DEPARTMENT OF COMMERCE

Industry and Trade Administration

15 CFR Part 373

Revision of the Distribution License Procedure and the List of Computer Consignee Countries

AGENCY: Office of Export Administration, Bureau of Trade Regulation, U.S. Department of Commerce.

ACTION: Final rule.

SUMMARY: This revision amends controls to allow the export of more sophisticated computers to certain destinations under special license procedures. This revision is made in order to keep controls in step with rapidly advancing computer technology.

EFFECTIVE DATE: May 21, 1979.

FOR FURTHER INFORMATION CONTACT: Dale F. Snell, Jr., Chief, Management Services Branch, Operations Division, Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230 (Tel. 202–377–2440).

SUPPLEMENTARY INFORMATION: It has been determined that this regulatory revision is "not significant" within the meaning of Department of Commerce Administrative Order 218–7 (44 FR 2082 *et seq.*, January 9, 1979) and Industry and Trade Administration Administrative Instructions 1–6 (44 FR 2093 *et seq.*, January 9, 1979), which implement Executive Order 12044 (43 FR 12661 *et seq.*, March 23, 1978), "Improving Government Regulations."

This revision amends the Distribution License procedure to permit exports of more complex computers to certain destinations, so that these computers may now be exported to approved consignees without the case-by-case review that has been required in the past.

This change is effected by dividing the Computer-Consignee Destinations that have been listed in Supplement No. 2 to Part 373 into two lists of countries and by footnoting the first computer entry in Supplement No. 1 to Part 373 to indicate which computers may be sent to the destinations in each list. A new footnote is added to both computer entries to indicate that computers related to nuclear activity may not be exported under the Distribution License procedure. These changes also apply to the Foreign-Based Warehouse procedure until that procedure is revoked on June 30, 1979.

Accordingly, Part 373 of the *Export Administration Regulations* (15 CFR Part 373) is amended as follows:

1. Supplement No. 1 to Part 373 is amended as follows:

Supplement No. 1 to Part 373—Commodities Excluded From Certain Special License Procedures

* * * * *

1565[1,2] Electronic computers exceeding a CPU bus rate of 60 million bits per second or a processing data rate of 20 million bits per second.

1565[2,3] Other electronic computers, analog or digital (including digital differential analyzers).

2. Supplement No. 2 to Part 373 is revised to read as follows:

Supplement No. 2 to Part 373—Computer—Consignee Destinations (List A)

Note.—See Footnote No. 1 to entry number 1565 in Supp. No. 1 to Part 373 for computers that may be exported to countries listed below.

Australia, Belgium, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Turkey, United Kingdom.

3. A new Supplement No. 3 to Part 373 is established as follows:

[1] Under the Distribution License procedure, electronic computers that do not exceed either a CPU bus rate of 500 million bits per second or a processing data rate of 225 million bits per second may be exported to approved consignees in destinations listed in Supplement No. 2 to Part 373. Electronic computers that do not exceed either a CPU bus rate of 200 million bits per second or a processing data rate of 60 million bits per second may be exported under the Distribution License procedure to approved consignees in destinations listed in Supplement No. 3 to Part 373.

This exception also applies to any device, apparatus or accessory that upgrades a computer within the limits defined above.

[2] Distribution licenses are not valid for the export of computers to ultimate consignees engaged directly or indirectly in any of the following activities—

(a) Designing, developing or fabricating nuclear weapons or nuclear explosive devices; or devising, carrying out, or evaluating nuclear weapons tests or nuclear explosions;

(b) Designing, assisting in the design of, constructing, fabricating or operating facilities for the chemical processing of irradiated special nuclear material, for the production of heavy water, for the separation of isotopes of any source or special nuclear material, or specially designed for the fabrication of nuclear reactor fuel containing plutonium;

(c) Designing, assisting in the design of, constructing, fabricating or furnishing equipment or components specially designed, modified or adapted for use in such facilities; or

(d) Training personnel in any of the above activities.

[3] Excluded from Project License Procedure. Any device, apparatus or accessory that upgrades a computer within the limits set forth in the first 1565 entry or in footnote 1 above may be exported under the Distribution License procedure.

Supplement No. 3 to Part 373—Computer—Consignee Destinations (List B)

Note.—See Footnote No. 1 to entry number 1565 in Supp. No. 1 to Part 373 for computers that may be exported to countries listed below.

Afghanistan, Austria, Bahamas, The, Barbados, Benin, Bolivia, Botswana, Burundi, Cameroon, Central African Empire, Chad, Colombia, Congo, Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, The, Ghana, Grenada, Guatemala, Guinea-Bissau, Haiti, Honduras, Hong Kong, Indonesia, Iran, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Korea, Republic of, Lebanon, Lesotho, Liberia, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Morocco, Nepal, Nicaragua, Nigeria, Panama, Paraguay, Peru, Philippines, Rwanda, San Marino, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Switzerland, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Upper Volta, Uruguay, Vatican City, Venezuela, Western Samoa, Yugoslavia, Zaire.

(Sec. 4, Pub. L. 91–184, 83 Stat. 842 (50 U.S.C. App. 2403), as amended; E.O. 12002, 42 FR 35623 (1977); Department Organization Order 10–3, dated December 4, 1977, 42 FR 64721 (1977); and Industry and Trade Administration Organization and Function Order 45–1, dated December 4, 1977, 42 FR 64716 (1977).)

Stanley J. Marcuss,

Deputy Assistant Secretary for Trade Regulation.

[FR Doc. 79–15721 Filed 5–16–79; 1:33 pm]

BILLING CODE: 3510–25–M

COMMODITY FUTURES TRADING COMMISSION

General Regulations Under the Commodity Exchange Act; Definition of "Proprietary Account"

17 CFR Part 1

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is amending the definition of the term "proprietary account" contained in Title 17, Chapter I, Part 1, § 1.3, paragraph (y) of the Code of Federal Regulations. The purpose of the amendment is to provide that the term shall mean a commodity futures account of which ten percent or more is owned by one, or of which an aggregate of ten percent or more is owned by more than one, of the persons listed in § 1.3(y). Under the Commission's present definition certain accounts, such as commodity pool accounts, which are even partly owned

by such persons are classified as proprietary rather than customer accounts, and, as a result, such accounts are denied the benefits and protections afforded customer accounts under the Commodity Exchange Act ("Act") and the Commission's regulations under that Act. The effect of the amendment is to narrow the definition of the term "proprietary account" under § 1.3(y) and thereby increase the number of accounts which are accounts of "customers" as defined in § 1.3(k) (17 CFR 1.3(k)) of the Commission's regulations.

EFFECTIVE DATE: July 20, 1979.

FOR FURTHER INFORMATION CONTACT: Lawrence B. Patent, Attorney, Office of the Chief Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, (202) 254–8955.

SUPPLEMENTARY INFORMATION: On December 5, 1978, the Commission published a proposed rule change (43 FR 56904) to amend the definition of "proprietary account" (17 CFR 1.3(y)). As the Commission stated at that time, the present definition of the term "proprietary account" was adopted by the Commission's predecessor, the Commodity Exchange Authority (39 FR 28618, August 9, 1974). The primary purpose of the proposed change was to narrow the definition of the term "proprietary account" under § 1.3(y) and thereby increase the number of accounts which are accounts of "customers" as defined in § 1.3(k) (17 CFR 1.3(k)) of the Commission's regulations.

All of the comments received in response to the proposed amendment favored its adoption on grounds similar to those stated by the Commission in its proposal to amend § 1.3(y).[1] Accordingly, the Commission has decided to adopt the amendment to § 1.3(y) in the same form in which it was proposed.

Purpose of the Amended Rule

Under § 1.3(k) the terms "customer" or "commodity customer" refer to a customer trading in any commodity (as defined in the Commission's regulations). Pursuant to this same section, however, an owner or holder of a proprietary account as defined in § 1.3(y) is not deemed to be a customer within the meaning of section 4d of the Act, the regulations that implement sections 4d and 4f of the Act, and § 1.35 of the Commission's regulations.[2] These provisions relate principally to certain requirements in four areas: (a) registration; (b) segregation; (c) record keeping; and (d) minimum financial. In each such area (with the exception of the minimum financial requirements), certain benefits and protections are afforded to customer accounts which are not afforded to proprietary accounts. By narrowing the definition of proprietary account to exclude those commodity accounts not significantly owned by one of the persons listed in § 1.3(y), owners of such accounts will no longer be excluded from the definition of "customer" contained in § 1.3(k) and will receive the benefits and protections which result from this classification.

Registration

Section 4d of the Act and § 1.7 of the Commission's regulations basically require each person engaged in the solicitation or acceptance of orders for the purchase or sale of any commodity for future delivery, on or subject to the rules of any contract market, to register as a futures commission merchant ("FCM"). However, persons trading solely for a proprietary account within the meaning of § 1.3(y) are excluded from this registration requirement. Thus, by reclassifying certain proprietary accounts as customer accounts, persons engaged in the activities described in § 1.7 with respect to the solicitation or acceptance of orders involving commodity futures transactions for such accounts will be required to register pursuant to that section. This will mean that persons owning such reclassified accounts will benefit from the safeguards of the registration requirements with respect to the qualification and fitness of these individuals and firms.

Segregation

Section 4d(2) of the Act requires FCM's to account separately for money, securities and property of their customers and, among other things, provides that such money, securities and property must mot be commingled with the funds of the FCM or be used to margin or guarantee the trades or contracts, or to secure or extend the credit, of any customer other than the one for whom the same are held.

Sections 1.20 through 1.30 of the Commission's regulations establish specific requirements with respect to such customer money, securities and property. On the other hand, money, securities, or property in proprietary accounts need not be treated in accordance with these requirements; therefore, the reclassification of accounts from proprietary accounts to customer accounts, as described above, will have the effect of extending the protection of these requirements to the persons owning such reclassified accounts.

Recordkeeping

The Commission's recordkeeping rules, §§ 1.31 through 1.39, require FCM's to maintain certain records with respect to the accounts of their customers which, with some exceptions, FCM's are not required to keep for proprietary accounts. For example, § 1.33 requires the FCM, subject to certain qualifications, to send a monthly statement to each of its customers; and § 1.35 relates to the recording and receipt of customer orders. Thus, the owners of accounts reclassified as customer accounts by virtue of the amendment to the definition of "proprietary account" will be afforded the additional protections of the Commission's recordkeeping rules.

Minimum Financial Regulations

Accounts which are jointly owned by customers and persons listed in the definition of proprietary account contained in § 1.3(y) are currently subject to the requirements of § 1.17(c)(5)(ix) of the Commission's regulations[3] which, among other things, requires a safety factor charge to the capital of the FCM for non-customer accounts to the extent that such accounts are under-margined in exess of two business days. Accounts reclassified as above will become subject to the requirements of § 1.17(c)(5)(viii) which requires a safety factor charge for under-margined customer futures accounts to the extent of the amount of funds required in each such account to meet the maintenance

[1] In view of the changes which have taken place in the industry since § 1.3(y) was first adopted and its broadened regulatory responsibilities under the Act, the Commission, in addition to requesting comments with respect to the proposed rule change described above, also requested comments concerning the desirability of further amendments to the definitions of the term "proprietary account" and of the term "customer." Two commentators addressed these possible further amendments only and did not comment upon the amendment to § 1.3(y). These submissions were not directly related to the instant rule amendment; however, they will be made part of the record for consideration in connection with a possible further rulemaking proceeding in this area.

[2] 7 U.S.C. 6d and 6f (1976) as amended by the Futures Trading Act of 1978, Pub. L. No. 95–405, §§ 4 and 5, 92 Stat. 869 (1978). All references to Commission regulations can be found in Title 17 of the Code of Federal Regulations at the identical section number. For example, § 1.35 of the Commission's regulations is found at 17 CFR 1.35.

[3] Reference is to § 1.17 as recently amended by the Commission. *See* the Commission's release dated September 1, 1978 (43 FR 39956, September 8, 1978). The amendment to § 1.17 became effective on December 20, 1978. When this section is codified in the Code of Federal Regulations, it will be cited 17 CFR 1.17.

margin requirements after application of calls for margin or other required deposits, which are outstanding five business days or less until December 31, 1980, four business days or less until December 31, 1982, and three business days or less thereafter. Thus, the rule change and concomitant reclassification of accounts permits a somewhat longer time period within which the FCM's may collect amounts due in reclassified, under-margined accounts without incurring a safety factor charge to their capital. Therefore, the amendment has the potential for permitting slightly increased financial risks to firms. The Commission believes, nonetheless, that this factor is outweighed by the benefits of extending the protections described above to an increased number of accounts.

In consideration of the foregoing, the Commission hereby amends Title 17, Chapter I, Part 1 of the Code of Federal Regulations, by revising § 1.3(y) to read as follows:

§ 1.3 Definitions.

* * * * *

(y) *Proprietary account.* This term shall mean a commodity futures trading account carried on the books and records of an individual, a partnership, corporation or other type association, (1) for one of the following persons, or (2) of which ten percent or more is owned by one of the following persons, or an aggregate of ten percent or more of which is owned by more then one of the following persons: * * *

* * * * *

(Sec. 4d, Pub. L. 74–675, 49 Stat. 1494 (7 U.S.C. 6d), as amended, Pub. L. 90–258, 82 Stat. 27, Pub. L. 93–463, 88 Stat. 1392, Pub. L. 95–405, 92 Stat. 869; Sec. 4f, Pub. L. 74–675, 49 Stat. 1495 (7 U.S.C. 6f), as amended, Pub. L. 90–258, 82 Stat. 28, Pub. L. 93–463, 88 Stat. 1392, Pub. L. 95–405, 92 Stat. 869; Sec. 4g, Pub. L. 74–675, 49 Stat. 1496 (7 U.S.C. 6g), as amended, Pub. L. 90–258, 82 Stat. 28, Pub. L. 93–463, 88 Stat. 1392, 1415, Pub. L. 95–405, 92 Stat. 869; Sec. 8a(5), Pub. L. 74–675, 49 Stat. 1501 (7 U.S.C. 12a(5)), as amended, Pub. L. 90–258, 82 Stat. 33, Pub. L. 93–463, 88 Stat. 1392)

Issued in Washington, D.C., on May 15, 1979, by the Commission.

James M. Stone,

Chairman, Commodity Futures Trading Commission.

[FR Doc. 79–15719 Filed 5–18–79; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF STATE

22 CFR Part 151

[Dept. Reg. 108.777]

Compulsory Liability Insurance for Diplomatic Missions and Personnel

AGENCY: Department of State

ACTION: Final rule

SUMMARY: These regulations specify the insurance required under the Diplomatic Relations Act of all diplomatic missions, members of missions and their families and officials of the United Nations entitled to diplomatic immunity, including the limits of liability, and describe the evidence of insurance necessary before the Department of State endorses applications for diplomatic automobile license plates or exemptions from registration fees.

EFFECTIVE DATE: June 1, 1979.

FOR FURTHER INFORMATION CONTACT: David P. Stewart, Special Assistant to the Legal Adviser, Department of State, Washington, D.C. 20520, telephone 202–632–2149.

SUPPLEMENTARY INFORMATION: The Diplomatic Relations Act, Pub. L. 95–393, September 30, 1978 (22 U.S.C. 254a et seq., 28 U.S.C. 1364) ("the Act") became effective December 29, 1978. As of that date, previous statutes on diplomatic immunity dating from the eighteenth century (22 U.S.C. 252–254) were repealed and the privileges and immunities provisions of the 1961 Vienna Convention on Diplomatic Relations (23 UST 3227, 500 UNTS 95), were established as the United States law on diplomatic immunity.

Section 6 of the Act requires diplomatic missions, members of missions, their families, and senior officials of the United Nations who are entitled to diplomatic immunity to have and maintain liability insurance against risks arising from their operation of motor vehicles, vessels or aircraft. The President was directed to establish the requirements for this liability insurance by regulation. Executive Order 12101 (43 FR 54195) delegated to the Secretary of State the authority to prescribe these regulations.

On December 6, 1978, the Department of State published in the **Federal Register** a proposed regulation to implement these requirements (43 FR 57159). In response to that notice, the Department received three written comments. A public meeting to receive oral comments was held on February 5, 1979, at which one person testified.

One written comment expressed concern that the Act permits claimants to bring civil suits directly against the insurers of persons subject to the Act but deprives those insurers of the defenses that the insured is immune from suit, is an indispensable party or, in the absence of fraud or collusion, has violated a term of the contract. The comment considered that the Act thus severely impairs the ability of the insurer to defend itself in the event that the insured refuses to cooperate. The comment urged that the regulation include a statement that the insured would be expected to comply with provisions of the contract relating to cooperation with the insurer. Language to that effect has been included in § 151.7.

Another comment recommended that procedures be included to permit the Department to verify statements of self-certification submitted under § 151.8 by having copies of cancellation notices sent to the Department by insurers and by "spot checking" with designated insurers. The Department considered this recommendation but determined that including such a procedure for having cancellation notices sent to the Department was neither necessary nor appropriate, particularly in view of the fact that cancellation notices are often issued for non-payment of premiums, a matter later rectified by remittance of the premium. In respect of "spot checking", the Department has amended § 151.8 to respond to this concern.

The third comment suggested that the definition of "authorized insurer" in § 151.6 be broadened to include "surplus lines" insurers in order to conform the regulation to existing industry practice and to reflect the international character of the business. The Department was concerned not to exclude from the scope of the definition insurers permitted to write insurance by the applicable laws of the jurisdiction. By the same token, however, the Department did not wish to include those not permitted to write insurance under local law. Accordingly, § 151.6 has been amended to include insurers which are licensed "or otherwise authorized by applicable law" to do business in the jurisdiction concerned.

Further review of the proposed regulation by the Department indicated the need for additional modifications of a clarifying and procedural nature. These include: (a) Adding to § 151.2, for ease of reference, the statutory definitions set forth in Section 2 of the Act; (b) specifying that evidence of insurance required by § 151.9 may be submitted either by the Chief of Mission

or by any other duly authorized mission official; and (c) clarifying that evidence of insurance under § 151.8 must be submitted upon official request as well as on a periodic basis.

Accordingly, by virtue of the authority vested in the President by Section 6(b) of the Diplomatic Relations Act (22 U.S.C. 254e(b)) and delegated to the Secretary of State by Executive Order No. 12101, a new Part 151 is hereby added to title 22 of the Code of Federal Regulations as set forth below:

For the Secretary of State.

Dated: May 15, 1979.

Ben H. Read,

Under Secretary for Management.

Subchapter F—Diplomatic Privileges and Immunities

PART 151—COMPULSORY LIABILITY INSURANCE FOR DIPLOMATIC MISSIONS AND PERSONNEL

Sec.

151.1 Purpose.
151.2 Definitions.
151.3 Types of insurance coverage required.
151.4 Minimum limits for motor vehicle insurance.
151.5 Recommended limits for motor vehicle insurance.
151.6 Authorized insurer.
151.7 Policy terms consistent with the Act.
151.8 Evidence of insurance for motor vehicles.
151.9 Evidence of insurance required for diplomatic license plates and waiver of fees.
151.10 Minimum limits of insurance for aircraft and/or vessels.
151.11 Notification of ownership, maintenance, or use of vessel and/or aircraft; evidence of insurance.

Authority: Sec. 4, 63 Stat. 111 (22 U.S.C. 2658); Sec. 6 Pub. L. 95–393 (92 Stat. 809, 22 U.S.C. 254e); E.O. 12101 (43 FR 54195).

§ 151.1 Purpose.

This part establishes regulations required under section 6 of the Diplomatic Relations Act (Pub. L. 95–393; 22 U.S.C. 254e). These regulations require all missions, members of missions and their families, and those officials of the United Nations who are entitled to diplomatic immunity to have and maintain liability insurance against the risks of bodily injury, including death, and property damage, including loss of use, arising from the ownership, maintenance, or use in the United States of any motor vehicle, vessel, or aircraft.

§ 151.2 Definitions.

(a) "Act" means the Diplomatic Relations Act, Pub. L. 95–393 (22 U.S.C. 254a et seq., 28 U.S.C. 1364).

(b) "Persons subject to the Act", as defined in Section 2 of the Act, means: (1) The head of a mission and members of the diplomatic staff, administrative and technical staff, and service staff of a mission, as such terms are defined in Article 1 of the Vienna Convention on Diplomatic Relations of April 18, 1961 (TIAS 7502, 23 U.S.T. 3227); (2) members of the family of a member of the diplomatic staff of a mission who form part of his or her household if they are not nationals of the United States, and members of the family of a member of the administrative and technical staff of a mission who form part of his or her household if they are not nationals or permanent residents of the United States; and (3) senior officials of the United Nations as defined in paragraph (d) of this section.

(c) "Missions", as defined in Section 2 of the Act, means missions within the meaning of the Vienna Convention on Diplomatic Relations and any missions representing foreign governments, individually or collectively, which are extended the same privileges and immunities, pursuant to law, as are enjoyed by missions under the Vienna Convention.

(d) "Senior United Nations official" means a United Nations official entitled to diplomatic immunity as provided in § 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946 (21 UST 1418; 1 UNTS 16).

(e) "Insurance" means insurance as required by the Act and these regulations.

§ 151.3 Types of insurance coverage required.

(a) Every person subject to the Act and every mission shall have and maintain with respect to any motor vehicle, vessel or aircraft owned by, leased to, or furnished for the regular use of every such person or mission liability insurance in accordance with the form, terms, and conditions provided for in these regulations.

(b) The insurance shall provide coverage against the following risks to third parties arising from the ownership, maintenance, or use in the United States of any motor vehicle, vessel, or aircraft:

(1) Bodily injury, including death;

(2) Property damage, including loss of use; and

(3) Any additional coverage required to be included in liability insurance policies by the jurisdiction where the motor vehicle, vessel or aircraft is principally garaged, berthed, or kept, such as uninsured motorist coverage or first party no-fault coverage.

§ 151.4 Minimum limits for motor vehicle insurance.

The insurance shall provide not less than the minimum limits of liability specified in the financial responsibility, compulsory insurance or other law of the jurisdiction where the motor vehicle is principally garaged.

§ 151.5 Recommended limits for motor vehicle insurance.

Every person subject to the Act and every mission should have and maintain insurance adequate to afford reasonable compensation to accident victims. Minimum limits of liability of $100,000 per person and $300,000 per incident for bodily injury, including death, and $50,000 per incident for property damage, including loss of use, are recommended to meet this objective.

§ 151.6 Authorized insurer.

The insurance must be issued by an insurer licensed or otherwise authorized by applicable law to do business in the jurisdiction where the motor vehicle, vessel or aircraft is principally garaged, berthed or kept.

§ 151.7 Policy terms consistent with the Act.

(a) The insurance shall be construed in conformity with the Act. In particular, no effect shall be given to any policy terms which are inconsistent or in conflict with those provisions of the Act stating that any suit against the insurer under the policy shall not be subject to any of the following defenses:

(1) That the insured is immune from suit;

(2) That the insured is an indispensable party; or

(3) In the absence of fraud or collusion, that the insured has violated a term of the contract, unless the contract was canceled before the claim arose.

(b) Notwithstanding the provisions of paragraph (a) of this section, the insured is expected to respond to reasonable requests from the insurer for cooperation.

§ 151.8 Evidence of insurance for motor vehicles.

(a) Every mission must periodically, and otherwise upon official request, furnish evidence satisfactory to the Department of State that the required insurance is in effect for the mission, its members and their families. Every senior United Nations official must also periodically furnish evidence satisfactory to the Department of State that the required insurance is in effect.

(b) The Department of State will accept as satisfactory evidence that the required insurance is in effect:

(1) A written statement of self-certification signed by the Chief of Mission, indicating that the mission, its members and their families have and will maintain insurance throughout the period of registration of all vehicles owned or leased or otherwise regularly used, and showing the name of the insurance company or companies and identifying each policy by number and name of insured; and

(2) A written statement of self-certification signed by each senior United Nations official, indicating that he or she has and will maintain insurance throughout the period of registration on all motor vehicles owned or leased or otherwise regularly used, and showing the name of the insurance company or companies and identifying each by number and name of insured.

(c) A certification under paragraph (b) of this section by a Chief of a Mission to the United Nations or by a senior United Nations official shall be delivered to the Counselor for host country affairs of the United States Mission to the United Nations. All other certifications shall be delivered to the Chief of Protocol, Department of State.

§ 151.9 Evidence of insurance required for diplomatic license plates and waiver of fees.

The Department of State will not endorse on behalf of any person subject to the Act or any mission any application for diplomatic motor vehicle license plates or any application for waiver of motor vehicle registration fees without prior receipt of satisfactory evidence from the Chief of Mission or other duly authorized official that the required insurance is in effect.

§ 151.10 Minimum limits of insurance for aircraft and/or vessels.

Insurance in respect of vessels and/or aircraft shall provide limits of liability adequate in light of reasonably foreseeable risks from the ownership, maintenance, or other regular use of vessels and/or aircraft.

§ 151.11 Notification of ownership, maintenance or use of vessel and/or aircraft; evidence of insurance.

(a) Each person subject to the Act and each mission must notify the Department of State in writing of the ownership, maintenance or other regular use of a vessel or aircraft in the United States by such mission or person.

(b) Notices under paragraph (a) of this section shall identify the vessel and/or aircraft with specificity, including model and manufacturer's name, and serial and registration numbers. Each notification shall be accompanied by a copy of the insurance policy or policies issued in respect of the vessel and/or aircraft. Such policy or policies need not be issued by the insurer providing liability insurance for motor vehicles.

(c) With regard to senior United Nations officials, missions to the United Nations and members of such missions as have diplomatic status and their families, notices and evidence of insurance under this section shall be delivered to the counselor for Host Country Affairs of the United States Mission to the United Nations. All other notices under this section shall be delivered to the Chief of Protocol, Department of State.

[FR Doc. 79-15802 Filed 5-18-79; 8:45 am]

BILLING CODE 4710-20-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

24 CFR Part 1917

[Docket No. FI-4699]

National Flood Insurance Program; Final Flood Elevation Determination for the Township of Flint, Genesee County, Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the Township of Flint, Genesee County, Michigan. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the Township of Flint, Genesee County, Michigan.

ADDRESS: Maps and other information showing the detailed outlines of the flood prone areas and the final elevations for the Township of Flint are available for review at the Township Hall, 1490 South Dye Road, Flint, Michigan.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202) 755-5581 or toll free line (800) 424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the final determinations of flood elevations for the Township of Flint, Genesee County, Michigan.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Flint River	At downstream corporate limit.	690
	950 feet downstream of Hartshorn Drain confluence.	696
	Just downstream of Ballenger Highway.	702
Swartz Creek	Just upstream of Ballenger Highway at downstream corporate limit.	737
	Just upstream of Interstate 75.	741
	Just upstream of Claude Road.	743
	4,300 feet upstream of Claude Road.	746
	730 feet downstream of Interstate 69.	751
	Just downstream of Bristol Road.	752
	4,100 feet downstream of Maple Avenue.	758
	Just downstream of Maple Avenue.	761
West Branch Swartz Creek.	At confluence with Swartz Creek.	751
	Just downstream of Bristol Road.	752
	Just upstream of Dye Road	756
	Just upstream of Golf Course dam.	759
	1,550 feet downstream of Interstate 69.	761
	Just downstream of Elms Road.	764
Hartshorn Drain	At confluence with Flint River	696
	980 feet downstream of Linden Road.	696
	100 feet downstream of Linden Road.	703
	100 feet upstream of Linden Road.	709
Carman Creek	Just upstream of Hemphill Road.	755
	1,350 feet upstream of Hemphill Road.	756
	Just downstream of Fenton Road.	759