposed rule by July 31, 1996. Written comments on the information collection requirements should be submitted by June 17, 1996.

ADDRESSES: Written comments on the proposed rule to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

Submit written comments on the information collection requirements to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th St. NW., rm. 10235, Washington, DC 20503, ATTN: Desk Officer for FDA.

FOR FURTHER INFORMATION CONTACT: Richard L. Arkin, Center for Veterinary Medicine (HFV–238), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1737.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background
A. The Provisions of the AMDUCA
B. FDA's Extralabel Drug Use Policies
II. Description of the Proposed Rule
A. Scope and Purpose
B. Definitions
C. Specific Issues
1. Extralabel use when approved drugs are available for intended therapeutic purposes
2. Compounding
3. Sponsor Records, Reports, and Adverse Events
D. Advertising and Promotion Prohibited
E. Access to Veterinarian Records
F. Provision Permitting Extralabel Use of Animal Drugs
G. Limitations
H. Labeling
I. Specific Provision for New Animal Drug Extralabel Use in Food Animals
J. Prohibitions, Safe Levels, Analytical Methods
K. Extralabel Drug Use in Nonfood Animals
III. Proposed Effective Dates
IV. Environmental Impact
V. Analysis of Impacts
VI. Paperwork Reduction Act of 1995
VII. Federalism
VIII. Request for Comments
Appendix

I. Background

A. The Provisions of the AMDUCA

FDA is proposing rules to implement the AMDUCA (Pub. L. 103–396) which was signed into law on October 22, 1994. Prior to enactment of the AMDUCA, section 512 of the act (21 U.S.C. 360b) provided that a new animal drug (NAD) is deemed unsafe unless it is subject to an approved application and the drug, its labeling and its use conform to such approved application. Therefore, use of an NAD without an approved application or in a manner different from that set out in an approved application resulted in the drug being unsafe under the act. Section 501(a)(5) of the act (21 U.S.C. 351(a)(5)) provides that a drug deemed to be unsafe under section 512 is adulterated. The AMDUCA allows veterinarians to prescribe extralabel uses of approved animal drugs and approved human drugs for animals.

The provisions of the AMDUCA relating to extralabel use of approved NAD's provide that such use must be in accordance with conditions specified by the Secretary of Health and Human Services (the Secretary) by regulations. The animal drug provisions also include several safeguards in allowing veterinarians to prescribe drugs for extralabel uses: (1) If the Secretary finds there is a reasonable probability that an extralabel use may present a risk to public health, the Secretary may establish a safe level for a residue for such extralabel use by regulation or order, and may require the development of analytical methods for residue detection; (2) the Secretary may, by general regulation, provide access to records of veterinarians to ascertain any use or intended use that the Secretary determines may present a risk to public health; and (3) if the Secretary finds, after affording an opportunity for public comment, that an extralabel animal drug use presents a risk to public health or that no acceptable analytical method has been developed and submitted, the Secretary may prohibit such extralabel use by order. In addition, the AMDUCA provides that an extralabel use of an approved NAD is not permitted if the label of another animal drug with the same active ingredient, dosage form, and concentration provides for that different use.

The AMDUCA also allows veterinarians to prescribe approved human drugs for use in animals under conditions specified by the Secretary by regulations. The human drug provisions do not, however, contain the express conditions set out in the statute for extralabel use of approved NAD's.

The AMDUCA adds a new section 301(u) to the act (21 U.S.C. 331(u)) which provides that failure to comply with the regulations or orders implementing the AMDUCA is a prohibited act. In addition, the AMDUCA amends section 512(l) of the act to require drug sponsors to keep records and make reports regarding extralabel uses.

Neither the AMDUCA nor the implementing regulations are intended to lessen the responsibility of the manufacturer, the veterinarian, or the food producer with regard to violative drug residues or other adverse impact on human health. Under the act and this proposal, any amount of residue that may present a risk to public health resulting from an extralabel use would constitute a violation of the act subject to enforcement action, if a safe level or tolerance has not been established. Residue exceeding an established safe level would also constitute a violation of the act, as would residue resulting from an extralabel use where the residue exceeds an established tolerance.

The AMDUCA requires that the Secretary issue final rules implementing the statute within 2 years of the enactment date. The provisions of the AMDUCA are effective upon adoption of the final rules.

B. FDA's Extralabel Drug Use Policies

Under the current statute, extralabel use of drugs in animals is a violation of the act, therefore, FDA set out its enforcement policies regarding such use in two FDA Compliance Policy Guides (CPG's). The first of these was issued on March 9, 1984, as CPG 7125.06, ''Extralabel Use of New Animal Drugs in Food-Producing Animals,'' and was revised most recently on July 20, 1992. In March 1995, CPG 7125.06 was published as Section 615.100 of Chapter

6 in a new agency compilation of CPG's entitled the ''FDA Compliance Policy Guides Manual, first edition'' (Washington: Government Printing Office, publication 1995–386–982–3373, 1995). The second relevant CPG, ''Human-Labeled Drugs Distributed and Used in Animal Medicine,'' was issued as CPG 7125.35 on March 19, 1991, and was last revised on July 20, 1992. It has been published as Section 615.100 in Chapter 6 of the CPG Manual.

The extralabel CPG's were issued to provide information and direction to FDA personnel in the field about the circumstances in which FDA would take regulatory action against extralabel use of approved NAD's and human drugs in animals and the situation in which the agency would exercise its regulatory discretion and not take action. The scant legislative history of the AMDUCA includes some evidence that the AMDUCA is intended to codify policies similar to those in FDA's CPG's. While there are no committee reports on the AMDUCA, floor statements of individual members of Congress express this intent. For example, Senator Pressler said in debate on the bill, ''FDA has stated it will not institute regulatory action against licensed veterinarians for using or prescribing any drugs legally obtained. Thus, this bill codifies existing FDA practice.'' (140 Congressional Record S14072 (daily ed. October 4, 1994)). Senator Coats made a similar statement on the floor when he noted that the AMDUCA ''codifies the practices allowed under the current compliance policy guidelines'' regarding the extralabel use of veterinary pharmaceutical products. (140 Congressional Record S14272 (daily ed. October 5, 1994)).

Consistent with these congressional statements, FDA has generally followed policies similar to those in the existing CPG's in this proposed rule. For the public's convenience, the texts of the extralabel CPG's are included in this document in an appendix to the preamble. Itis anticipated that the CPG's will be withdrawn after a final rule based on this proposal has been published.

II. Description of the Proposed Rule

A. Scope and Purpose

The proposed rule would apply to the extralabel use in an animal of any approved NAD or approved human drug used by or on the lawful order of a veterinarian within the context of a veterinarian-client-patient relationship. Human drugs include approved new human drugs, as well as over-the-counter (OTC) drugs marketed under OTC monographs as safe and effective and not misbranded within the meaning of 21 CFR part 330. The proposal applies only to the extralabel use of approved NAD's and approved human drugs and not to the use of unapproved drugs.

Consistent with the policies in the CPG's, these proposed rules limit extralabel uses for food-producing animals to those that provide alternative treatment modalities when the health of an animal is threatened, or suffering or death may result from failure to treat an animal, i.e., therapeutic uses. FDA, however, has received increased requests to permit extralabel drug use for certain nontherapeutic uses such as uses related to enhanced animal reproduction. For example, representatives of the aquaculture industry have expressed a need for extralabel uses of drugs for spawning and gender reversal processes. Those representatives contended that certain aquaculture industries would not be able to survive economically without such extralabel uses, because approved drugs have not been available for those uses. Comments by members of the Veterinary Medicine Advisory Committee (VMAC) and others at the April 1995 VMAC meeting generally agreed that extralabel uses might be extended to some reproductive uses in terrestrial and, especially, aquatic animals.

The agency, in considering the appropriate scope of extralabel use under the statute, is concerned about the possible deterrent effect of such broad extralabel use on the widely-shared goal of increasing the number of approved drugs that are available for animal use. Therefore, the agency is interested in public comments as to nontherapeutic extralabel uses such as reproductive uses in terrestrial and, especially, aquatic animals and other possible uses. The agency also is interested in public comment as to appropriate ways to balance extralabel use with the need to preserve the goal of increased availability of new animal drugs approved for such uses under section 512 of the act.

B. Definitions

Proposed § 530.3 includes definitions of relevant terms. The term ''extralabel use'' means the actual or intended use of a human or animal drug in an animal in a manner that is not in accordance with the approved labeling. This includes, but is not limited to, use in species or for indications (disease or other therapeutic conditions) not listed in the labeling, use at dosage levels, frequencies, or routes of administration other than those stated in the labeling, and deviation from the labeled withdrawal time. Any deviation from labeled withdrawal time based on these different uses must be supported by appropriate scientific information.

The proposed rule defines the term ''residue'' to mean any compound present in edible animal tissues that results from the use of a drug, and would include the drug, its metabolites, and any other substance formed in or on food because of the drug's use.

The proposal defines a ''safe level'' as a conservative estimate of a drug residue level in animal tissue derived from toxicology and metabolism data or other scientific information. This level would be established so that concentrations of residues in tissue below the safe level will not raise human food safety concerns.

Under the proposal, a safe level would not be either a safe concentration or a tolerance and would not indicate that an approval exists for the drug in that species or category of animals from which the food is derived. If FDA establishes a safe level and a tolerance is later established through an approval for a particular species or category of animals, the safe level would be superseded by the tolerance for that species or category of animals, and would be revoked.

The term ''veterinarian'' is defined as a person licensed by a State or Territory to practice veterinary medicine, and who holds a degree of Doctor of Veterinary Medicine (D.V.M.), Veterinary Medical Doctor (V.M.D.), or the equivalent, from an accredited institution.

A ''valid veterinarian-client-patient relationship'' is defined as one in which: (1) A veterinarian has assumed the responsibility for making medical judgments regarding the health of an animal and the need for medical treatment, and the client (the owner or other caretaker of the animal or animals) has agreed to follow the instructions of the veterinarian; (2) there is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s); and (3) the veterinarian is readily available for followup in case of adverse reactions or failure of the regimen of therapy. Such a relationship can exist only when the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept. This definition is consistent with the American Veterinary Medicine

Association's definition of a ''valid veterinarian-client-patient relationship.''

The proposed rules, for purposes of establishing a safe level and requiring the development of analytical methods to detect residues, define the phrase *''a reasonable probability that a drug's use may present a risk to the public health''* as a circumstance in which FDA has reason to believe that use of a drug may be likely to cause a potential adverse event. The proposal, for purposes of providing access to veterinarians' records, would define the phrase *''use of a drug may present a risk to the public health''* to mean a circumstance in which FDA has information that indicates that use of a drug may cause an adverse event. In addition, under the proposal, the phrase *''use of a drug presents a risk to the public health,''* for purposes of prohibiting an extralabel use, means a circumstance in which FDA has evidence that demonstrates that the use of a drug has caused or is likely to cause an adverse event.

In defining these phrases regarding risk, the agency considered the common meaning of the words in these phrases, and other regulations in which FDA has defined similar concepts (e.g., 21 CFR 7.3(m), 7.41, and 803.3(r). The statute provides for an increased level of FDA activity as evidence of public concern becomes more substantial, and as the connection between specific extralabel uses and effect on the public health becomes more apparent. The final step may be prohibition of specified extralabel uses.

A finding that there is a reasonable probability that ''a drug's use may present a risk to the public health'' could be based on relevant information—assessed in the light of the education and experience of an agency staff member or other qualified person—that there may be a connection between a use and a potential adverse event. This would differ from a finding that ''use of a drug may present a risk to the public health,'' which would normally be based on some greater level of information that demonstrates that there may be some more concrete link between the use and an adverse event. In contrast, a finding that ''use of a drug presents a risk to the public health'' would require strong evidence of a direct link between the use and the risk.

FDA intends that harm that results from chronic low level or repeat exposure that is not high enough to cause acute toxicity but that could cause toxicity over long periods of time is included within the meaning of ''adverse event.''

C. Specific Issues

1. Extralabel Use When Approved Drugs are Available For Intended Therapeutic Purposes.

FDA's discretionary policies have precluded extralabel use of an animal or human drug in food-producing animals when an approved drug for the intended use exists. A similar limitation has not applied in the case of animal and human drugs used in animals not intended for human consumption; the agency has exercised broad enforcement discretion with regard to extralabel use in those species.

The AMDUCA provides that an extralabel use of an approved animal drug is not permitted if an approved NAD with the same active ingredient in the same dosage form and concentration exists for that use. The statute does not limit this provision to food-producing animals as FDA did in its CPG. Therefore, proposed § § 530.20(a)(1) and 530.30(a) limit the extralabel use of approved animal drugs in all animals to circumstances in which there is no approved NAD in the needed dosage form and concentration. The CPG contains an exception that permits an extralabel use where the veterinarian finds, within the context of a valid veterinarian-client-patient relationship, that an approved NAD is clinically ineffective for its intended use. The proposed rule does not include a similar provision. However, the agency invites comment as to whether the agency should permit such an exception.

The AMDUCA does not restrict extralabel use of approved human drugs in a similar manner. However, these proposed rules include the same limitation for extralabel use of human drugs in food-producing animals. FDA believes that, because of the broad public health implications inherent in the treatment of animals that will become food, it is prudent to require the use of an approved NAD if one exists before the extralabel use of a human drug is appropriate.

2. Compounding

FDA considers compounding from an approved drug to be an extralabel use. Thus, the agency views the language of the AMDUCA as giving statutory authorization to the compounding of finished drug products from approved human or approved animal drugs, within limits, under the same conditions as for any other extralabel use. FDA has certain concerns relative to compounding and the use of compounded drugs that can be distinguished from those issues associated with simple extralabel use of an approved finished drug product.

In view of the above, the proposed rule includes several major factors in addition to the general criteria set forth elsewhere in this proposed rule applicable to the extralabel use by compounding from approved drugs. The proposal provides that such extralabel use is permissible if: (1) All relevant portions of proposed part 530 have been complied with; (2) there is no marketed or approved human or new animal drug that, when used as labeled or in conformity with criteria established in this part, will, in the available dosage form and concentration, appropriately treat the condition diagnosed; (3) compounding is performed by a licensed pharmacist or veterinarian within the scope of a professional practice; (4) adequate processes and procedures are followed that ensure the safety and effectiveness of the compounded products; (5) the scale of the compounding operation is commensurate with the established need for compounded products (e.g., similar to that of comparable practices); and (6) all relevant State laws relating to the compounding of drugs for use in animals are followed.

The AMDUCA does not authorize compounding from bulk drugs or unapproved drugs. Compounding by or for veterinarians from bulk drugs or unapproved drugs results in the production of an unapproved NAD that may be subject to regulatory action. Accordingly, proposed § 530.13 provides that allowable extralabel use by compounding applies only to compounding of a product from approved drugs by a veterinarian or a pharmacist on the order of a veterinarian within the practice of veterinary medicine, and that nothing in proposed part 530 is to be construed as permitting compounding from bulk drugs or unapproved drugs.

Additional guidance on the subject of compounding may be provided in guidance documents to be issued by FDA.

3. Sponsor Records, Reports, and Adverse Events

FDA is concerned that the enactment of the AMDUCA could have the unintended effect of reducing the information that has heretofore been provided to the agency by sponsors regarding their products.

Information that helps FDA assure the safe and effective use of approved drugs comes from two sources, among others. First, sponsors submit data and information on adverse events resulting from extralabel uses. Second, sponsors submit supplemental applications to extend the product labels to provide for new uses. The agency's concerns are

that under the AMDUCA the sponsors might have less incentive to submit supplemental applications, and might also be reluctant to report extralabel use adverse events that FDA could require to be stated in the labeling. FDA believes that neither result was intended by Congress. For example, the AMDUCA specifically requires the reporting of adverse events related to extralabel uses.

Section 512(l) of the act requires sponsors to maintain records of and report experiences ''and other data and information'' regarding a drug. Under 21 CFR 510.300 *et seq.*, ''Records and Reports,'' adopted under section 512(l) of the act, sponsors are currently required to report on extralabel drug uses. Section 2 of the AMDUCA amended section 512(l) of the act by adding new language specifically requiring maintenance of records and reports of experiences related to extralabel drug uses. Accordingly, the sponsor is required to maintain records of and report to the agency all information the sponsor has that pertains to extralabel drug uses, including adverse drug experiences.

Data derived from such records and reports may be used in establishing a prohibition against the use of a drug in food-producing animals under §§ 530.21 and 530.25, or safe levels and analytical methods under proposed §§ 530.22, 530.23, and 530.24. In addition, Section 2 of the AMDUCA amended section 512(e) of the act by adding new language specifically giving authority to the agency to withdraw approval of a NAD based on records and reports of experience with extralabel uses, in addition to experience with an approved use.

FDA believes that it is important to publicize data it has received concerning adverse events resulting from all uses, including extralabel drug uses. This could be done through provision of this information to professional journals, the trade press, and others, through press releases, ''Dear Doctor letters,'' and similar documents. FDA would be interested in receiving comments from the public with respect to any policy that would allow or encourage sponsors to provide extralabel drug use information regarding significant adverse events on labeling.

D. Advertising and Promotion Prohibited

While the AMDUCA and the proposed rule permit extralabel uses of approved drugs, neither the statute nor the proposed rule would permit advertising and promotion of extralabel uses. The act does not permit advertising and promotion of an unapproved use for a human or approved animal drug because scientific data supporting the safety and efficacy of a new drug use must be submitted by the sponsor and reviewed and approved by the agency in order to permit such use to be advertised, promoted, or included on the labeling. Advertising and promoting of any unapproved use for a drug would be inconsistent with the act and would subvert the entire system of drug approval and regulation because there would no longer be any incentive for a sponsor to submit data and go through the approval process for an unapproved use.

Accordingly, proposed § 530.4 includes a statement that the rule shall not be construed as permitting advertising or promotion of extralabel uses of human or new animal drugs.

E. Access to Veterinarian Records

Section 2(a) of the AMDUCA adds a new section 512(a)(4)(C) to the act which provides that FDA may adopt regulations providing FDA the right of access to records maintained by veterinarians to ascertain any extralabel use or intended use of an approved animal drug authorized by the agency that may present a risk to the public health.

Proposed § 530.5 provides that persons designated by FDA (i.e., FDA investigators) would be given access to the records of veterinarians, including records required to be maintained under the act, State veterinary practice acts, and State pharmacy acts. Any person who has custody of these records would be required to permit inspection at any reasonable times, permit copying, and verify such records.

While the AMDUCA does not include an explicit authority for FDA to require the creation and maintenance of records by veterinarians, the statute clearly allows the agency to specify the conditions for extralabel use. The agency believes that the maintenance of records is essential to the agency's ability to implement the statute and protect the public health and, as such, maintenance of records is a condition of allowable extralabel use. However, it is not FDA's intention to create new recordkeeping burdens on veterinarians who are required to keep records under State recordkeeping requirements.

FDA believes that these State required records will include the type of information FDA will need to carry out its statutory responsibilities. Records required by State veterinary practice acts or State pharmacy acts routinely document the existence of a valid veterinarian-client-patient relationship. These records also would provide relevant information concerning extralabel drug uses. Typically, these records include: (1) The name, address, and telephone number of the veterinarian; (2) the name, address, and telephone number of the client; (3) the complaint, or other reason for the provision of services, including information on the patient history, physical examination, and laboratory data; (4) the provisional or final diagnosis and date of diagnosis; (5) identification of the animal(s) treated (including species, breed, age, sex, color, brand, and tag or tattoo number); (6) the date of treatment, prescribing, or dispensing of the drug; (7) the established name of the drug and its active ingredient, or if formulated from more than one ingredient, the established name of each ingredient; the dosage form, strength, and quantity of the prescribed or dispensed drug, and the dates of administration; (8) any directions for use provided, including dose, route of administration, and length of therapy; (9) the number of refills authorized; (10) cautionary statements, if any; and (11) the veterinarian's specified withdrawal, withholding, or discard time(s), if applicable, for meat, milk, eggs, or any food that might be derived from any food animals treated.

Under the proposal, veterinarians would be required to maintain individual records for each nonfood animal treated as required by State veterinary practice and pharmacy acts. State veterinary practice acts generally require veterinarians in large animal practices to maintain records for food-producing animals that are adequate to substantiate the identification of the animals and the medical care provided. Such records in large animal practices can usually be maintained either as individual records or on a group, herd, flock, or per-client basis.

State veterinary practice and State pharmacy acts generally require veterinarians to maintain complete records of receipt and distribution of each veterinary drug. These records, which are maintained in the form required by the appropriate State acts, may include sales invoices, shipping records, prescription files, or records or logs established solely for this purpose. Receipt and distribution records usually are also required to include: (1) The name of the drug, (2) the name and address of the person or corporation from whom the drug was shipped, (3) the date and quantity received, and (4) the name and address of the person to whom the drug was distributed.

Under the proposed rule, drug distribution and use records would be required to be maintained for 2 years or as otherwise required by Federal or State law, whichever is greater.

The proposal would require that veterinarians maintain all records required by State veterinary practice and pharmacy acts in a legible form, document them in an accurate and timely manner, and keep them readily accessible to permit prompt retrieval of information.

Refusal to provide access to such required records is a prohibited act under section 301 of the act as amended by the AMDUCA.

F. Provision Permitting Extralabel Use of Animal Drugs

Proposed § 530.10 provides that extralabel use of an approved human or NAD is permitted by or under the lawful written or oral order of a veterinarian within the context of a veterinarian-client-patient relationship, if the extralabel use is otherwise in compliance with the regulation.

G. Limitations

Proposed § 530.11 sets out the following specific limitations on extralabel use. The following uses result in the drug being deemed to be unsafe within the meaning of the act: (1) Extralabel use in an animal of an approved new animal or human drug by a lay person (except under the supervision of a veterinarian), (2) extralabel use of an approved NAD or human drug in or on an animal feed, (3) extralabel use resulting in any residue which may present a risk to public health, and (4) extralabel use resulting in any residue above an established safe level or tolerance.

H. Labeling

The proposal at § 530.12 would require that any human or animal drug prescribed or dispensed for extralabel use by a veterinarian or a pharmacist on the order of a veterinarian bear or be accompanied by labeling information adequate to assure the safe and proper use of the product. The phrase ''be accompanied by'' is intended to permit shipment of drugs by a veterinarian or pharmacist on the order of a veterinarian in case quantities. The minimum information required under the proposal is the same as that currently required by CPG and includes: (a) The name and address of the veterinarian; (b) the established name of the drug, or if formulated from more than one active ingredient, the established name of each ingredient; (c) any directions for use specified by the veterinarian, including the class/species or identification of the animal in which it is intended to be used; the dosage, frequency, and route of administration; and the duration of therapy; (d) any cautionary statements; and (e) the veterinarian's specified withdrawal, withholding, or discard time for meat, milk, eggs, or any food that might be derived from the treated animal.

I. Specific Provision for New Animal Drug Extralabel Use in Food Animals

Proposed § 530.20(a)(2) requires as a condition for extralabel use that a veterinarian be required to take a number of affirmative actions before prescribing or dispensing an animal or human drug for an extralabel use in food animals. The veterinarian must do the following: (1) Make a careful diagnosis and evaluation of the conditions for which the drug is to be used; (2) establish a substantially extended withdrawal period prior to marketing of milk, meat, or eggs supported by appropriate scientific information, if applicable; (3) institute procedures to assure that the identity of the treated animal or animals is carefully maintained; and (4) take appropriate measures to assure that assigned timeframes for withdrawal are met and no illegal drug residues occur in any food-producing animal subjected to extralabel treatment.

Because extralabel use of drugs in food-producing animals engenders an increased potential for illegal drug residues in meat, milk, and eggs, which are consumed in significant amounts by the American public, the proposed rule would also set forth additional conditions for extralabel drug use in food-producing animals.

One restriction, contained in proposed § 530.20(b), applies to the extralabel use of either an approved human drug, or an animal drug approved only for use in animals not intended for human consumption. In such instances, records maintained by the veterinarian must reflect the medical rationale for such use. In addition, if there is no published scientific information on public health aspects of the use of the nonfood animal drug in food-producing animals, the veterinarian must determine that the animal and its food products will not enter the human food supply.

A second restriction would apply only to the use of human drugs in food animals. As discussed in section II.C. of this document, proposed § 530.20(a)(1) would not allow such use if an approved animal drug is available for such use (with certain exceptions). Section 530.20(c) requires the additional step of consideration of extralabel use of approved food-animal drug before use of a human drug or drug approved for use in animals not intended for human consumption. In addition, records maintained by the veterinarian must reflect this consideration.

J. Prohibitions, Safe Levels, Analytical Methods

Section 512(a)(4)(B) and (a)(4)(D) of the act as added by the AMDUCA grants FDA the authority to prohibit extralabel drug uses, establish safe levels and require the development of analytical methods. These provisions are included in section 512(a)(4) of the act which addresses approved NAD's and are not specified in section 512(a)(5) which addresses approved human drugs. Nevertheless, FDA believes that, under the general authority in section 512(a)(5) of the act to set the conditions for extralabel use of approved human drugs in animals, the agency may also set safe levels, require development of analytical methods, and prohibit extralabel uses of human drugs when necessary to protect the public health. Thus, the proposed rule applies these safeguards to human drugs as well as animal drugs.

Proposed § 530.21 addresses food-producing animals and states that FDA can prohibit the use of a drug or class of drugs in food-producing animals if the agency determines that: (1) An acceptable analytical method needs to be established and such method has not been established or cannot be established, or (2) the use of the drug or class of drugs presents a risk to public health. Under the proposal, a prohibition may be a general ban on the use of the drug or class of drugs in all food-producing animals, or may be limited to a specific species, indication, dosage form, route of administration, or combination of factors.

Under proposed § 530.22, FDA could establish a safe level for extralabel use of a drug upon a finding that there is a reasonable probability that an extralabel use may present a risk to the public health. To accomplish this, the agency may: (1) Establish a finite safe level based on residue and metabolism information (i.e., toxicological data) from available sources; (2) establish a safe level based on the lowest level that can be measured by a practical analytical method; or (3) establish a safe level based on other appropriate scientific, technical, or regulatory bases.

The proposal allows FDA to require the development of an acceptable analytical method for the quantification or detection of residues. If FDA requires such a method, the agency would

announce that requirement in the Federal Register. If development of an acceptable analytical method is required and a method is not developed, submitted, and accepted, the agency could, under the proposal, prohibit the extralabel use of the drug in food-producing animals.

The proposed rule provides, however, that if the agency establishes a safe level and a tolerance is later established through an approval for a particular species or category of animals, the safe level is superseded by the tolerance for that species or category of animals.

The proposed rule contemplates that FDA: (1) Will establish safe levels and publish them in the Federal Register, and (2) may establish specific analytical methods for drug residue detection for those drugs for which safe levels have been established. The safe levels and the availability of an analytical method will be codified at proposed § 530.40.

Proposed § 530.23 states that FDA will publish a document establishing a safe level in the Federal Register. This document would include a statement setting forth the agency's finding that there is a reasonable probability that extralabel use in animals of the human drug or animal drug may present a risk to public health, and would request public comments.

Under the proposed rule, FDA would codify in proposed § 530.40 the following: (1) A current listing of those drugs for which a safe level for extralabel drug use in food-producing animals has been set, and (2) the specific safe levels, and the availability, when one has been developed, of a specific analytical method or methods for drug residue detection.

Proposed § 530.24 provides that copies of analytical methods would be made available upon request from the Center for Veterinary Medicine's Communications and Education Branch (HFV–12), 7500 Standish Pl., Rockville, MD 20855, and that acceptable analytical methods will be incorporated by reference.

While the agency does not intend to engage in prior notice and comment rulemaking for the establishment or acceptance of analytical methods or safe levels, interested persons will have the opportunity to make public comment to the agency as these actions are announced and published that could, if appropriate, result in modifications to the actions.

Proposed § 530.25 provides that FDA could issue an order prohibiting extralabel use of a drug in food-producing animals if the agency finds, after providing an opportunity for public comment, that: (1) An acceptable analytical method has not been developed, submitted, and found to be acceptable by FDA; or (2) an extralabel use in animals of a particular human drug or animal drug presents a risk to the public health.

After making a preliminary determination that a required analytical method has not been developed and submitted, or an extralabel use in food-producing animals of a particular human drug or animal drug presents a risk to the public health, FDA would, under the proposal, publish an order of prohibition with a 90-day delayed effective date in the Federal Register. Such order would specify the nature and extent of the order of prohibition and the reasons for the prohibition, and provide a period of not less than 60 days for comments.

The order of prohibition would become effective 90 days after the date of publication of the order of prohibition unless FDA publishes a Federal Register document before that date revoking the order of prohibition, modifying it, or extending the period of public comment.

The proposed rule would permit the agency to publish an order of prohibition with an abbreviated comment period and/or delayed effective date in exceptional circumstances (e.g., where there is immediate risk to the public health), provided that the order of prohibition states that the comment period and/or effective date have been abbreviated because there are exceptional circumstances, and sets forth the exceptional circumstances and the agency's rationale for taking such action.

Under the proposal, a current listing of drugs prohibited for extralabel use in food-producing animals would be codified in new § 530.41.

The proposed rule would also note that the agency could, after publishing a Federal Register document, remove a drug from the prohibited list after the submission of appropriate information, such as adequate safety and effectiveness data, an acceptable method, approval of a new animal drug application for the prohibited drug and use, or information demonstrating that the prohibition was based on incorrect data.

K. Extralabel Drug Use in Nonfood Animals

Because the same public health implications do not exist in the treatment of nonfood animals as for food animals, the proposed rule does not include the same level of detail for such extralabel use. Specifically, proposed § 530.30 provides that veterinarians can make extralabel use or dispensing of drug products in nonfood-producing animal practice except when such use may threaten the public health. One other limitation, as discussed earlier in the preamble, is that, if an approved NAD for such use exists, an extralabel use of an approved animal or human drug is not permitted. (See proposed § 530.30(a).)

The proposal adds that the agency may publish a document in the Federal Register prohibiting a particular extralabel drug use in nonfood animals if the agency determines that it presents a risk to the public health. This provision is consistent with the agency's authority to establish conditions for extralabel use of human drugs under the AMDUCA.

III. Proposed Effective Dates

Under Section 2(d) of the AMDUCA, the amendments to the act permitting the extralabel use of certain approved animal drugs and approved human drugs for animals become effective upon the adoption of final rules implementing the amendments. FDA intends that any final rule that may issue based on this proposal become effective 30 days after the date of publication in the Federal Register.

IV. Environmental Impact

The agency has determined under 21 CFR 25.24(a)(8) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

V. Analysis of Impacts

FDA has examined the impacts of the proposed rule under Executive Order 12866 and the Regulatory Flexibility Act (Pub. L. 96–354). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this proposed rule is consistent with the regulatory philosophy and principles identified in the Executive Order. In addition, the proposed rule is not a significant regulatory action as defined by the Executive Order.

Most of the requirements in this proposed rule have already been implemented by regulated industry,

veterinarians, and pharmacists in response to the existing Compliance Policy Guides relating to extralabel drug use in animals and the passage of the AMDUCA, FDA guidance, and industry trade associations' recommendations, as well as the requirements of State veterinary practice acts and as customary elements of good veterinary medical practice.

The actual cost to industry and the public associated with this proposal will be quite minimal. The AMDUCA was enacted to decriminalize extralabel use of most approved new human and animal drugs in veterinary medicine, and to provide FDA with specific regulatory tools to assure food safety. Congress intended that the new legislation codify FDA's discretionary enforcement policies that have permitted extralabel use of approved new human and animal drugs by veterinarians in specified circumstances.

FDA is likely to require the establishment of a safe level for one to two drugs per year after the proposed rule is finalized. An analytical methodology for drug residue detection will be required for each of these drugs. The sponsor may be willing to provide the methodology in some cases, while in others, FDA, the sponsor, and, perhaps, a third party, may negotiate a cooperative arrangement for methodology development. The range of costs for development of methodologies is likely to range from about $90,000 for a drug for which there are few problems in developing a procedure, upward to about $350,000 for a drug which presents significant problems in methodology development, with an additional $100,000 required for a drug metabolism study. Methodology development costs for a drug presenting an intermediate level of difficulty would be about $170,000. The agency estimates that the average year would see the development of two drug methodologies presenting an intermediate level of development difficulty, with one of those drugs requiring a metabolism study, for an annual cost impact of about $440,000. The proposal does not impose any new extralabel drug use recordkeeping and reporting requirements for sponsors or veterinarians which are not currently required under other sections of the act or under State veterinary practice acts.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a proposed rule on small entities. Because the proposed rule clarifies existing FDA policy, and because most of the requirements in this proposed rule have already been implemented by regulated industry, veterinarians, and pharmacists in response to the existing Compliance Policy Guides relating to extralabel drug use in animals and the passage of the AMDUCA, FDA guidance, and industry trade associations' recommendations, the agency certifies, in accordance with section 605(b) of the Regulatory Flexibility Act, that the proposed rule will not have a significant economic impact on a substantial number of small entities. Therefore, under the Regulatory Flexibility Act, no further analysis is required.

VI. Paperwork Reduction Act of 1995

This proposed rule contains reporting requirements that are subject to public comment and to review by OMB under the Paperwork Reduction Act of 1995 (Pub. L. 104–13). Therefore, in accordance with 5 CFR 1320, a description of reporting requirements is given below with an estimate of the annual collection of information burden. Included in the estimate is the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information.

With respect to the following collection of information, FDA is soliciting comments on: (1) Whether the proposed collection of information is necessary for proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Title: Extralabel Drug Use in Animals.

Description: This proposed rule provides that FDA may require the development of an acceptable analytical method for the quantification of residues above an established safe level. FDA estimates that it will likely establish safe levels for one to two drugs per year if the rule is finalized, and that an analytical methodology for drug residue detection will be required for each of these drugs. If no method is provided, the Secretary may prohibit the extralabel use. This requirement may be fulfilled by any interested person. FDA believes that the sponsor may be willing to provide the methodology in some cases, while in others, FDA, the sponsor, and perhaps a third party may negotiate a cooperative arrangement for method development.

Description of Respondents: Persons, sponsors, States, or Federal Government.

ESTIMATED ANNUAL REPORTING BURDEN

21 CFR Section	No. Of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
21 CFR 530.22(b)	2	1	2	4,160	8,320

There are no operating and maintenance or capital costs associated with this information collection. The agency recognizes that the time and expense of method development is highly variable dependent on the difficulty of the development. The agency estimates that two methods of intermediate difficulty would be developed and these methods may take up to 2 person-years to develop.

The agency has submitted a copy of this proposed rule to OMB for its review and approval of this information collection. Interested persons are requested to send comments regarding this information collection, including suggestions for reducing this burden to the Office of Information and Regulatory Affairs, OMB, New Executive Office Building, 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA. Written comments on the information collection should be submitted by June 17, 1996.

VII. Federalism

FDA has analyzed this proposal in accordance with the principles and criteria set forth in Executive Order 12612 and has determined that this

proposal does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

VIII. Request for Comments

Interested persons may, on or before July 31, 1996, submit to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857, written comments regarding this proposal. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 530

Administrative practice and procedures, Advertising, Animal drugs, Animal feeds, Human drugs, Labeling, Prescription drugs, Promotion, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act, and under authority delegated to the Commissioner of Food and Drugs, it is proposed that Title 21 of the Code of Federal Regulations be amended to add a new part 530 to read as follows:

PART 530—EXTRALABEL DRUG USE IN ANIMALS

Subpart A—General Provisions

Sec. 530.1 Scope.
Sec. 530.2 Purpose.
Sec. 530.3 Definitions.
Sec. 530.4 Advertising and promotion.
Sec. 530.5 Veterinary records.

Subpart B—Rules and Provisions for Extralabel Uses of Drugs in Animals

Sec. 530.10 Provision permitting extralabel use of animal drugs.
Sec. 530.11 Limitations.
Sec. 530.12 Labeling.
Sec. 530.13 Extralabel use from compounding approved new animal and approved human drugs.

Subpart C—Specific Provisions Relating to Extralabel Uses of Animal and Human Drugs in Food-Producing Animals

Sec. 530.20 Conditions for permitted extralabel animal and human drug use in food-producing animals.
Sec. 530.21 Prohibitions for food-producing animals.
Sec. 530.22 Safe levels and analytical methods for food-producing animals.
Sec. 530.23 Procedure for setting and announcing safe levels.
Sec. 530.24 Procedure for announcing analytical methods for drug residue quantification.
Sec. 530.25 Orders prohibiting extralabel uses for drugs in food-producing animals.

Subpart D—Extralabel Use of Human and Animal Drugs in Animals Not Intended for Human Consumption

Sec. 530.30 Extralabel drug use in nonfood animals.

Subpart E—Safe Levels for Extralabel Use in Animals and Drugs Prohibited for Extralabel Use in Animals

Sec. 530.40 Safe levels and availability of analytical methods.
Sec. 530.41 Drugs prohibited for extralabel use in animals.

Authority: Secs. 4, 5, 6 of the Fair Packaging and Labeling Act (15 U.S.C. 1453, 1454, 1455); Secs. 201, 301, 501, 502, 503, 505, 507, 512, 701, and 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 351, 352, 353, 355, 357, 360b, 371, 379e).

Subpart A—General Provisions

§ 530.1 Scope.

This part applies to the extralabel use in an animal of any approved new animal drug or approved new human drug by or on the lawful order of a veterinarian within the context of a valid veterinarian-client-patient relationship.

§ 530.2 Purpose.

The purpose of this part is to establish conditions for extralabel use or intended extralabel use in animals by or on the lawful order of veterinarians of approved new animal drugs and approved new human drugs. Such use is limited to treatment modalities when the health of an animal is threatened or suffering or death may result from failure to treat. This section implements the Animal Medicinal Drug Use Clarification Act of 1994 (the AMDUCA) (Pub. L. 103–396).

§ 530.3 Definitions.

(a) *Extralabel use* means actual use or intended use of a drug in an animal in a manner that is not in accordance with the approved labeling. This includes, but is not limited to, use in species not listed in the labeling, use for indications (disease or other conditions) not listed in the labeling, use at dosage levels, frequencies, or routes of administration other than those stated in the labeling, and deviation from the labeled withdrawal time based on these different uses.

(b) *FDA* means the U.S. Food and Drug Administration.

(c) The phrase *a reasonable probability that a drug's use may present a risk to the public health* means that FDA has reason to believe that use of a drug may be likely to cause a potential adverse event.

(d) The phrase *use of a drug may present a risk to the public health* means that FDA has information that indicates that use of a drug may cause an adverse event.

(e) The phrase *use of a drug presents a risk to the public health* means that FDA has evidence that demonstrates that the use of a drug has caused or likely will cause an adverse event.

(f) A *residue* means any compound present in edible tissues that results from the use of a drug, and includes the drug, its metabolites, and any other substance formed in or on food because of the drug's use.

(g) A *safe level* is a conservative estimate of a drug residue level in animal tissue derived from food safety data or other scientific information. Concentrations of residues in tissue below the safe level will not raise human food safety concerns. A safe level is not a safe concentration or a tolerance and does not indicate that an approval exists for the drug in that species or category of animal from which the food is derived.

(h) Veterinarian means a person licensed by a State or Territory to practice veterinary medicine.

(i) A valid veterinarian-client-patient relationship is one in which:

(1) A veterinarian has assumed the responsibility for making medical judgments regarding the health of (an) animal(s) and the need for medical treatment, and the client (the owner of the animal or animals or other caretaker) has agreed to follow the instructions of the veterinarian;

(2) There is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s); and

(3) The practicing veterinarian is readily available for followup in case of adverse reactions or failure of the regimen of therapy. Such a relationship can exist only when the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept.

§ 530.4 Advertising and promotion.

Nothing in this part shall be construed as permitting the advertising or promotion of extralabel uses in animals of approved new animal drugs or approved human drugs.

§ 530.5 Veterinary records.

(a) Persons designated by FDA shall have access to the records of veterinarians, including records

required to be maintained under the act, State veterinary practice acts, and State pharmacy acts, to ascertain any extralabel use or intended extralabel use of drugs that the agency has determined may present a risk to the public health.

(b) As a condition of extralabel use permitted under this part, veterinarians shall maintain records as required by State veterinary practice and pharmacy acts. Such records shall be legible, documented in an accurate and timely manner, and be readily accessible to permit prompt retrieval of information. Such records shall be adequate to substantiate the identification of the animals and the medical care provided and shall be maintained either as individual records or, in large animal practices, on a group, herd, flock, or per-client basis. As required by the State, such records will typically include, but not be limited to, the following information:

(1) The name, address, and telephone number of the veterinarian;

(2) The name, address, and telephone number of the client;

(3) The complaint, or other reason for the provision of services, including information on the patient history, physical examination, and laboratory data;

(4) The provisional or final diagnosis and date of diagnosis;

(5) Adequate identification of the animal(s) treated;

(6) The date or dates of treatment, prescribing, or dispensing of the drug;

(7) The established name of the drug and its active ingredient, or if formulated from more than one ingredient, the established name of each ingredient; the dosage form, strength, and quantity of the prescribed or dispensed drug, and the dates of administration;

(8) Any directions for use provided, including dose, route of administration, and length of therapy;

(9) The number of refills authorized;

(10) Cautionary statements, if any; and

(11) The veterinarian's specified withdrawal, withholding, or discard time(s), if applicable, for meat, milk, eggs, or any food which might be derived from any food animals treated.

(c) A veterinarian shall keep all required drug distribution and use records for 2 years or as otherwise required by Federal or State law, whichever is greater.

(d) Any person who is in charge, control, or custody of such records shall, upon request of a person designated by FDA, permit such person designated by FDA to, at all reasonable times, have access to, permit copying, and verify such records.

Subpart B—Rules and Provisions for Extralabel Uses of Drugs in Animals

§ 530.10 Provision permitting extralabel use of animal drugs.

An approved new animal drug or human drug intended to be used for an extralabel purpose in an animal is not unsafe under section 512 of the act and is exempt from the labeling requirements of section 502(f) of the act if such use is:

(a) By or on the lawful written or oral order of a veterinarian within the context of a valid veterinarian-client-patient relationship; and

(b) In compliance with this part.

§ 530.11 Limitations.

In addition to uses which do not comply with the provision set forth in § 530.10, the following specific extralabel uses are not permitted and result in the drug being deemed unsafe within the meaning of section 512 of the act:

(a) Extralabel use in an animal of an approved new animal drug or human drug by a lay person (except when under the supervision of a veterinarian);

(b) Extralabel use of an approved new animal drug or human drug in or on an animal feed;

(c) Extralabel use resulting in any residue which may present a risk to public health; and

(d) Extralabel use resulting in any residue above an established safe level or tolerance.

§ 530.12 Labeling.

Any human or animal drug prescribed and dispensed for extralabel use by a veterinarian or dispensed by a pharmacist on the order of a veterinarian shall bear or be accompanied by labeling information adequate to assure the safe and proper use of the product. Such information shall include the following:

(a) The name and address of the veterinarian;

(b) The established name of the drug, or if formulated from more than one active ingredient, the established name of each ingredient;

(c) Any directions for use specified by the veterinarian, including the class/species or identification of the animal in which it is intended to be used; the dosage, frequency, and route of administration; and the duration of therapy;

(d) Any cautionary statements; and

(e) The veterinarian's specified withdrawal, withholding, or discard time for meat, milk, eggs, or any food which might be derived from the treated animal.

§ 530.13 Extralabel use from compounding of approved new animal and approved human drugs.

(a) This part applies to compounding of a product from approved animal or human drugs by a veterinarian or a pharmacist on the order of a veterinarian within the practice of veterinary medicine. Nothing in this part shall be construed as permitting compounding from bulk drugs.

(b) Extralabel use from compounding of approved new animal or human drugs is permitted if:

(1) All relevant portions of this part have been complied with;

(2) There is no approved new animal or approved new human drug that, when used as labeled or in conformity with criteria established in this part, will, in the available dosage form and concentration, appropriately treat the condition diagnosed;

(3) The compounding is performed by a licensed pharmacist or veterinarian within the scope of a professional practice;

(4) Adequate procedures and processes are followed that ensure the safety and effectiveness of the compounded product;

(5) The scale of the compounding operation is commensurate with the established need for compounded products (e.g., similar to that of comparable practices); and

(6) All relevant State laws relating to the compounding of drugs for use in animals are followed.

(c) Guidance on the subject of compounding may be provided in guidance documents issued by FDA.

Subpart C—Specific Provisions Relating to Extralabel Use of Animal and Human Drugs in Food-Producing Animals

§ 530.20 Conditions for permitted extralabel animal and human drug use in food-producing animals.

(a) The following conditions must be met for a permitted extralabel use in food-producing animals of approved new animal and human drugs:

(1) There is no approved new animal drug that is labeled for such use and that contains the same active ingredient which is in the required dosage form and concentration.

(2) Prior to prescribing or dispensing an approved new animal or human drug for an extralabel use in food animals, the veterinarian must:

(i) Make a careful diagnosis and evaluation of the conditions for which the drug is to be used;

(ii) Establish a substantially extended withdrawal period prior to marketing of

milk, meat, or eggs supported by appropriate scientific information, if applicable;

(iii) Institute procedures to assure that the identity of the treated animal or animals is carefully maintained; and

(iv) Take appropriate measures to assure that assigned timeframes for withdrawal are met and no illegal drug residues occur in any food-producing animal subjected to extralabel treatment.

(b) The following additional conditions must be met for a permitted extralabel use of an approved human drug, or of an animal drug approved only for use in animals not intended for human consumption, in food-producing animals:

(1) Records maintained by the veterinarian must reflect the medical rationale; and

(2) If there is no published scientific information on the public health aspect of the use of the drug in food-producing animals, the veterinarian must determine that the animal and its food products will not enter the human food supply.

(c) Extralabel use of an approved human drug in food-producing animals will not be permitted unless the veterinarian first considers the extralabel use of an approved animal drug for use in food-producing animals under the provisions of this part. Such consideration must be documented in the veterinarians' records.

§ 530.21 Prohibitions for food-producing animals.

(a) FDA may prohibit the use of an approved new animal or human drug or class of drugs in food-producing animals if FDA determines that:

(1) An acceptable analytical method needs to be established and such method has not been established or cannot be established, or

(2) The use of the drug or class of drugs presents a risk to public health.

(b) A prohibition may be a general ban on the use of the drug or class of drugs or may be limited to a specific species, indication, dosage form, route of administration, or combination of factors.

§ 530.22 Safe levels and analytical methods for food-producing animals.

(a) FDA may establish a safe level for extralabel use of an approved human drug or an approved new animal drug when the agency finds that there is a reasonable probability that an extralabel use may present a risk to the public health. FDA may:

(1) Establish a finite safe level based on residue and metabolism information from available sources;

(2) Establish a safe level based on the lowest level that can be measured by a practical analytical method; or

(3) Establish a safe level based on other appropriate scientific, technical, or regulatory bases.

(b) FDA may require the development of an acceptable analytical method for the quantification of residues above any safe level established under this part. If FDA requires the development of such an acceptable analytical method, the agency will publish notice of that requirement in the Federal Register.

(c) The extralabel use of an animal drug or human drug that results in residues exceeding a safe level established under this part is an unsafe use of such drug.

(d) If the agency establishes a safe level and a tolerance is later established through an approval for a particular species or category of animals, for a particular species or category of animals, the safe level is superseded by the tolerance for that species or category of animals.

§ 530.23 Procedure for setting and announcing safe levels.

(a) FDA may issue an order establishing a safe level for a residue of an extralabel use of an approved human drug or an approved animal drug. The agency will publish in the Federal Register a notice of the order. The notice will include:

(1) A statement setting forth the agency's finding that there is a reasonable probability that extralabel use in animals of the human drug or animal drug may present a risk to public health, and

(2) A request for public comments.

(b) A current listing of those drugs for which a safe level for extralabel drug use in food-producing animals has been set, the specific safe levels, and the availability, if any, of a specific analytical method or methods for drug residue detection will be codified in § 530.40.

§ 530.24 Procedure for announcing analytical methods for drug residue quantification.

Copies of analytical methods for the quantification of extralabel use drug residues above the safe levels established under § 530.22 will be available upon request from the Communications and Education Branch (HFV–12), Division of Program Communication and Administrative Management, Center for Veterinary Medicine, 7500 Standish Pl., Rockville, MD 20855. When an analytical method for the detection of extralabel use drug residues above the safe levels established under § 530.22 is developed, and that method is acceptable to the agency, FDA will incorporate that method by reference.

§ 530.25 Orders prohibiting extralabel uses for drugs in food-producing animals.

(a) FDA may issue an order prohibiting extralabel use of an approved new animal or human drug in food-producing animals if the agency finds, after providing an opportunity for public comment, that:

(1) An acceptable analytical method required under § 530.22 of this part has not been developed, submitted, and found to be acceptable by FDA; or

(2) The extralabel use in animals presents a risk to the public health.

(b) After making a determination that the analytical method required under § 530.22 has not been developed and submitted, or that an extralabel use in animals of a particular human drug or animal drug presents a risk to the public health, FDA will publish in the Federal Register, with a 90 day delayed effective date, an order of prohibition for an extralabel use of a drug in food-producing animals. Such order will:

(1) Specify the nature and extent of the order of prohibition and the reasons for the prohibition, and

(2) Request public comments, and

(3) Provide a period of not less than 60 days for comments.

(c) The order of prohibition will become effective 90 days after date of publication of the order unless FDA publishes a notice in the Federal Register prior to that date, that revokes the order of prohibition, modifies it, or extends the period of public comment.

(d) The agency may publish an order of prohibition with a shorter comment period and/or delayed effective date than specified in paragraph (b) in exceptional circumstances (e.g., where there is immediate risk to the public health), provided that the order of prohibition states that the comment period and/or effective date have been abbreviated because there are exceptional circumstances, and the order of prohibition sets forth the agency's rationale for taking such action.

(e) If FDA publishes a notice in the Federal Register modifying an order of prohibition, the agency will specify in the modified order of prohibition the nature and extent of the modified prohibition, the reasons for it, and the agency's response to any comments on the original order of prohibition.

(f) A current listing of drugs prohibited for extralabel use in animals will be codified in § 530.41.

(g) After the submission of appropriate information (i.e., adequate

data, an acceptable method, approval of a new animal drug application for the prohibited drug and use, or information demonstrating that the prohibition was based on incorrect data), FDA may, by publication of an appropriate notice in the Federal Register, remove a drug from the list of human and animal drugs prohibited for extralabel use in animals, or may modify a prohibition.

(h) FDA may prohibit extralabel use of a drug in food-producing animals without establishing a safe level.

Subpart D—Extralabel Use of Human and Animal Drugs in Animals Not Intended for Human Consumption

§ 530.30 Extralabel drug use in nonfood animals.

(a) Because extralabel use of animal and human drugs in nonfood-producing animals does not ordinarily pose a threat to public health, extralabel use of animal and human drugs is permitted in nonfood-producing animal practice except when the public health is threatened. In addition, the provisions of § 530.20(a)(1) will apply to the use of an approved animal drug.

(b) If FDA determines that an extralabel drug use in animals not intended for human consumption presents a risk to the public health, the agency may publish in the Federal Register a notice prohibiting such use following the procedures in § 530.25. The prohibited drug use will be codified in § 530.41.

Subpart E—Safe Levels for Extralabel Use in Animals and Drugs Prohibited for Extralabel Use in Animals

§ 530.40 Safe levels and availability of analytical methods.

In accordance with § 530.22, when the agency finds that there is a reasonable probability than an extralabel use may present a risk to the public health, FDA may establish by order a safe level for an extralabel use in animals of an approved human drug or an approved animal drug, and may establish a specific analytical method or methods for drug residue detection. FDA will publish in the Federal Register a notice of the order and the availability, if any, of an analytical method or methods for drug residue detection and will codify them in this section. This section will include the following: A current listing of those drugs for which a safe level for extralabel drug use in food-producing animals has been set, and the specific safe levels, and the availability, when one has been developed, of a specific analytical method or methods for drug residue detection.

§ 530.41 Drugs prohibited for extralabel use in animals.

In accordance with § 530.25, the following drugs are prohibited for extralabel use in animals:

Dated: May 8, 1996.

William B. Schultz,

Deputy Commissioner for Policy.

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

Appendix

Compliance Policy Guides

Chapter 6—Veterinary Medicine

Sec. 608.100 Human-Labeled Drugs Distributed and Used in Animal Medicine (CPG 7125.35)

Background

This Compliance Policy Guide explains how FDA will exercise its enforcement discretion with respect to distribution and use of human-labeled drug products for use in animals. It is FDA's intent to:

—eliminate promotion by manufacturers, distributors, and pharmacies;

—ensure that distribution and dispensing are made only in response to requests by veterinary practitioners (practitioner driven);

—refrain in ordinary circumstances from enforcement actions when human drugs are used or dispensed by veterinarians in treating non-food-producing animals;

—take enforcement action against veterinarians who cause illegal residues in food-producing animals;

—limit use of human-labeled drugs in treating food-producing animals to very narrow circumstances; and

—prohibit use except by or on the order of a licensed veterinarian in the course of his or her practice.

The key regulatory elements under this policy are determination of whether or not (1) the distribution and dispensing are practitioner driven and (2) the veterinary practitioners limit their uses of human-labeled drug products to treating non-food animals, with certain narrow exceptions. Because distribution and dispensing are to be veterinary practitioner driven, and because distributors and pharmacists, after properly distributing the drug, ordinarily cannot control end uses, this policy places primary responsibility on the veterinarian. This policy is not intended to permit the distribution of human-labeled drug products to veterinarians where prohibited or limited by State laws.

FDA is aware that human-labeled drug products have been promoted and distributed by manufacturers, distributors, and pharmacies for use in animals and that such drugs are being prescribed, dispensed, and administered by veterinarians for animal use.

Promotion of human-labeled drug products for veterinary use by these sources has included acts such as advertising animal use in veterinary publications; distribution of labeling and promotional materials suggesting or recommending use of these products in animals; or oral statements from sales personnel describing or recommending use in animals. Such promotion causes the drugs to be misbranded under Section 502(f)(1), or adulterated new animal drugs under Section 501(a)(5), or both. Furthermore, such promotion may subvert the New animal drug approval process by creating a disincentive for drug manufacturers to seek such approvals.

Most veterinary use of human-labeled drug products occurs in non-food animal practice (companion, sporting, exotic, etc.). Many of the maladies of pets and other non-food animals cannot be treated in accordance with current standards of veterinary practice without the use of human-labeled drugs since appropriate drug products bearing veterinary labeling often do not exist. Because of this, FDA has generally refrained from taking enforcement actions in this area because there is no expected adverse impact upon the public health.

FDA is very concerned about the use of human-labeled drugs in food-producing animals because of the increased potential for illegal drug residues in meat, milk, and eggs. Human-labeled drug products have not, among other things, undergone testing for residue depletion from edible tissues. Appropriate withdrawal times to avoid illegal residues in food can only be estimated.

Nevertheless, there are legitimate and important veterinary needs for human-labeled drugs in the treatment of disease or to prevent pain in food-producing animals in instances where there simply are no animal drug products available that would avoid animal suffering or death. Examples include, but are not necessarily limited to analgesics and anesthetics for pain, sedation, and surgery, insulin for ketosis, and antidotes for poisonings.

Policy

A. Distribution and Dispensing

Labeling, advertising, oral representations, or any other act by a manufacturer, distributor, or pharmacy which establishes an intended use of human-labeled drugs for animal use is subject to regulatory action. However, the simple listing of human-labeled drug products in price sheets and catalogues distributed to veterinarians will not ordinarily be subject to such action. Dispensing pharmacists are required by Section 503(f) to label dispensed drugs in accordance with the prescribing veterinarian's instructions, including the name and address of the dispenser, the serial number and date of the order or of its filing, the name of the licensed veterinarian, and directions for use and any cautionary statements. Providing this information does not constitute promotion against which the agency is prepared to take action.

High priority will be placed on actions against manufacturers, distributors, and pharmacies who promote the substitution of human-labeled drug products for animal drugs for economic reasons.

B. Use of human drugs by veterinarians in professional practice

(i) Use in non-food-producing animals; e.g., dogs, cats, horses.

Under usual circumstances, veterinary practitioners may consider

the use of human-labeled drug products in non-food-producing animal practice without the threat of FDA enforcement actions. In rare circumstances, for example, when the health of the treated animals is harmed, regulatory attention by FDA would be considered or, preferably, referred to the State veterinary licensing authority for investigation.

(ii) Use in food-producing animals; e.g., cattle, swine, poultry.

Use of human-labeled drug products in food-producing animals should be extremely limited, primarily because of the increased potential for illegal drug residues in meat, milk, and eggs. For example, it is ordinarily unacceptable to use a human-labeled product for common disease conditions in food animals because approved veterinary-labeled drug products; e.g., antibacterials, anti-inflammatory agents, etc. are available. The food animal veterinarian assumes greater responsibility when he or she uses a human drug rather than a veterinary drug. Use of human-labeled drugs may be considered by food animal veterinarians only when they have:

—made a careful and definitive diagnosis and evaluation of the condition for which the drug is to be used, and are otherwise operating within the confines of a veterinarian/client/patient relationship;

—made a deliberate determination that there is no other appropriate veterinary-labeled therapy; i.e., there is no marketed veterinary labeled drug product specifically labeled for the disease condition to be treated or the veterinary drug has been found clinically ineffective by the veterinarian in the animals to be treated; and

—taken adequate steps to prevent the occurrence of illegal residues in edible animal products. This should include a review of the best available toxicological and tissue distribution and tissue residue depletion data and establishment of an extra long drug withdrawal period prior to marketing meat, milk, or eggs. The animal owner or manager should be given explicit written withdrawal instructions. The practitioner should have a high degree of confidence that the client will follow the drug withdrawal instruction.

Regulatory action should be considered when an illegal residue occurs even if the veterinarian followed the foregoing precautions. The enforcement discretion that might be accorded to veterinarians will not be extended to lay persons; e.g., owners, who administer human-labeled drugs either to food-producing or nonfood animals without the supervision of a licensed veterinarian operating within the framework of a valid veterinarian/client/patient relationship.

Veterinarians are expected to follow cautionary handling and disposal provisions, if any, specified in human drug labeling to protect handlers and the environment.

Regulatory Action Guidance

The highest priority for regulatory attention is for follow-up on reports of illegal tissue residues from human-labeled drugs. Follow the instructions in Compliance Program 7371.006, *Illegal Drug Residues in Meat and Poultry* and Compliance Program 7371.008, *National Drug Residue Milk Monitoring Program*. Consultation with Case Guidance Branch for guidance under this policy is indicated when encountering other suspected violations, especially where there is substitution of human-labeled drugs for treatment of common disease conditions in food animals.

The initial enforcement action of choice is ordinarily a Warning Letter. Center concurrence is required prior to issuance. Depending on the circumstances, one or more of the following charges would be appropriate.

—402(a)(2)(D)-food adulterated by illegal residue from a new animal drug;

—402(a)(2)(A)-food adulterated by illegal residue from a human-labeled drug;

—501(a)(5)-adulterated drug (labeled for human use which is accompanied by labeling indicating it for animal use which causes it to be unsafe under Section 512(a) as an unapproved new animal drug);

—502(f)(1)-misbranded human drug when not used as labeled; misbranded human drug promoted for animal use in ways other than by labeling (see 21 CFR 201.128).

Issued: 3/19/91

Revised: 7/20/92

Sec. 615.100 Extralabel Use of New Animal Drugs in Food-Producing Animals (CPG 7125.06)

Background

Concern over the extralabel use of drugs in treating food-producing animals and the possibility that human food may become adulterated with illegal drug residues from such misuse has prompted a revision in the Center for Veterinary Medicine (CVM) extralabel drug use policy. Under the revised policy, a finding of illegal drug residues no longer will be a prerequisite for initiating regulatory action based on extralabel drug use of drugs in food-producing animals.

For the purpose of this policy, ''extralabel use'' refers to the actual or intended use of a new animal drug in a food-producing animal in a manner that is not in accordance with the drug labeling. This includes, but is not limited to, use in species or for indications (disease or other conditions) not listed in the labeling, use at dosage levels higher than those stated in the labeling, and failure to observe the stated withdrawal time.

FDA in the past has not sanctioned extralabel uses of drugs in food-producing animals, but the agency has stated that it would refrain from instituting regulatory action against licensed veterinarians for using or prescribing in their practices any drugs they could legally obtain. Nevertheless, it has been FDA's position that veterinarians may be subject to regulatory action for any violative drug residues in human food resulting from their prescriptions, recommendations, or treatments contrary to label instructions. Similarly, anyone in the producing or marketing chain who could be shown to have caused illegal drug residues through extralabel use of drugs in food-producing animals has been subject to regulatory action.

In contrast, under usual circumstances veterinary practitioners may consider the extralabel use of drug products in non-food-producing animal practice without being subject to FDA enforcement actions. In rare circumstances, for example when the health of the treated animals is harmed, regulatory attention by FDA would be considered or, preferably, referred to the State veterinary licensing authority for investigation.

Policy

The use or intended use of new animal drugs in treating food-producing animals in any manner other than in accord with the approved labeling causes the drugs to be adulterated under the Federal Food, Drug, and Cosmetic Act (the Act) (sections 501(a)(5) and (6), 512(a)(1)(A) and (B), 512(a)(2)). The agency will consider regulatory action when such use or intended use is found, whether by a veterinarian, producer, or other person. Regulatory actions will also be considered against distributors and others who might cause adulteration of approved new animal drugs. Nevertheless, extralabel drug use in treating food-producing animals may be considered by a veterinarian when the health of animals is immediately threatened and suffering or death would result from failure to treat the affected animals. In instances of this nature, regulatory action would not ordinarily be considered provided all [at] the following criteria are met and precautions observed:

1. A careful medical diagnosis is made by an attending veterinarian within the context of a valid veterinarian-client-patient relationship;* * *

2. A determination is made that (a) there is no marketed drug specifically labeled to treat the condition diagnosed, or drug therapy at the dosage recommended by the labeling has been found clinically ineffective by the veterinarian in the animals to be treated;

3. Procedures are instituted to assure that identity of the treated animals is carefully maintained;

4. Significantly extended time period is assigned for drug withdrawal prior to marketing meat, milk, or eggs; steps are taken to assure that the assigned time frames are met, and no illegal residues occur; and

5. The prescribed or dispensed extralabel drug (prescription legend or over the counter) bears labeling information which is adequate to assure the safe and proper use of the product. At a minimum, the following label information is recommended:

a. The name and address of the veterinary practitioner.

b.The established name of the drug (active ingredient), or if formulated from more than one ingredient, the established name of each ingredient.

c. Any directions for use specified by the practitioner (including the class/species or identification of the animals; and the dosage, frequency, route of administration, and duration of therapy).

d. Any cautionary statements specified by the veterinarian.

e. The veterinarian's specified withdrawal/discard time(s) for meat, milk, eggs, or any food which might be derived from the treated animal(s).

Extra-label use of drugs in treating food-producing animals may under this policy, therefore, be considered only in special circumstances. The ''exempting'' criteria do not include drug use in treating food-producing animals by the layman. Lay persons cannot be expected to have sufficient knowledge and understanding concerning animal diseases, pharmacology, toxicology, drug interactions, and other scientific parameters to use drugs in treating food-producing animals in any way other than as labeled.

Certain drugs may not be used in treating food-producing animals even under the cited criteria. This includes chloramphenicol. Extralabel uses of drugs in treating food-producing animals for improving rate of weight gain, feed efficiency, or other producing purposes, or for routine disease prevention are inappropriate as is use for therapeutic purposes other than under the circumstances described above. Also, the criteria cited above do not sanction the sale and use, for any purpose, of new animal drugs that are not approved, such as diethylstilbestrol (DES). Furthermore, a drug (including a bulk drug) may not be mixed into feed for any use or at a potency level not specifically permitted by the regulations in 21 CFR Part 558, even if prescribed or ordered by a veterinarian.

Regulatory Guidance

The highest priorities for regulatory attention regarding extra-label use are:

1. Instances where illegal residues occur.

2. In all food-producing animals:

Chloramphenicol

Clenbuterol

Diethylstilbestrol (DES)

Dimetridazole

Ipronidazole

Other nitroimidazoles

Furazolidone (Except for approved topical use)

Nitrofurazone (Except for approved topical use)

3. In lactating dairy cattle:

Sulfonamide drugs (except approved use of sulfa-dimethoxine, sulfabromomethazine and sulfaethoxy-pyridazine)

4. Manufacturers and distributors who promote extra-label use of drugs.

5. The mixing of drugs into medicated feeds intended for extra-label use.

6. Extra-label use by laymen at their own initiative.

* * *A valid veterinarian-client-patient relationship, as defined by the American Veterinary Medical Association is the following: An appropriate veterinarian-client-patient relationship will exist when: (1) the veterinarian has assumed the responsibility for making medical judgements regarding the health of the animal(s) and the need for medical treatment, and the client (owner or other caretaker) has agreed to follow the instructions of the veterinarian; and when (2) there is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept; and when (3) the practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy.

Issued: 3/9/84

Revised: 5/1/84, 8/1/86, 11/1/86, 7/20/92

[FR Doc. 96–12403 Filed 5–16–96; 8:45 am]

BILLING CODE 4160–01–F

federal register

Friday
May 17, 1996

Part VI

Department of Justice

Bureau of Prisons

28 CFR Parts 501 and 550

Scope of Rules: Prevention of Acts of Violence and Terrorism and Drug Abuse Treatment Programs: Early Release Consideration; Final Rules

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 501

[BOP–1059–I]

RIN 1120–AA54

Scope of Rules: Prevention of Acts of Violence and Terrorism

AGENCY: Bureau of Prisons, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This document amends Bureau of Prisons regulations on institutional management with respect to special administrative measures that may be necessary to prevent acts of violence and terrorism that may be caused by contacts with certain inmates. The affected inmate must be notified in writing as promptly as possible of the restrictions to be imposed. Restrictions may be imposed initially for up to 120 days, and may be extended in further increments of 120 days only upon additional written notification that the circumstances identified in the original certification continue to exist.

DATES: This rule shall take effect May 17, 1996; comments must be submitted by July 16, 1996.

ADDRESSES: Office of General Counsel, Bureau of Prisons, HOLC Room 754, 320 First Street, NW., Washington, DC 20534.

FOR FURTHER INFORMATION CONTACT: Roy Nanovic, Office of General Counsel, Bureau of Prisons, phone (202) 514–6655.

SUPPLEMENTARY INFORMATION: The Bureau of Prisons (''Bureau'') is adopting interim regulations on the correctional management of inmates whose contacts with other persons present the potential for acts of violence and terrorism. Under these interim regulations, the Warden may implement administrative measures that are reasonably necessary to protect the public against such acts. Application of these measures is likely to affect only a minute portion of the inmate population; those inmates for whom there is an identified concern that the inmate's communications with other persons could serve as an instrumentality for acts of violence and terrorism. These measures will be subject to strict controls, as their implementation may occur only upon written notification by the Attorney General, the head of a federal law enforcement agency, or the head of a member agency of the United States intelligence community, that there is a substantial risk that a prisoner's communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons.

It is not the intention of the Bureau that the restrictions imposed in these special cases routinely include complete curtailment of privileges. An inmate upon whom these special restrictions are imposed is entitled to notification in writing of the imposed restrictions and the basis for the restrictions. The affected inmate may appeal imposition of restrictions ordered under this section through the Bureau's Administrative Remedy Program, 28 CFR part 542.

The Bureau is publishing this regulation as an interim rule under the ''good cause'' provision of 5 U.S.C. 553(b) in order to protect the public interest and to protect against the risk of acts of violence and terrorism. Members of the public may submit comments concerning this rule by writing to the previously cited address. These comments will be considered before the rule is finalized.

The Bureau of Prisons has determined that this rule is not a significant regulatory action for the purpose of E.O. 12866, and accordingly this rule was not reviewed by the Office of Management and Budget. After review of the law and regulations, the Director, Bureau of Prisons, has certified that this rule, for the purpose of the Regulatory Flexibility Act (Pub. L. 96–354), does not have a significant economic impact on a substantial number of small entities. This rule will not have substantial direct effects on the states, on the relationship between the national government and the states, or the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of E.O. 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 28 CFR Part 501

Prisoners.

Kathleen M. Hawk,

Director, Bureau of Prisons.

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons, in 28 CFR 0.96(p), part 501 in subchapter A of 28 CFR, chapter V is amended as set forth below:

SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION

PART 501—SCOPE OF RULES

1. The authority citation for 28 CFR part 501 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4161–4166 (Repealed as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

2. Section 501.3 is added to part 501 to read as follows:

§ 501.3 Prevention of acts of violence and terrorism.

(a) Upon direction of the Attorney General, the Director, Bureau of Prisons, may authorize the Warden to implement special administrative procedures that are reasonably necessary to protect persons against the risk of death or serious bodily injury. These procedures may be implemented upon written notification to the Director, Bureau of Prisons, by the Attorney General or, at the Attorney General's direction, by the head of a federal law enforcement agency, or the head of a member agency of the United States intelligence community, that there is a substantial risk that a prisoner's communications or contacts with persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons. These special administrative measures ordinarily may include housing the inmate in administrative detention and/or limiting certain privileges, including, but not limited to, correspondence, visiting, interviews with representatives of the news media, and use of the telephone, as is reasonably necessary to protect persons against the risk of acts of violence or terrorism. The authority of the Director under this paragraph may not be delegated below the level of Acting Director.

(b) Designated staff shall provide to the affected inmate, as soon as practicable, written notification of the restrictions imposed and the basis for these restrictions. The notice's statement as to the basis may be limited in the interest of prison security or safety or to protect against acts of violence or terrorism. The inmate shall sign for and receive a copy of the notification.

(c) Initial placement of an inmate in administrative detention and/or any limitation of the inmate's privileges in

accordance with paragraph (a) of this section may be imposed for up to 120 days. Special restrictions imposed in accordance with paragraph (a) of this section may be extended thereafter by the Director, Bureau of Prisons, in 120-day increments upon receipt by the Director of additional written notification from the Attorney General, or, at the Attorney General's direction, from the head of a federal law enforcement agency, or the head of a member agency of the United States intelligence community, that the circumstances identified in the original notification continue to exist. The authority of the Director under this paragraph may not be delegated below the level of Acting Director.

(d) The affected inmate may seek review of any special restrictions imposed in accordance with paragraph (a) of this section through the Administrative Remedy Program, 28 CFR part 542.

[FR Doc. 96–12473 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–05–P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 550

[BOP–1052–I]

RIN 1120–AA36

Drug Abuse Treatment Programs: Early Release Consideration

AGENCY: Bureau of Prisons, Justice.

ACTION: Further issuance of interim rule with request for comments.

SUMMARY: In this document, the Bureau of Prisons is further amending its interim rule on Drug Abuse Treatment Programs which allows for consideration of early release of eligible inmates who complete a residential drug abuse treatment program, including a transitional treatment phase. Based upon initial public comment, the Bureau is adding to the interim regulations a requirement that an inmate seeking consideration for early release must complete transitional drug treatment services in a community-based program (i.e., in a Community Corrections Center or on home confinement). This further amendment is necessary to solicit additional comments from the public on this new requirement.

DATES: Effective May 17, 1996; comments are due July 16, 1996.

ADDRESSES: Office of General Counsel, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534.

FOR FURTHER INFORMATION CONTACT: Roy Nanovic, Office of General Counsel, Bureau of Prisons, phone (202) 514–6655.

SUPPLEMENTARY INFORMATION: The Bureau of Prisons is further amending its regulations on Drug Abuse Treatment Programs (28 CFR part 550, subpart F). An interim rule on this subject which implemented Section 32001 of the Violent Crime Control and Law Enforcement Act of 1994 (codified at 18 U.S.C. 3621(e)) was published in the Federal Register on May 25, 1995 (60 FR 27692).

Public comment received on the interim rule, published May 25, 1995, included comment from the American Psychiatric Association (Association). The Association stated that it believed the program was a good idea, but expressed concern about the adequacy of transitional drug treatment services offered at an institution. Bureau regulations in 28 CFR 550.59(a) require minimum participation of one hour per month for such transitional services. The Association stated that this minimum was probably not of sufficient intensity to facilitate a good outcome and recommended enhanced psychiatric consultation and the availability of a broad array of services.

The Bureau recognizes the importance of transitional services in drug treatment programming and agrees with the Association that an enhanced transitional program, such as is available in a community-based program, increases the opportunity for a good outcome. The Bureau recognizes that implementation of this requirement may preclude some inmates from participation in a community-based program. However, while the Bureau may be able to increase the availability of certain transitional services at an institution, it cannot duplicate within the institution the environment of community-based transitional services (i.e., the evaluation of the inmate in conditions where the inmate is reintegrating into the community). The Bureau, in exercising its discretion in determining the successful completion of a residential drug abuse treatment program under 18 U.S.C. 3621(e), is therefore requiring that consideration for early release be contingent upon the inmate's completion of transitional services in a community-based program (i.e., in a Community Corrections Center or on home confinement).

Section 550.58 has accordingly been amended to reflect this addition. Inmates who will not be able to complete the community-based portion of treatment will be those whose placement in such programs is precluded due to custodial considerations. Such considerations would include the presence of a detainer or the possibility that the inmate's placement in a community-based program would pose a danger to the public. The decision to place an inmate in a community-based program is made by the Warden based on his or her professional discretion.

As of August 17, 1995, approximately 160 inmates who had already qualified for early release consideration under the provisions of the May 25, 1995 interim rule (meaning they had completed the residential program or had been placed in the residential program with an adjusted release date to follow) would not be able to complete the community-based portion of the program due to the exclusion from community-based programs as a result of a detainer. The Bureau has determined that this group of inmates will not be adversely affected by this new interim rule. They will be considered under the rules in effect at the time they entered the residential program. However, any inmate in this group who loses his or her eligibility for early release (due to expulsion from the program or for other reasons as provided by the regulations) must reenter the program and will then be governed by the eligibility requirements of this new interim rule. Any inmate with a detainer, however, who has not entered the residential drug treatment program by August 17, 1995 will be subject to the restrictions of the new interim rule.

This exception from application of this new interim rule for inmates with detainers who had already entered the residential treatment program will not be extended to any other group of inmates. Inmates who are excluded for any other reasons from a community-based program, such as posing a danger to the public, are no longer eligible for an early release. The adjusted projected release dates for these inmates will revert to their prior status. This action is similar to the manner in which projected good time may be recomputed before it is vested.

Additional changes to the introductory text have been made for the sake of clarity. For example, the introductory text more clearly emphasizes that early release consideration for inmates is applicable to inmates sentenced to a term of imprisonment pursuant to the provisions of 18 U.S.C. Chapter 227,

Subchapter D. Inmates sentenced under ''old law'' provisions are not eligible, regardless of their eligibility for parole. The restriction for inmates who have a prior federal and/or state conviction for homicide, forcible rape, robbery, or aggravated assault has been reworded to remove the phrase ''federal and/or state''. This is being done in order to include foreign convictions.

The Bureau's response to other comments to the May 25, 1995 interim rule will be contained in a future Federal Register document.

Interested persons may participate in this new interim rulemaking by submitting data, views, or arguments in writing to the Bureau of Prisons, 320 First Street, NW., HOLC Room 754, Washington, DC 20534. Comments received on the interim rule provisions during the comment period will be considered before final action is taken. All comments received remain on file for public inspection at the above address.

The Bureau of Prisons has determined that this rule is not a significant regulatory action for the purpose of E.O. 12866, and accordingly this rule was not reviewed by the Office of Management and Budget. After review of the law and regulations, the Director, Bureau of Prisons has certified that this rule, for the purpose of the Regulatory Flexibility Act (Pub. L. 96–354), does not have a significant impact on a substantial number of small entities.

List of Subjects in 28 CFR Part 550

Prisoners.

Kathleen M. Hawk,

Director, Bureau of Prisons.

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons in 28 CFR 0.96(p), part 550 in subchapter C of 28 CFR, chapter V is amended as set forth below.

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT

PART 550—DRUG PROGRAMS

1. The authority citation for 28 CFR part 550 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4251–4255, 5006–5024 (repealed October 12, 1984 as to conduct occurring after that date), 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

2. In § 550.58, the introductory text and paragraphs (a)(1)(iii) and (a)(2)(i) are revised to read as follows:

§ 550.58 Consideration for early release.

Except as provided in this paragraph, an inmate who was sentenced to a term of imprisonment pursuant to the provisions of 18 U.S.C. Chapter 227, Subchapter D, and who completes a residential drug abuse treatment program including subsequent transitional services in a community-based program (i.e., in a Community Corrections Center or on home confinement) during his or her current commitment may be eligible, in accordance with paragraph (a) of this section, for early release by a period not to exceed 12 months. The following categories of inmates are not eligible: INS detainees, pretrial inmates, contractual boarders (for example, D.C., State, or military inmates), inmates whose current offense is determined to be a crime of violence as defined in 18 U.S.C. 924(c)(3), inmates who have a prior conviction for homicide, forcible rape, robbery, or aggravated assault, and inmates who are not eligible for participation in a community-based program as determined by the Warden on the basis of his or her professional discretion.

(a) *Eligibility*. (1) * * *

* * * * *

(iii) The inmate completes a refresher treatment program and all applicable transitional services programs in a community-based program (i.e., in a Community Corrections Center or on home confinement); and

* * * * *

(2) * * *

(i) The inmate completes all applicable transitional services programs in a community-based program (i.e., in a Community Corrections Center or on home confinement); and

* * * * *

[FR Doc. 96–12472 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–05–P

federal register

Friday
May 17, 1996

Part VII

Department of Housing and Urban Development

24 CFR Part 585

Opportunities for Youth: Youthbuild Program; Interim Rule

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development

24 CFR Part 585

[Docket No. FR–4038–I–01]

RIN 2506–AB79

Opportunities for Youth: Youthbuild Program

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Interim rule.

SUMMARY: The Youthbuild program is one of many HUD programs that directly invests in distressed communities, and opportunities to further the goals of the program and stimulate community investment and support for the Youthbuild program must be encouraged. This interim rule amends the regulations for the Youthbuild Program to define administrative costs for which Youthbuild funds may be expended.

DATES: Effective Date: June 17, 1996.

Comments Due Date: July 1, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this interim rule to Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410–0500.

Communications should refer to the above docket number and title. Facsimile (FAX) comments are not acceptable. A copy of each communications submitted will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

FOR FURTHER INFORMATION CONTACT: The Office of Economic Development, Department of Housing and Urban Development, Room 7136, 451 Seventh Street SW., Washington, DC 20410. Telephone (202) 708–2035; TYY (202) 708–1455. (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

Background

Section 164 of the Housing and Community Development Act of 1992 (Pub.L. 102–550) amended title IV of the National Affordable Housing Act (42 U.S.C. 1437aaa) to add a new subtitle D which established the Youthbuild program. On February 21, 1995, the Department published a final rule at 60 FR 9734, which is codified at 24 CFR Part 585. This interim rule is intended to further address the use of Youthbuild funds for administrative costs, including overhead and salaries and wages associated with an implementation grant.

The Department believes that the Youthbuild program is a valuable tool to promote job skills, neighborhood revitalization and economic self sufficiency and recognizes the need to staff these programs with competent personnel to provide education and training, and other support services to an ever growing population of disadvantaged youths. The Department and Youthbuild grantees now have valuable program experience in cost efficient ways of meeting the program's mission, delivering quality training and services, and serving more youth successfully. These times of shrinking Federal resources make it even more imperative that Youthbuild funds benefit the greatest number of youths. Examples of ways Youthbuild grantees have limited overhead expense include eliminating some administrative positions and assigning tasks to other personnel, physically locating the program in an existing facility, utilizing the expertise and experience of other programs and organizations, paying administrative costs with other funds, using existing equipment from other programs, and securing non-federal matching funds to cover administrative costs. These examples demonstrate that partnerships with other public and private organizations in the community can be one of the keys to an effective program.

The Youthbuild program is one of many HUD programs that directly invests in distressed communities, and opportunities to further the goals of the program and stimulate community investment and support for the Youthbuild program must be encouraged. Numerous Youthbuild grantees have been particularly innovative in establishing partnerships with local organizations such as educational institutions, training organizations, apprenticeship programs, social agencies, foundations and local governments, and adopting innovative and creative ways of delivering program services.

This interim rule will affect only future grant awards.

Justification for Interim Rulemaking

HUD generally publishes a rule for public comment before issuing a rule for effect, in accordance with HUD's own regulations on rulemaking in 24 CFR part 10. However, part 10 provides for exceptions to the general rule if the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is ''impracticable, unnecessary, or contrary to the public interest'' (24 CFR 10.1). HUD finds that good cause exists to publish this rule for effect without first soliciting public comment, in that prior public comment is contrary to the public interest. This rule ensures direct program benefits for the maximum number of disadvantaged youths. Further, by letter dated December 6, 1995, the Department asked all Youthbuild implementation grantees to describe innovative ways to limit overhead expenses as well as suggestions for measuring success. This rule takes into consideration those suggestions. Therefore, the Department believes that a 45-day public comment period is more than adequate in light of the compelling need to finalize the Department's policy for limiting overhead expenses.

Other Matters

(a) *Environmental Impact.* A Finding of No Significant Impact with respect to the environment for this interim rule has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of the General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW., Washington, D.C. 20410.

(b) *Regulatory Flexibility Act.* The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this interim rule before publication and by approving it certifies that this interim rule would not have a significant economic impact on a substantial number of small entities because the Youthbuild program affects primarily economically disadvantaged young adults by providing assistance for a wide range of multi-disciplinary activities to assist those young adults. The opportunities are designed to help disadvantaged young adults who have dropped out of high school to obtain the education and employment skills necessary to achieve economic self-sufficiency and develop leadership skills and a commitment to community development in low-income communities. It is anticipated that this interim rule will increase the number of young adults receiving assistance under federally-funded Youthbuild programs.

(c) *Executive Order 12612, Federalism*. The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that this interim rule does not have ''federalism implications'' because it does not have substantial direct effects on the States (including their political subdivisions), or on the distribution of power and responsibilities among the various levels of government.

(d) *Executive Order 12606, The Family*. The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that some of the policies of this interim rule would have a potential significant impact on family formation, maintenance, and general well-being. The expected expansion of opportunities to economically disadvantaged young adults to enhance their education and employment skills will provide a positive impact on the family maintenance and general well-being. However since the impact on the family is beneficial and the interim rule involves very little HUD discretion, no further review is necessary.

(e) *Catalog of Federal Domestic Assistance*. The Catalog of Federal Domestic Assistance Program number assigned to this program is 14.243.

List of Subjects in 24 CFR Part 585

Grant programs—housing and community development, Homeless, Low- and very low-income families, Reporting and recordkeeping requirements.

Accordingly, for the reasons set forth in the preamble, part 585 of title 24 of the Code of Federal Regulations is amended as follows:

PART 585—YOUTHBUILD PROGRAM

1. The authority citation for part 585 continues to read as follows:

Authority: 42 U.S.C. 3535(d) and 8011.

2. In § 585.305, paragraph (m) is amended to add new paragraphs (m)(1) and (m)(2), to read as follows:

§ 585.305 Eligible activities.

* * * * *

(m) * * *

(1) *Administrative costs*. The amount of Youthbuild funds used to pay the following costs, in whole or in part, must be charged as administrative costs:

(i) Salaries, wages and related costs of the grantee's staff or other staff who are primarily engaged in general program administration and oversight. Youthbuild funded staff presumed to be primarily engaged in general program administration and oversight include the executive director, the program manager, the fiscal officer, the secretary and the administrative or program assistant. However, a grantee may provide evidence to rebut this presumption for an individual case.

(ii) Other costs for goods and services required for the program, such as rental or purchase of vehicles, office supplies and equipment, utilities, insurance, legal, staff training, rental and maintenance of office space, mailing, advertising, technical assistance and fund raising.

(2) *Further restrictions on the use of Youthbuild funds*. (i) Further restrictions may be imposed if the Department determines, based on information readily available that:

(A) Costs are not sufficiently itemized;

(B) The amount of program funds for trainee wages and benefits, including need-based stipends, benefits, incentives, tools and work clothes and/or the number of Youthbuild participants served are low in comparison to other comparable programs;

(C) The participant training period is shorter than that in other comparable programs;

(D) Alternative use of funds for eligible activities would be in the overall interest of the Youthbuild program.

(ii) Restrictions include, but are not limited to, limitations on the use and availability of grant funds, reallocation of Youthbuild program budget, or cancellation of grant.

Dated: April 24, 1996.

Andrew M. Cuomo,

Assistant Secretary for Community Planning and Development.

[FR Doc. 96–12425 Filed 5–16–96; 8:45 am]

BILLING CODE 4210–29–P

federal register

Friday
May 17, 1996

Part VIII

The President

Proclamation 6896—National Defense Transportation Day and National Transportation Week, 1996

Executive Order 13003—Establishing an Emergency Board To Investigate Disputes Between Certain Railroads Represented by the National Carriers' Conference Committee of the National Railway Labor Conference and Their Employees Represented by the Brotherhood of Maintenance of Way Employes

Federal Register
Vol. 61, No. 97
Friday, May 17, 1996

Presidential Documents

Title 3—

The President

Proclamation 6896 of May 15, 1996

National Defense Transportation Day and National Transportation Week, 1996

By the President of the United States of America

A Proclamation

Americans derive daily benefits from the finest transportation system in the world. Our Nation's network of land, sea, and air travel allows for the efficient movement of goods and people, strengthening our economy, uniting our citizens, and linking us to other countries around the globe. As we strive to compete in an international marketplace, we must deepen our commitment to this infrastructure and continue the long-standing partnership between government and industry that has made our successes possible.

Transportation has played a vital role in America's recent economic recovery, creating some 400,000 new jobs in the last 3 years. Fields that faced financial difficulties just a short time ago, such as aerospace, shipbuilding, and airlines, are now profitable and growing. My Administration has been proud to sign more than 30 new market-opening aviation agreements, including an agreement with Canada, our biggest trading partner, that has generated significant economic activity in just one year and facilitated air travel between our two countries.

In an effort to build on this progress and further improve efficiency, we have increased our national investment in infrastructure—by some 11 percent a year over early 1990s levels—while streamlining the Department of Transportation by 10,000 employees and cutting red tape to speed the financing and construction of highway projects. Safety remains a top priority in these efforts, and communities across the country are working to protect drivers, passengers, pedestrians, and bicyclists. Sophisticated communications technology helps relieve traffic congestion in urban areas and expanded mass transit systems move people more quickly and safely with minimal environmental impact.

To celebrate these accomplishments and to honor the millions of men and women, both government and private sector employees, who maintain America's transportation system and contribute so much to our Nation's activities, the Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 160), has designated the third Friday in May of each year as ''National Defense Transportation Day'' and, by joint resolution approved May 14, 1962 (36 U.S.C. 166), declared that the week within which that Friday falls be designated ''National Transportation Week.''

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Friday, May 17, 1996, as National Defense Transportation Day and May 12 through May 18, 1996, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies and activities, giving due recognition to the countless individuals and organizations that build, secure, and operate this country's modern transportation system.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twentieth

William J. Clinton

[FR Doc. 96–12719
Filed 5–16–96; 12:05 pm]
Billing code 3195–01–P.

Presidential Documents

Executive Order 13003 of May 15, 1996

Establishing an Emergency Board To Investigate Disputes Between Certain Railroads Represented by the National Carriers' Conference Committee of the National Railway Labor Conference and Their Employees Represented by the Brotherhood of Maintenance of Way Employes

Disputes exist between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference, including Consolidated Rail Corporation (including the Clearfield Cluster), Burlington Northern Railroad Co., CSX Transportation Inc., Norfolk Southern Railway Co., Atchison, Topeka and Santa Fe Railway Co., Union Pacific Railroad, Chicago & North Western Railway Co., Kansas City Southern Railway Co., and their employees represented by the Brotherhood of Maintenance of Way Employes. The railroads involved in these disputes are designated on the attached list, which is made a part of this order.

The disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended (45 U.S.C. 151 *et seq.*) (the ''Act'').

In the judgment of the National Mediation Board, these disputes threaten substantially to interrupt interstate commerce to a degree that would deprive a section of the country of essential transportation service.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 10 of the Act (45 U.S.C. 160), it is hereby ordered as follows:

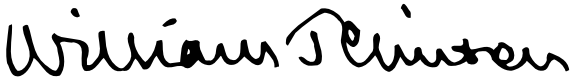
Section 1. *Establishment of Emergency Board (''Board'').* There is established effective May 15, 1996, a Board of three members to be appointed by the President to investigate any and all of the disputes raised in mediation. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any railroad carrier. The Board shall perform its functions subject to the availability of funds.

Sec. 2. *Report.* The Board shall report to the President with respect to the dispute within 30 days of its creation.

Sec. 3. *Maintaining Conditions.* As provided by section 10 of the Act, from the date of the creation of the Board and for 30 days after the Board has made its report to the President, no change, except by agreement of the parties shall be made by the railroads or the employees in the conditions out of which the disputes arose.

Sec. 4. *Records Maintenance.* The records and files of the Board are records of the Office of the President and upon the Board's termination shall be maintained in the physical custody of the National Mediation Board.

Sec. 5. *Expiration.* The Board shall terminate upon the submission of the report provided for in sections 2 and 3 of this order.



THE WHITE HOUSE,
May 15, 1996.

RAILROADS

Alton & Southern Railroad

Atchison, Topeka and Santa Fe Railway Company

Bangor and Aroostook Railroad Company

Belt Railway Company of Chicago

Burlington Northern Railroad Company

Camas Prairie Railroad Company

Chicago and North Western Railway Company

Consolidated Rail Corporation (including the Clearfield Cluster)

CSX Transportation, Inc.
- The Baltimore and Ohio Chicago Terminal Company
- The Baltimore and Ohio Railroad Company (former)
- The Chesapeake and Ohio Railway Company (former) (Northern and Southern Regions)
- Chicago and Eastern Illinois Railroad Company (former)
- Clinchfield Railroad (former)
- Louisville and Nashville Railroad Company (former)
- Monon Railroad (former)
- Richmond, Fredericksburg & Potomac Railway Company
- Seaboard Coast Line Railroad Company (former)
- Toledo Terminal Railroad Company (former)
- Western Maryland Railway Company (former)
- Western Railway of Alabama

Galveston, Houston and Henderson Railroad

Houston Belt and Terminal Railway

The Kansas City Southern Railway Company
- CP-Kansas City Southern Joint Agency

Lake Superior & Ishpeming Railroad Company

Longview, Portland & Northern Railway Company

Los Angeles Junction Railway

Manufacturers Railway Company

Meridian & Bigbee Railroad Company

Missouri-Kansas-Texas Railroad
- Oklahoma, Kansas & Texas Railroad

Missouri Pacific Railroad

New Orleans Public Belt Railroad

Norfolk and Portsmouth Belt Line Railroad Company

Norfolk Southern Railway Company
- The Alabama Great Southern Railroad Company
- Atlantic & East Carolina Railway Company
- Central of Georgia Railroad Company
- The Cincinnati, New Orleans and Texas Pacific Railway Company
- Georgia Southern and Florida Railway Company
- Interstate Railroad Company
- Norfolk & Western Railway Company

Tennessee, Alabama and Georgia Railway Company

Tennessee Railway Company

Northeast Illinois Regional Commuter Railroad Corporation

Northern Indiana Commuter Transportation District

Peoria and Pekin Union Railway Company

The Pittsburgh, Chartiers & Youghiogheny Railway Company

Port Terminal Railroad Association

Portland Terminal Railroad Company

Spokane International Railroad

Terminal Railroad Association of St. Louis

Union Pacific Railroad

Utah Railway Company

Western Pacific Railroad

Wichita Terminal Association

[FR Doc. 96–12720
Filed 5–16–96; 12:02 pm]
Billing code 3195–01–P

Reader Aids

Federal Register

Vol. 61, No. 97

Friday, May 17, 1996

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids	**202–523–5227**
Public inspection announcement line	**523–5215**

Laws

Public Laws Update Services (numbers, dates, etc.)	**523–6641**
For additional information	**523–5227**

Presidential Documents

Executive orders and proclamations	**523–5227**
The United States Government Manual	**523–5227**

Other Services

Electronic and on-line services (voice)	**523–4534**
Privacy Act Compilation	**523–3187**
TDD for the hearing impaired	**523–5229**

ELECTRONIC BULLETIN BOARD

Free Electronic Bulletin Board service for Public Law numbers, Federal Register finding aids, and list of documents on public inspection. **202–275–0920**

FAX-ON-DEMAND

You may access our Fax-On-Demand service. You only need a fax machine and there is no charge for the service except for long distance telephone charges the user may incur. The list of documents on public inspection and the daily Federal Register's table of contents are available using this service. The document numbers are 7050-Public Inspection list and 7051-Table of Contents list. The public inspection list will be updated immediately for documents filed on an emergency basis.

NOTE: YOU WILL ONLY GET A LISTING OF DOCUMENTS ON FILE AND NOT THE ACTUAL DOCUMENT. Documents on public inspection may be viewed and copied in our office located at 800 North Capitol Street, N.W., Suite 700. The Fax-On-Demand telephone number is: **301–713–6905**

FEDERAL REGISTER PAGES AND DATES, MAY

19155–19502 1
19503–19804 2
19805–20116 3
20117–20418 6
20419–20700 7
20701–21046 8
21047–21360 9
21361–21946 10
21947–24204 13
24205–24432 14
24433–24664 15
24665–24874 16
24875–25134 17

CFR PARTS AFFECTED DURING MAY

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.

3 CFR

Proclamations:
6889 19503
6890 19803
6891 20419
6892 21045
6893 21047
6894 24661
6895 24663
6896 25129

Executive Orders:
11216 (See EO 13002) 24665
13001 21943
13002 24665
13003 25131

Administrative Orders:
Memorandums:
April 26, 1996 19505
April 26, 1996 24667
April 26, 1996 24877
April 28, 1996 19507

4 CFR

Proposed Rules:
21 19205

5 CFR

Ch. LXIX 20117
300 19509
410 21947
532 20701
831 21953
842 21953

7 CFR

28 19511
51 20702
53 19155
54 19155
272 19155
273 19155
301 20877
319 24433
800 24669
810 24669
900 20717
915 19512
916 19160
917 19160
946 20119
956 20121
959 24877
979 20718
985 20122
1002 20719
1004 20719
1007 20124
1280 .....19514, 21049, 21053
1485 24205
1841 21361
1843 21361
1845 21361
1903 21361
1945 21361
1980 21361
2054 21361

Proposed Rules:
51 24247
911 20754
924 20756
944 .....20754, 20756
958 20188
1005 19861
1007 19861
1011 19861
1046 19861
1160 20759

8 CFR

3 .....19976, 21065, 21228
242 .....19976, 21065, 21228

9 CFR

78 19976
130 20421

Proposed Rules:
92 .....20189, 20190, 21389
93 20190
94 20190
95 20190
96 20190
98 20190
301 19564
304 19578
308 19578
317 .....19564, 19578
318 .....19564, 19578
319 19578
320 19564
381 .....19564, 19578

10 CFR

20 24669
30 24669
40 24669
61 24669
70 24669
72 24669

Proposed Rules:
26 .....21105, 24731
72 24249

11 CFR

110 24533

12 CFR

5 19524
19 20330
20 19524
25 21362
28 19524
205 .....19662, 19678
211 24439

220....20386
228....21362
250....19805
263....20338
308....20344
345....21362
509....20350
563e....21362
614....20125
Proposed Rules:
207....20399
215....19863
220....20399
221....20399
614....24907

13 CFR

Proposed Rules:
121....20191

14 CFR

21....20696
25....24208, 24213
27....21904
29....21894, 21904
31....20877
39....19540, 19807, 19808, 19809, 19811, 19813, 19815, 20125, 20127, 20616, 20636, 20638, 20639, 20641, 20643, 20644, 20646, 20668, 20669, 20671, 20672, 20674, 20676, 20677, 20679, 20681, 20682, 21066, 21068, 21070, 21071, 24206, 24214, 24216, 24218, 24220, 24675, 24684, 24686, 24688, 24690, 24691, 24878, 24881, 24883, 24884
43....19498
71....19541, 19542, 19816, 19817, 21364, 21365, 21953, 24222, 24223
73....20127
91....24430
159....19784
205....19164
323....19164
385....19166
Proposed Rules:
29....20760
39....20192, 20194, 20762, 20764, 21146, 21979, 21980, 21982, 24250
71....19590, 19591, 19592, 19593, 21910, 21984, 24533
91....24582
121....21149, 24582, 24533
127....24582
135....24582

15 CFR

902....19171, 21926
981....21073
Proposed Rules:
946....19594

16 CFR

1500....19818
Proposed Rules:
254....19869
1210....20503

17 CFR

1....19177, 19830
3....20127
5....19830
10....21954
31....19830
140....21954
200....20721, 25652
228....25652
229....25652
230....21356, 25652
231....24644
232....25652
239....25652
240....21354, 25652
241....24644
249....21354
270....25652
271....24644
274....25652
276....24644
Proposed Rules:
1....19869
156....19869

18 CFR

35....21940
37....21737
385....21940
1300....20117
Proposed Rules:
35....21847
161....19211
250....19211
284....19211, 19832
346....19878

19 CFR

10....19834, 24887
12....24888
103....19835
145....24888
161....24888
Proposed Rules:
101....19834

20 CFR

345....20070
601....19982
617....19982
626....19982
658....19982
702....19982

21 CFR

5....24223
101....20096, 21074
201....20096
369....20096
500....19542
501....20096
510....21075, 24440
520....24441, 24443
522....21075, 24440
556....24440, 24441
558....21075, 24443, 24694
582....19542
589....19542
600....24227
601....24227
740....20096
801....20096
Proposed Rules:
Ch. 1....21392
25....19476
102....19220
130....19220
131....19220
133....19220
135....19220
136....19220
137....19220
139....19220
145....19220
146....19220
150....19220
152....19220
155....19220
156....19220
158....19220
160....19220
161....19220
163....19220
164....19220
165....19220
166....19220
168....19220
169....19220
210....20104
211....20104
328....21392
530....25118
589....24253

22 CFR

126....19841
514....20437

24 CFR

0....19187
201....19788
290....19188
585....25124
941....19708
970....19708
Proposed Rules:
206....21910
888....20982
901....20358
3500....21394

25 CFR

Proposed Rules:
144....24731
250....19600
525....21394

26 CFR

1....19188, 19189, 19544, 19546, 21366, 21955
301....19189
602....19189
Proposed Rules:
1....20503, 20766, 20767, 21985, 21988
31....20767
32....20767
35a....20767
301....20503, 21989

27 CFR

1....20721
4....20721
7....20721
16....20721
19....20721
20....20721
21....20721
22....20721
24....20721, 21076
25....20721
53....20721
55....20721
71....20721
170....20721
178....20721
179....20721
194....20721
197....20721
200....20721
250....20721
251....20721
252....20721
270....20721
275....20721
285....20721
290....20721
296....20721

28 CFR

58....24889
501....25120
550....25120
Proposed Rules:
90....24526
100....21396

29 CFR

1....19982
2....19982
4....19982
5....19982
6....19982
7....19982
8....19982
22....19982
24....19982
32....19982
96....19982
500....24694
504....19982
507....19982
508....19982
530....19982
1601....21370
1910....19547, 21228
1978....19982
2619....21228, 24444
2627....24694
2676....24444
Proposed Rules:
Ch. XIV....20768
4....19770

30 CFR

75....20877
Proposed Rules:
Ch. II....21977
256....24466
901....20768
902....20768
904....19881, 20768
913....20768
914....20768
915....20768
916....20768
917....20768
918....20768
920....20768
946....19885
950....20773

31 CFR

361....20437
585....24696

33 CFR

52....24233
100....19192, 20132, 21959,

21960, 21961, 21962
117.....24235
165 .....19192, 19841, 21963, 24697, 24698, 24699, 24701, 24892
401.....19548

34 CFR

361.....24390
685.....24446
Proposed Rules:
100 .....20196, 21998, 21999, 22001
117.....22002
154.....20084
155.....20084

36 CFR

292.....20726
1228.....19552, 24702
Proposed Rules:
7.....20775
100.....19220
117.....19223

37 CFR

Proposed Rules:
Ch. II.....20197, 22004
1.....19224, 20877

38 CFR

2.....20133, 20437
3.....20438, 20726
4.....20438, 20440
9.....20134
17.....21964, 24236
19.....20447
20.....20447
21.....20727, 24237
Proposed Rules:
3.....24910

39 CFR

3001.....24447
Proposed Rules:
233.....21404

40 CFR

52 .....19193, 19555, 20136, 20139, 20142, 20145, 20147, 20453, 20455, 20458, 20730, 20732, 24239, 24457, 24702, 24706, 24709, 24712
60.....20734, 21080
63.....21370
70 .....20150, 24457, 24715
80.....20736
81 .....20458, 21372, 24239, 24242
89.....20738
90.....20738
123.....20972
131.....20686
141.....24354
180 .....19842, 19845, 19847, 19849, 19850, 19852, 19854, 19855, 20742, 20743, 20745, 21378, 24893
300 .....20473, 24720, 24894
355.....20473
421.....24242
Proposed Rules:
Ch. I.....19432
51.....19231
52 .....19233, 19601, 20199, 20200, 20201, 20504, 21405, 21412, 24467, 24737, 24738
61.....20775
63.....19887, 21414
70.....20202
80.....20779
81.....19233, 21415
89.....20738
90.....20738
170.....19889
148.....21418
180 .....19233, 20780, 20781, 24738, 24911
185.....20780
186 .....10780, 20781, 24911
261.....21418
268.....21418
271.....21418
300 .....19889, 20202, 20785, 21422, 22004, 22006, 24261

41 CFR

50–203.....19982
60–1.....19982
60–30.....19982
60–250.....19366, 19982
60–741.....19336, 19982

42 CFR

405.....19722
412.....21969
486.....19722
Proposed Rules:
84.....24740

43 CFR

11.....20560

44 CFR

61.....19197
62.....24462
64.....19857
206.....19197

45 CFR

Proposed Rules:
1311.....24467

46 CFR

Ch. I.....24464
10.....19858
15.....19858
114.....20556
116.....20556
117.....20556
118.....20556
119.....20556
120.....20556
121.....20556
122.....20556
170.....20556, 24464
171.....24464
173.....20556, 24464
175.....20556
176.....20556
177.....20556
178.....20556
179.....20556
180.....20556
181.....20556
182.....20556
183.....20556
185.....20556
298.....21302
381.....24895
403.....21081
404.....21081

47 CFR

3.....20155
22.....21380
64.....20746, 24897
73 .....20490, 20747, 21384, 21385, 21973, 24262, 24263, 24465
90.....21380
97.....21385
Proposed Rules:
Ch. I.....22008
0.....21151
1 .....19236, 20505, 24743
2.....19236
15.....24473, 24749
21.....19236
22.....24470
24.....24470
73 .....19601, 20206, 20207, 20505, 20789, 21425, 24262, 24263
80.....21151
94.....19236

48 CFR

Ch. 1.....24263
231.....21973
570.....24720
801.....20491
803.....20491
804.....20491
805.....20491
806.....20491
808.....20491
810.....20491
812.....20491
813.....20491
815.....20491
816.....20491
820.....20491
822.....20491
828.....20491
833.....20491
834.....20491
836.....20491
837.....20491
846.....20491
871.....20493
904.....21975
906.....21975
911.....21975
912.....21975
913.....21975
915.....21975
919.....21975
925.....21975
926.....21975
933.....21975
950.....21975
952.....21975
970.....21975
2401.....19468
2402.....19468
2404.....19468
2405.....19468
2406.....19468
2409.....19468
2411.....19468
2412.....19468
2413.....19468
2414.....19468
2415.....19468
2416.....19468
2417.....19468
2419.....19468
2420.....19468
2426.....19468
2428.....19468
2429.....19468
2432.....19468
2434.....19468
2436.....19468
2437.....19468
2442.....19468
2452.....19468
2453.....19468
Proposed Rules:
Ch. 1.....22010
Ch. 2.....22010
52.....24473
901.....19891
905.....19891
906.....19891
908.....19891
915.....19891
916.....19891
917.....19891
922.....19891
928.....19891
932.....19891
933.....19891
935.....19891
936.....19891
942.....19891
945.....19891
952.....19891
971.....19891

49 CFR

18.....21386
90.....21386
107.....21084
171.....21084, 24904
172.....20747
173 .....20747, 21084, 24904
174.....20747
176.....20747
178.....21084
180.....24904
195.....24244
228.....20494
397.....20496
564.....20497
571 .....19201, 19202, 19560, 19561, 20170, 20172, 20497
604.....19562
609.....19562
639.....25088
1051.....19859
1053.....19859
1164.....21387
1311.....21387
1312.....19859
1330.....024722
Proposed Rules:
219.....21149
382.....21149
537.....22010
571 .....19602, 24263, 24265
653.....21149
654.....21149
1002.....20877
1100.....19236
1101.....19236
1102.....19236
1103.....19236
1104.....19236
1105.....19236
1106.....19236
1107.....19236

1108 19236
1109 19236
1110 19236
1111 19236
1112 19236
1113 19236
1114 19236
1115 19236
1116 19236
1117 19236
1118 19236
1119 19236
1120 19236
1121 19236
1122 19236
1123 19236
1124 19236
1125 19236
1126 19236
1127 19236
1128 19236
1129 19236
1130 19236
1131 19236
1132 19236
1133 19236
1134 19236
1135 19236
1136 19236
1137 19236
1138 19236
1139 19236
1140 19236
1141 19236
1142 19236
1143 19236
1144 19236
1145 19236
1146 19236
1147 19236
1148 19236
1149 19236
1185 22014
1300 21153
1305 24474
1312 19902

50 CFR

17 24722
216 21926
222 21926
253 19171
255 19171
620 20175
658 24728
661 20175
663 21102
672 ....19976, 21104, 24729
675 ....19976, 24730, 24905
678 21978

Proposed Rules:

16 24267
17 ....19237, 21426
600 19390
601 19390
602 19390
603 19390
605 19390
611 19390
619 19390
620 19390
621 19390
625 20506
628 20789
641 24267
649 20207
650 ....20207, 21431
651 20207
652 19604
672 ....24475, 24750
673 ....19902, 21431
675 ....24475, 24750
676 24475

REMINDERS

The rules and proposed rules in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

RULES GOING INTO EFFECT TODAY

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration

Fishery conservation and management:

Atlantic shark; published 5-13-96

ENVIRONMENTAL PROTECTION AGENCY

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:

Allyl isothiocyanate; published 5-17-96

FEDERAL COMMUNICATIONS COMMISSION

Common carrier services:

Telecommunications Act of 1996; implementation--

Telecommunications or customer premises equipment standards; dispute resolution; published 5-17-96

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Chlorofluorocarbons and other ozone-depleting substances, products containing or manufactured with; warning statements; published 5-3-96

JUSTICE DEPARTMENT

Prisons Bureau

Inmate control, custody, care, etc.:

Acts of violence and terrorism prevention; published 5-17-96

Drug abuse treatment programs and early release consideration; published 5-17-96

TRANSPORTATION DEPARTMENT

Coast Guard

Anchorage regulations:

Mississippi; published 4-17-96

Regattas and marine parades:

Annual National Maritime Week Tugboat Races; published 4-17-96

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:

de Havilland; published 5-3-96

Diamond Aircraft Industries; published 4-29-96

TRANSPORTATION DEPARTMENT

Maritime Administration

Cargo preference--U.S. flag vessels:

Available U.S. flag commercial vessels; published 5-17-96

TREASURY DEPARTMENT

Customs Service

Articles conditionally free, subject to a reduced rate, etc.:

Steel products; voluntary restraint arrangements; published 5-17-96

Merchandise; special classes:

Prohibited/restricted merchandise; foreign assets control enforcement; published 5-17-96

COMMENTS DUE NEXT WEEK

AGRICULTURE DEPARTMENT

Agricultural Marketing Service

Cranberries grown in Massachusetts et al.; comments due by 5-22-96; published 4-22-96

Limes and avocados grown in Florida; comments due by 5-22-96; published 4-22-96

Milk marketing orders:

Southwest Plains; comments due by 5-22-96; published 4-22-96

Potatoes (Irish) grown in--

Washington; comments due by 5-22-96; published 4-22-96

AGRICULTURE DEPARTMENT

Forest Service

National Forest System timber; sale and disposal:

Timber sale and substitution; comments due by 5-20-96; published 4-3-96

AGRICULTURE DEPARTMENT

Food Safety and Inspection Service

Meat and poultry inspection:

Sodium citrate buffered with citric acid; use in certain cured and uncured whole meat products; comments due by 5-24-96; published 4-24-96

AGRICULTURE DEPARTMENT

Nondiscrimination in USDA conducted programs and activities; comments due by 5-23-96; published 4-23-96

COMMERCE DEPARTMENT

Export Administration Bureau

Export licensing:

Regulations simplification; comments due by 5-24-96; published 3-25-96

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration

Fishery conservation and management:

Gulf of Alaska groundfish; comments due by 5-24-96; published 4-24-96

Pacific Coast groundfish; comments due by 5-24-96; published 5-9-96

Western Pacific crustacean; comments due by 5-23-96; published 4-8-96

Tuna, Atlantic bluefin fisheries; comments due by 5-22-96; published 4-25-96

Whaling provisions; Federal regulatory review; comments due by 5-24-96; published 4-9-96

ENVIRONMENTAL PROTECTION AGENCY

Air quality implementation plans; approval and promulgation; various States:

California; comments due by 5-22-96; published 4-22-96

Hazardous waste:

Identification and listing--

Exclusion; comments due by 5-20-96; published 4-3-96

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:

Hexakis (2-methyl-2-phenylpropyl)distannoxane; comments due by 5-20-96; published 3-20-96

Toxic substances:

Significant new uses--

Cyclohexyldiamino ethyl esters (substituted); comments due by 5-20-96; published 4-19-96

FEDERAL COMMUNICATIONS COMMISSION

Practice and procedure:

North American numbering plan; carrier identification codes expansion—

Transition period extension; comments due by 5-21-96; published 5-7-96

Radio and television broadcasting:

Telecommunications Act of 1996; implementation--

Broadcast facilities; license term extension to 8 years; comments due by 5-20-96; published 4-23-96

Radio services, special:

Maritime services--

Passenger ships, large cargo and small; radio installation inspection; comments due by 5-24-96; published 5-9-96

Radio stations; table of assignments:

Colorado; comments due by 5-21-96; published 4-4-96

Iowa et al.; comments due by 5-21-96; published 4-8-96

Kansas; comments due by 5-21-96; published 4-3-96

Mississippi et al.; comments due by 5-23-96; published 4-8-96

Wyoming; comments due by 5-23-96; published 4-8-96

FEDERAL EMERGENCY MANAGEMENT AGENCY

Flood insurance program:

Write-your-own program; assistance to private sector property insurers; comments due by 5-20-96; published 4-3-96

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Human drugs:

Labeling policy (OTC); interchangeable words in monograph requirement; comments due by 5-20-96; published 3-4-96

INTERIOR DEPARTMENT

Fish and Wildlife Service

Migratory bird hunting:

Natural vegetation in moist soil areas, artificial alteration or manipulation to attract waterfowl; prohibition; comments due by 5-20-96; published 3-22-96

INTERIOR DEPARTMENT

Surface Mining Reclamation and Enforcement Office

Permanent program and abandoned mine land reclamation plan submissions:

North Dakota; comments due by 5-24-96; published 4-24-96

West Virginia; comments due by 5-23-96; published 4-23-96

LABOR DEPARTMENT

Employment and Training Administration

Aliens:

Labor certification process for permanent employment, and researchers employed by colleges and universities; comments due by 5-22-96; published 4-22-96

LABOR DEPARTMENT

Mine Safety and Health Administration

Education and training:

Training and retraining of miners; policy review; comments due by 5-24-96; published 3-20-96

NATIONAL CREDIT UNION ADMINISTRATION

Credit unions:

Management official interlocks; comments due by 5-24-96; published 3-25-96

NUCLEAR REGULATORY COMMISSION

Nuclear power reactors, standard design certifications; and combined licenses; early site permits:

Boiling water reactors--

U.S. advanced boiling water reactor and system 80+ standard designs; certification approval; comments due by 5-24-96; published 4-24-96

POSTAL SERVICE

Domestic Mail Manual:

Mail with insufficient postage deposited for delivery; treatment; comments due by 5-20-96; published 4-5-96

SECURITIES AND EXCHANGE COMMISSION

Securities:

Accounting policies for derivative financial and derivative commodity instruments; financial statement footnote disclosures requirements; comments due by 5-20-96; published 4-16-96

Derivative financial, other financial, and derivative commodity instruments; safe harbor for disclosure of information about inherent market risk; comments due by 5-20-96; published 4-16-96

OFFICE OF UNITED STATES TRADE REPRESENTATIVE

Trade Representative, Office of United States

Tariff-rate quota amount determinations:

Leaf tobacco; comments due by 5-20-96; published 2-20-96

TRANSPORTATION DEPARTMENT

Coast Guard

Anchorage regulations:

New York; comments due by 5-20-96; published 3-20-96

Ports and waterways safety:

Lake Erie; safety zone; comments due by 5-20-96; published 4-18-96

Regattas and marine parades:

Augusta Southern National Drag Boat Races; comments due by 5-20-96; published 4-18-96

Beaufort Water Festival; comments due by 5-20-96; published 4-19-96

Fort Myers Beach Offshore Grand Prix; comments due by 5-20-96; published 3-20-96

Idle Hour South Channel Challenge; comments due by 5-20-96; published 4-19-96

Provincetown Harbor Swim for Life; comments due by 5-20-96; published 3-20-96

Swim the Bay; comments due by 5-20-96; published 3-20-96

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:

Aerospace Technologies of Australia; comments due by 5-24-96; published 3-14-96

AlliedSignal Inc.; comments due by 5-21-96; published 3-22-96

Fokker; comments due by 5-20-96; published 4-10-96

General Electric Co.; comments due by 5-24-96; published 3-25-96

Jetstream; comments due by 5-24-96; published 3-22-96

Jetstream Aircraft Ltd.; comments due by 5-24-96; published 3-25-96

McDonnell Douglas; comments due by 5-21-96; published 3-28-96

Airworthiness standards:

Special conditions--

Embraer (Brazil) Aircraft Corp. model EMB-145 airplane; comments due by 5-20-96; published 4-3-96

Class E airspace; comments due by 5-20-96; published 4-8-96

Restricted areas; comments due by 5-20-96; published 4-22-96

TRANSPORTATION DEPARTMENT

National Highway Traffic Safety Administration

Motor vehicle safety standards:

Windshield defrosting and defogging systems; Federal regulatory review; comments due by 5-23-96; published 4-8-96

Windshield wiping and washing systems; Federal regulatory review; comments due by 5-23-96; published 4-8-96

TRANSPORTATION DEPARTMENT

Surface Transportation Board

Rate procedures:

Rail rate reasonableness and exemption/revocation proceedings; expedited procedures; comments due by 5-20-96; published 5-1-96

UNITED STATES INFORMATION AGENCY

Exchange visitor program:

Program extension procedures, research programs design and conduct, etc.; comments due by 5-23-96; published 4-8-96

LIST OF PUBLIC LAWS

This is a list of public bills from the 104th Congress which have become Federal laws. It may be used in conjunction with ''P L U S'' (Public Laws Update Service) on 202–523–6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as ''slip laws'') from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202–512–2470).

H.R. 2243/P.L. 104–143

Trinity River Basin Fish and Wildlife Management Reauthorization Act of 1995 (May 15, 1996; 110 Stat. 1338)

Last List May 15, 1996