

revising the Instruction to General Instruction I.B.1 to read as follows:

(Note: The text of Form F-3 does not appear in the Code of Federal Regulations.)

Form F-3

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General Instructions

I. Eligibility Requirements For Use of Form F-3

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B. Transaction Requirements

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1. Primary Offerings by Certain Registrants. * * *

Instruction

For the purposes of this Form, "common equity" is as defined in Securities Act Rule 405 (§ 230.405 of this chapter). The aggregate market value of the registrant's outstanding voting and non-voting common equity shall be computed by use of the price at which the common equity was last sold, or the average of the bid and asked prices of such common equity, in the principal market for such common equity as of a date within 60 days prior to the date of filing. See the definition of "affiliate" in Securities Act Rule 405.

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

10. The authority citation for Part 240 continues to read, in part, as follows:

Authority: 15 U.S.C. 77c, 77d, 77g, 77j, 77s, 77eee, 77ggg, 77nnn, 77sss, 77ttt, 78c, 78d, 78i, 78j, 78l, 78m, 78n, 78o, 78p, 78q, 78s, 78w, 78x, 78ll(d), 79q, 79t, 80a-20, 80a-23, 80a-29, 80a-37, 80b-3, 80b-4 and 80b-11, unless otherwise noted.

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§ 240.12b-2 [Amended]

11. By amending § 240.12b-2 the definition of "Small Business Issuer" by removing the words "outstanding securities" in the *Provided however* clause and adding the words "outstanding voting and non-voting common equity" in their place.

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

12. The authority citation for Part 249 continues to read in part as follows:

Authority: 15 U.S.C. 78a, *et seq.*, unless otherwise noted;

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§ 249.310 [Amended]

13. By amending the front page of Form 10-K (referenced in § 249.310) by revising the paragraph before the "Note" to read as follows:

(Note: The text of Form 10-K does not and the amendments will not appear in the Code of Federal Regulations.)

Form 10-K

* * * * *

State the aggregate market value of the voting and non-voting common equity held by non-affiliates of the registrant. The aggregate market value shall be computed by reference to the price at which the common equity was sold, or the average bid and asked prices of such common equity, as of a specified date within 60 days prior to the date of filing. (See definition of affiliate in Rule 405, 17 CFR 230.405.)

Note. * * *

14. By amending the front page of Form 10-KSB (referenced in § 249.310b) by revising the paragraph before the "Note" to read as follows:

(Note: The text of Form 10-KSB does not, and the amendments will not appear in the Code of Federal Regulations.)

Form 10-KSB

* * * * *

State the aggregate market value of the voting and non-voting common equity held by non-affiliates computed by reference to the price at which the common equity was sold, or the average bid and asked price of such common equity, as of a specified date within the past 60 days. (See definition of affiliate in Rule 12b-2 of the Exchange Act.)

Note: * * *

Dated: May 8, 1997.
By the Commission.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 97-12637 Filed 5-13-97; 8:45 am]
BILLING CODE 8010-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 310, 316, and 317

Privacy Act of 1974; Implementation

AGENCY: Department of Defense.
ACTION: Final rule.

SUMMARY: This document corrects administrative errors in Department of Defense's privacy rules published in title 32 of the Code of Federal Regulations.

EFFECTIVE DATE: May 14, 1997.

FOR FURTHER INFORMATION CONTACT: L.M. Bynum or P. Toppings, 703-697-4111.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Parts 310, 316, and 317

Privacy.

Under the authority of 10 U.S.C. 301, title 32, chapter I, subchapter O is amended as follows:

PART 310—[AMENDED]

1. The authority citation for 32 CFR part 310 continues to read as follows:

Authority: Pub. L. 93-579, 88 Stat. 1996 (5 U.S.C. 552a).

§ 310.3 [Amended]

2. Section 310.3, the definition for *Access*, is amended by removing the parenthetical phrase "(see also paragraph (h) of this section.)" and placing a period after the word "individual".

§ 310.41 [Amended]

3. The hearing of § 310.41 (h) is amended by removing "*General Services Administration.*"

Appendix D to Part 310 [Amended]

4. Appendix D to Part 310 is amended by revising "GSA" to read "NARA".

PART 316 DEFENSE INFORMATION SYSTEMS AGENCY PRIVACY PROGRAM

1. The authority citation for 32 CFR Part 316 continues to read as follows:

Authority: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a).

2. The heading for part 316 is revised to read as set forth above.

§ 316.2 [Amended]

3. Section 316.2 is amended by revising "DCA" to read "Defense Information Systems Agency (DISA)" the first time it appears and by revising "DCA" to read "DISA" the second time it appears.

§ 316.4 [Amended]

4. Section 316.4 is amended by revising "DCA" to read "DISA" each time it appears.

§ 316.5 [Amended]

5. Section 316.5 is amended in the introductory text and paragraph (a) (b) by revising "DCA" to read "DISA".

§ 316.6 [Amended]

6. Section 316.6 is amended in paragraphs (a), (c) introductory text, (c) (3) (i), (c)(3) (viii) (C), (c) (3) (ix) through (c) (3) (xii), (c) (3) (xiv), (d) introductory text, (e) (1), concluding paragraph after

(e)(1)(v), (f) introductory text, (f)(1) through (f)(3); by revising "DCA" to read "DISA" each time it appears; and paragraph (e)(1), concluding paragraph, is amended by adding the word "and" after GSA the first time it appears and by adding "and NARA" after GSA the second time it appears.

§ 316.7 [Amended]

7. Section 316.7 is amended by revising "DCA" to read "DISA".

§ 316.8 [Amended]

8. Section 316.8 is amended by revising "DCA" to read "DISA".

PART 317—[AMENDED]

1. The authority citation for 32 CFR part 316 continues to read as follows:

Authority: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a).

Appendix B to Part 317 [Amended]

2. Appendix B to Part 317 is amended by revising "GSA" to read "NARA".

Dated: May 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer.

[FR Doc. 97-12428 Filed 5-13-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD07-96-013]

RIN 2115-AA97

Security Zone; Coast Waters Adjacent to South Florida

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Pursuant to Presidential Proclamation No. 6867, declaring a national emergency, the Coast Guard, after consultation with the Department of Justice, is establishing a revised security zone, restricting the operation of certain vessels within the internal waters and territorial seas of the United States, adjacent to or within the coastal waters around southern Florida. The Coast Guard Captain of the Port (COTP) may exercise complete control over all vessel operations and movements within the security zone. Non-public vessels of less than 50 meters (165 feet) in length, may not get underway in or depart the security zone with the intent to enter Cuban territorial waters, absent express authorization from the COTP.

These vessel control measures are necessary to provide for the safety of United States citizens and residents and to prevent threatened disturbance of the international relations of the United States.

DATES: This rule is effective from May 7, 1997, and will terminate when the National Emergency as declared by the President in Presidential Proclamation No. 6867 terminates. The Coast Guard will publish a separate document in the **Federal Register** announcing termination of this rule.

ADDRESSES: Permission of the COTP to depart the security zone with the intent of entering Cuban territorial waters may be obtained from the following U.S. Coast Guard units: Marine Safety Office Miami, 51 S.W. First Avenue, Miami, FL 33130, ph. (305) 536-5693; Marine Safety Office Tampa, 155 Columbia Drive, Tampa, FL 33603, ph. (813) 228-2195; Station Miami Beach, 100 MacArthur Causeway, Miami Beach, FL 33139, ph. (305) 535-4368; Station Fort Lauderdale, 7000 N. Ocean Dr., FL 33004, ph. (305) 927-1611; Station Marathon, 1800 Overseas Highway, Marathon, FL 33050, ph. (305) 743-1945; Station Islamorada, PO Box 547, 183 Palermo Dr., Islamorada, FL 33036, ph. (305) 292-8862; Station Key West, Key West, FL 33040, ph. (305) 292-8862; Station Fort Myers Beach, 719 San Carlos Drive, Fort Myers Beach, FL 33931, ph (813) 463-5754. Additional locations may be established.

FOR FURTHER INFORMATION CONTACT: Chief, Marine Safety Division, Seventh Coast Guard District, 909 SE First Avenue, Brickell Plaza Federal Building, Miami, FL 33931, Phone (305) 536-5651.

SUPPLEMENTARY INFORMATION: On March 1, 1996, the President of the United States signed a Proclamation declaring a national emergency. To secure the rights and obligations of the United States and to protect its citizens and residents from the use of excessive force upon them by foreign powers, the Coast Guard is establishing a temporary security zone. In the Proclamation, the President authorized the Secretary of Transportation to regulate the anchorage and movement of domestic and foreign vessels. This authority has been delegated to the Commander, Seventh Coast Guard District, Captain of the Port, Miami FL and Captain of the Port, Tampa FL, by Order No. 96-3-7, signed by the Secretary of Transportation. The Coast Guard has established a security zone pursuant to its regulatory authority in 50 U.S.C. 191 and as supplemented by the authority delegated to the Secretary of Transportation in the

Presidential Proclamation. This authority was re-delegated to the Commandant of the Coast Guard, as well as to appropriate District Commanders and Captains of the Port. The security zone includes the internal waters and territorial seas of the United States, adjacent to or within the State of Florida south of 26° 19' N latitude and extending seaward three nautical miles from the baseline from which the territorial sea is measured.

On March 8, 1996, the Coast Guard published a final rule (61 FR 9348) which established a security zone, restricting the operation of vessels within the internal waters and territorial seas of the United States, adjacent to or within the coastal waters around southern Florida. The rule has been in effect since March 1, 1996. The zone established by that rule prohibits private, noncommercial vessels less than 50 meters in length from departing the security zone with the intent to enter Cuban territorial waters, absent express authorization from the Captain of the Port (COTP). This rule revises the security zone by adding additional security measures that prohibit a similar class of vessels from getting underway in or departing the security zone with the intent to enter Cuban territorial waters without express authorization of the COTP. Under this revised rule, commercial vessels less than 50 meters in length are subject to the same restrictions as private, noncommercial vessels less than 50 meters in length. This revised rule is effective upon signature. Additionally, though the revised security zone created by this rule is effective upon signature, the Coast Guard by policy will give actual notice before enforcing the zone. This revision will minimize any limitations on traditional freedoms of navigation.

The Coast Guard has determined that control of the movement of non-public vessels less than 50 meters in length in the security zone, or departure of such vessels from the security zone, with the intent to enter Cuban territorial waters (hereinafter "subject vessels"), is necessary to protect the safety of United States citizens and residents and prevent threatened disturbance of the international relations of the United States. These controls do not apply to foreign flag vessels in innocent passage in the territorial sea of the United States. Maintaining such control of vessel movement will necessitate some temporary limitations on traditional freedoms of navigation. Efforts will be made to keep these limitations to a minimum.