Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Part 1902

Supervised Bank Accounts

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule; correction.

SUMMARY: The Farmers Home Administration (FmHA) corrects a final rule published January 6, 1988 (53 FR 231). In the amendment for § 1902.7(f), pledging collateral for deposit of funds in supervised bank accounts, the address for the Department of Treasury, FMS Funds Flow Division, Collateral Section was given as, Room 802, Premier Bldg., Treasury Annex, Washington, DC 20226. This is incorrect. Therefore the last sentence of this paragraph is amended to correct this address and clarify the paragraph.

EFFECTIVE DATE: June 29, 1988.

FOR FURTHER INFORMATION CONTACT: Ed Douglas, Debt Management Specialist, Financial and Management Analysis Staff, Financial Analysis Branch, Farmers Home Administration, USDA, Room 5507, South Agriculture Building, 14th and Independence Avenue SW., Washington, DC 20250, telephone: (202) 475–4425.

PART 1902—SUPERVISED BANK ACCOUNT

1. The authority citation for Part 1902 continues to read as follows:

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

Subpart A—Loan and Grant Disbursement

2. § 1902.7(f) is amended by correcting the last sentence to read as follows:

§ 1902.7 Pledging collateral for deposit of funds in supervised bank accounts.

* * * * *

(f) * * * Upon receipt of this written request, the FmHA office will send that request to the Department of Treasury, FMS Fund Flows Division, Collateral Section, 4th Floor, Liberty Loan Bldg., 401 14th St. SW., Washington, DC 20227.

Date: June 7, 1988.

Vance L. Clark,

Administrator, Farmers Home Administration.

[FR Doc. 88–14592 Filed 6–28–88; 8:45 am]

BILLING CODE 3410–07–M

Animal and Plant Health Inspection Service

9 CFR Part 11

[Docket No. 88–111]

Horse Protection Regulations

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of reopening and extension of comment period.

SUMMARY: We are reopening and extending the comment period for our interim rules that amended the Horse Protection Regulations regarding pads, action devices, weights, and boots used on horses. This extension will provide interested persons with additional time in which to prepare comments on the interim rules.

DATES: Consideration will be given only to written comments on Docket No. 88–052 and Docket No. 88–079 that are postmarked or received on or before July 15, 1988.

ADDRESSES: Send an original and three copies of written comments to APHIS, USDA, Room 1143, South Building, P.O. Box 96464, Washington, DC 20090–6464. Please state that your comments refer to either Docket No. 88–052 or Docket No. 88–079. Comments received may be inspected at Room 1141 of the South Building between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. R.L. Crawford, Animal Care Staff, VS, APHIS, USDA, Room 756, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–7833.

SUPPLEMENTARY INFORMATION: On April 26, 1988, we published in the **Federal Register** (53 FR 14778–14782) an interim rule that amended the Horse Protection Regulations by expanding the list of devices and equipment prohibited for use on any horse at any horse show, exhibition, sale, or auction. Additionally, the interim rule prohibited the use on any horse of weights other than horseshoes, and of horseshoes weighing more than 16 ounces each. The interim rule also clarified which horses are subject to the scar rule.

On May 2, 1988, we published in the **Federal Register** (53 FR 15640–15641) an interim rule that removed certain restrictions on weights, horseshoes, and boots imposed by the April 26 interim rule, and that reinstated certain restrictions on the placement of lead and other weights on horses. Comments on both the April 26 and the May 2 interim rules were required to be postmarked or received on or before June 27, 1988.

Shortly before the comment periods closed, we received a request to extend the comment periods on the interim rules until July 15, 1988. In response, we are reopening and extending the comment periods on Docket No. 88–052 and Docket No. 88–079, so that we may consider all written comments postmarked or received on or before July 15, 1988. This action will allow the requestor and all other interested persons additional time to prepare comments.

Done in Washington, DC, this 24th day of June, 1988.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 88–14660 Filed 6–28–88; 8:45 am]

BILLING CODE 3410–34–M

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Parts 374 and 375

[Docket No. 80484–8084]

Exports to India; Amendments to the Export Administration Regulations

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: On March 26, 1986 (51 FR 10365) the Bureau of Export Administration published a final rule that required license applications and reexport authorization requests for national security controlled commodities to be accompanied by a certified copy of the Indian Import License.

The Bureau of Export Administration is amending that rule consistent with a U.S. Government/Government of India (GOI) agreement to replace the Indian Import License with an Indian Import Certificate. Four GOI agencies have the authority, with the Embassy of India in Washington, DC, to issue the Indian Certificate to the importer. The type of commodity to be imported and the nature of the ultimate consignee will determine which of the four GOI agencies will have authority to issue the Import Certificate.

This rule also adds Switzerland and Yugoslavia to the authorities administering Import Certificate/Delivery Verification systems in foreign countries in Supplement No. 1 to Part 375.

EFFECTIVE DATE: This rule is effective June 29, 1988.

FOR FURTHER INFORMATION CONTACT: Karin Berry, Country Policy, Office of Technology and Policy Analysis, Bureau of Export Administration, Telephone: (202) 377–4531.

SUPPLEMENTARY INFORMATION:

Grace Period

The requirement for submitting an Indian Import Certificate with export license applications will take effect on August 15, 1988. Before that date, applications will be accepted if supported by a Form ITA–629P. However, applications already pending and those submitted before August 15, 1988, will receive more expeditious handling if an Indian Import Certificate is submitted.

Rulemaking Requirements

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

2. This rule involves collections of information subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control numbers 0625–0001 and 0625–0136.

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

4. Section 13(a) of the Export Administration Act of 1979, as amended (50 U.S.C. app. 2412(a), exempts this rule from all requirements of section 553 of the Administrative Procedures Act (APA) (5 U.S.C. 553), including those requiring publication of a notice of proposed rulemaking, an opportunity for public comment, and a delay in effective date. This rule is also exempt from these APA requirements because it involves a foreign and military affairs function of the United States. Section 13(b) of the EAA does not require that this rule be published in proposed form because it does not impose a new control. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Accordingly, it is being issued in final form. However, as with other Department of Commerce rules, comments from the public are always welcome. Written comments (six copies) should be submitted to: Patricia Muldonian, Regulations Branch, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

5. This rule does not contain policies with Federalism implication sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

List of Subjects in 15 CFR Parts 374 and 375

Exports, Reporting and recordkeeping requirements.

Accordingly, 15 CFR Parts 374 and 375 of the Export Administration Regulations are amended as follows:

PARTS 374 AND 375—[AMENDED]

1. The authority citations for 15 CFR Parts 374 and 375 continue to read as follows:

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

§ 374.3 [Amended]

2. In § 374.3(c)(1)(ii) the phrase "Indian Import License" is revised to read "Indian Import Certificate". (2 revisions).

§ 375.1 [Amended]

3. The chart in § 375.1 is amended by revising the entry under the third column "Indian Import License" to read "Indian Import Certificate".

§ 375.2 [Amended]

4. In § 375.2(b)(1) the phrase "Indian Import License" is revised to read "Indian Import Certificate".

§ 375.3 [Amended]

5. In § 375.3(b), footnote No. 1, the phrase "Indian Import License" is revised to read "Indian Import Certificate".

6. In § 375.7, the section title and paragraph (a) are revised as set forth below; paragraphs (b)(1), (b)(3), (b)(4), and (c) are amended by revising the phrase "Indian Import License" to read "Indian Import Certificate"; and paragraphs (b)(1), (b)(2) and (d) are amended by revising the phrase "Import License" to read "Import Certificate", wherever it appears.

§ 375.7 Indian Import Certificate.

(a) *Requirement.* A license application to export to reexport commodities to India, regardless of consignee, generally, must be accompanied by an original Government of India (GOI) Indian Import Certificate. The Import Certificate, inter alia, places certain obligations on the Indian importer against reexport or transfer of commodities. The Import Certificate requirement applies to all commodities identified by the code letter "A" on the Commodity Control List (CCL) and to those commodities identified by the code letter "B" that include "national security" in the *Reason for Control* paragraph of the CCL entry. Four GOI agencies have the authority to issue the Indian Import Certificate. The Indian importer is responsible for determining the appropriate GOI issuing agency. The issuing agencies include:

(1) For small scale industries and entities, and those not elsewhere specified, Office of Chief Controller of Imports and Exports;

(2) For the "organized" sector, except for computers and related equipment, Directorate General of Technical Development;

(3) For Defense organizations, Ministry of Defense; and

(4) For computers and related electronic items, Department of Electronics.

In addition, any of the agencies listed above may instruct the Embassy of India in Washington, DC, to issue the Import Certificate on its behalf. The U.S. exporter and, where appropriate the reexporter, should: tell the Indian customer that the GOI Import Certificate is required documentation when applying for a U.S. export license or reexport authorization and limit the customer's request to those commodities subject to this Import Certificate procedure, *i.e.*, commodities under national security control. The exporter should clearly state which commodities are covered. For example, where the Indian order is for a variety of commodities (some requiring an Import Certificate under this procedure, some requiring a Consignee/Purchaser Statement, and some exportable under general license G–DEST), the request for the certified copy of the Indian Import Certificate should be limited to cover those commodities that are subject to the Import Certificate requirement, as described above. Where the Import Certificate includes commodities for which more than one license application will be submitted, the Import Certificate must be attached to the first such application. Each subsequent application must include the following certification in the space entitled "Additional Information" or on an attachment:

I (We) certify that the quantities of commodities shown on all export licenses based on Indian Import Certificate No. _____ when added to the quantities shown on all additional applications pending in the Office of Export Licensing based on the same Import Certificate, including the present application and any license already issued, do not total more than the quantities shown on the Import Certificate. This Import Certificate was submitted in support of application number _____ (insert case number, or, if case number is unknown, the applicant's reference number, date of submission of application to which the Indian Import Certificate was attached, and the Export Control Commodity Number and Processing Code shown on that application).

* * * * *

§ 375.9 [Amended]

7. Section 375.9 is amended by revising the phrase "Indian Import Licenses" to read "Indian Import Certificates" in the introductory paragraph, paragraph (a), and the title of (b)(3).

8. Section 375.9 is amended by revising the phrase "Indian Import License" to read "Indian Import Certificate" in paragraphs (b)(3), (c), (e) introductory text, (f) and (g)(1).

9. Section 375.9 is amended by removing the phrase "(hereinafter referred to as Certificate)" from paragraph (e).

10. Supplement No. 1 to Part 375 is amended by adding a new entry for India after the entry for "Hong Kong"; adding a new entry for "Switzerland" after the entry for "Spain"; and by adding a new entry for "Yugoslavia" after the entry for "United Kingdom", as follows:

SUPPLEMENT NO. 1—AUTHORITIES ADMINISTERING IMPORT CERTIFICATE/DELIVERY VERIFICATION SYSTEM IN FOREIGN COUNTRIES [1]

Country	IC/DV authorities	System administered [2]
*	* * * *	*
India	For small scale industries and entities, and those not elsewhere specified: Deputy Chief Controller of Imports and Exports, Udyog Bhawan, Maulana Azad Road New Delhi—110011.	Indian Import Certificate.
	For the "organized" sector, except for computers and related equipment: Directorate General of Technical Development, Udyog Bhawan, Maulana Azad Road, New Delhi—110011.	Indian Import Certificate.
	For Defense organizations: Defense Research and Development Organization, Room No. 224, "B" Wing Sena Bhawan, New Delhi—110011.	Indian Import Certificate.
	For computers and related electronic items: Department of Electronics, Lok Nayak Bhawan, New Delhi—110003.	Indian Import Certificate.
	On behalf of any of the above: Assistant Director, Embassy of India, Commerce Wing, 2536 Massachusetts Ave NW., Washington, DC 20008.	Indian Import Certificate.

SUPPLEMENT NO. 1—AUTHORITIES ADMINISTERING IMPORT CERTIFICATE/DELIVERY VERIFICATION SYSTEM IN FOREIGN COUNTRIES [1]—Continued

Country	IC/DV authorities	System administered [2]
*	* * * *	*
Switzerland	Swiss Federal Department of Public Economy, Import and Export Division, Zieglerstrasse 30 CH-3003 Bern.	Swiss Blue Import Certificate.
*	* * * *	*
Yugoslavia	Yugoslav Chamber of Economy, Knez Mihailova 10, Belgrade.	Yugoslav End-Use Certificate.
*	* * * *	*

[1] Facsimiles of Import Certificates and Delivery Verifications issued by each of these countries may be inspected at the Bureau of Export Administration Western Regional Office, 3300 Irvine Avenue, Suite 345, Newport Beach, California 92660–3198 or at any U.S. Department of Commerce District Office (see list on page (ii) under District Office Addresses) or at the Office of Export Licensing, Room 1099D, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue NW., Washington, DC 20230.

[2] IC—Import Certificate and/or DV—Delivery Verification.

Dated: June 20, 1988.

Vincent F. DeCain

Deputy Assistant Secretary for Export Administration.

[FR Doc. 88–14124 Filed 6–28–88; 8:45 am]

BILLING CODE 3510-DT-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C–3231]

Medical Staff of Memorial Medical Center; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, the medical staff of a Savannah, Ga. medical center from denying, restricting, or recommending denial or restriction of hospital privileges for any nurse-midwife, unless the staff has a reasonable basis for believing that such restriction serves the interest of the hospital in providing health care services. Respondent will also be prohibited from refusing to deal with or coercing the hospital or any person, organization, or institution, if the

purpose or effect is to restrict the practice of nurse-midwifery.

DATE: Complaint and order issued June 1, 1988.[1]

FOR FURTHER INFORMATION CONTACT: Harold Kirtz, Chicago Regional Office, Federal Trade Commission, 55 East Monroe St., Suite 1437, Chicago, IL 60603. (312) 353–4423.

SUPPLEMENTARY INFORMATION: On Thursday, January 28, 1988, there was published in the **Federal Register**, 53 FR 2508, a proposed consent agreement with analysis In the Matter of Medical Staff of Memorial Medical Center, an unincorporated association, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

A comment was filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Coercing And Intimidating: § 13.345 *Competitors*. Subpart—Combining Or Conspiring: § 13.384 Combining or conspiring; § 13.390 *To control employment practice*; § 13.405 *To discriminate unfairly or restrictively in general*; § 13.470 *To restrain and monopolize trade*. Subpart—Corrective Actions And/Or Requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533–20 *Disclosures*; § 13.533–45 *Maintain records*; § 13.533–45(e) *Correspondence*; § 13.533–50 *Maintain means of communication*; § 13.533–60 *Release of general, specific, or contractual constrictions, requirements, or restraints.*

List of Subjects in 16 CFR Part 13

Medical staff, Nurse-midwife, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 88–14586 Filed 6–28–88; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue NW., Washington, DC 20580.

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 101

Agency Rule Implementing the Law Governing Selection of Court for Multiple Appeals

AGENCY: National Labor Relations Board.

ACTION: Final rule.

SUMMARY: The National Labor Relations Board (NLRB) amends its Statements of Procedure, § 101.14, as required by Pub. L. 100–236, which was enacted to provide for the selection of the court of appeals to decide multiple appeals of an agency order. The statute obligates the Agency to designate an officer and office to receive petitions to review Agency orders that are filed with the courts of appeals.

EFFECTIVE DATE: July 6, 1988.

FOR FURTHER INFORMATION CONTACT: John C. Truesdale, Executive Secretary, 1717 Pennsylvania Avenue NW., Room 701, Washington, DC 20570, Telephone: (202) 254–9430.

SUPPLEMENTARY INFORMATION: Public Law 100–236 was enacted to provide a procedure for selection of an appropriate court of appeals to review an agency order when multiple appeals to that order are filed with more than one court of appeals. Formerly, the practice of selecting the "court of venue" when an appeal was filed in more than one circuit was determined by the circuit where the appeal of the agency order was first filed. The "first to file" rule, however, gave rise to "races to the courthouse" in order to file in a circuit which a lawyer believed would be sympathetic to the client's position. (H.R. Rep. No. 100–72 at 1–2 (1987)).

In order to alleviate the need for a circuit race when multiple appeals are filed, Pub. L. 100–236 establishes a procedure for a random selection of a circuit from among those circuits in which petitions are filed. In order to qualify for participation in the random selection process, a person must file a petition for review of the agency order and submit a copy of the petition to the agency within ten days of issuance of the order. The statute requires agencies to designate by rule an office and officer to receive the petition for review. Therefore, the National Labor Relations Board is amending its Statements of Procedure, 29 CFR 101.14, to provide that its Deputy Associate General Counsel of the Appellate Court Branch will receive petitions for court review of Agency orders.

List of Subjects in 29 CFR Part 101

Administrative practice and procedure, Labor management relations.

Accordingly, 29 CFR Part 101 is amended as follows:

PART 101—STATEMENTS OF PROCEDURE

1. The authority citation for 29 CFR Part 101 is revised as follows:

Authority: Sec. 6 of the National Labor Relations Act, as amended (29 U.S.C. 151, 156), and sec. 552(a) of the Administrative Procedure Act (5 U.S.C. 552(a)). Section 101.14 also issued under sec. 2112(a)(1) of Pub. L. 100–236, 28 U.S.C. 2112(a)(1).

2. Section 101.14 is revised to read as follows:

§ 101.14 Judicial review of Board decision and order.

If the respondent does not comply with the Board's order, or th Board deems it desirable to implement the order with a court judgment, the Board may petition the appropriate Federal court for enforcement. Or, the respondent or any person aggrieved by a final order of the Board may petition the circuit court of appeals to review and set aside the Board's order. If a petition for review is filed, the respondent or aggrieved person must ensure that the Board receives, by service upon its Deputy Associate General Counsel of the Appellate Court Branch, a court-stamped copy of the petition with the date of filing. Upon such review or enforcement proceedings, the court reviews the record and the Board's findings and order and sustains them if they are in accordance with the requirements of law. The court may enforce, modify, or set aside in whole or in part the Board's findings and order, or it may remand the case to the Board for further proceedings as directed by the court. Following the court's judgment, either the Government or the private party may petition the Supreme Court for review upon writ of certiorari. Such applications for review to the Supreme Court are handled by the Board through the Solicitor General of the United States.

Dated, Washington, DC, June 23, 1988.

By direction of the Board.

National Labor Relations Board.

John C. Truesdale,

Executive Secretary.

[FR Doc. 88–14585 Filed 6–28–88; 8:45 am]

BILLING CODE 7545–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 352

[DoD Directive 5118.3]

Comptroller of the Department of Defense

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This part revises 32 CFR Part 352 to identify the Comptroller of the Department of Defense and delineates its responsibilities, functions, relationships, and authorities pursuant to the authority vested in the Secretary of Defense under 10 U.S.C. sections 136 and 137. Because of a new realignment of responsibilities within the Office of the Secretary, this part identifies the authorities and responsibilities of the Comptroller of the Department of Defense.

EFFECTIVE DATE: May 24, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. H. Becker, Office of the Director of Administration and Management, the Pentagon, Washington, DC 20301, telephone (202) 695-4281.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 352

Organization and function.

Accordingly, 32 CFR Part 352 is revised to read as follows:

PART 352—COMPTROLLER OF THE DEPARTMENT OF DEFENSE

Sec.
352.1 Purpose.
352.2 Definition.
352.3 Responsibilities.
352.4 Functions.
352.5 Relationships.
352.6 Authorities.
352.7 Effective date.
Appendix—Delegations of Authority.

Authority: 10 U.S.C. 136 and 137.

§ 352.1 Purpose.

This part:

(a) Implements 10 U.S.C. that establishes the position of Comptroller of the Department of Defense.

(b) Designates the Comptroller of the Department of Defense as an Assistant Secretary of Defense and assigns the responsibilities, functions, relationships, and authorities prescribed herein, pursuant to the authority vested in the Secretary of Defense under 10 U.S.C. sections 136 and 137.

§ 352.2 Definition.

DoD Components. The Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities.

§ 352.3 Responsibilities.

The *Comptroller of the Department of Defense* is the principal advisor and assistant to the Secretary of Defense for budgetary and fiscal matters (including financial management, accounting policy and systems, budget formulation and execution, and contract audit), information resources management, and general management improvement programs. The Comptroller is the Chief Financial Officer of the Department of Defense and also serves as the Senior Official for Information Resources Management.

§ 352.4 Functions.

In carrying out the responsibilities assigned in § 352.3, the Comptroller shall:

(a) Develop and administer the planning, programming, and budgeting system (PPBS) of the Department of Defense.

(b) Supervise and direct the forumlation and presentation of Defense budgets, interactions with the Congress on budgetary and fiscal matters, and the execution and control of approved budgets in a manner that provides an authoritative decision-making system for the allocation of resources within the Defense budget and maintains effective financial control and accountability over the use of these resources.

(c) Establish and supervise the execution of uniform DoD policies, principles, and procedures (including terminologies and classifications, as necessary) for:

(1) Budget formulation and execution; financial management programs and systems; accounting and disbursing systems; cash and credit management; debt collection; financial progress and statistical reporting; and technical, organizational, and administrative matters related to contract audit.

(2) Relationships with financial institutions, including those operating on DoD installations in the United States and overseas.

(3) International financial matters, including the adequacy of international financial agreements.

(4) Professional development of comptroller and financial management personnel.

(5) Prices for transactions involving the provision of goods and services by DoD Components, including sales to foreign governments.

(6) Managing, developing, and using general purpose information technology, including automated information systems, office automation, and microcomputer systems.

(7) Information management, including control of information requirements, records management, use of statistical data, and information processing and data element standards.

(8) Contractor cost and schedule performance measurement systems and related reports.

(9) Acquisition status reporting systems, including Selected Acquisition Reports and Unit Cost Reports.

(10) Access to DoD budgetary material and other records by the General Accounting Office.

(d) Provide for the design, development, and installation of management improvement programs and systems throughout the Department of Defense by:

(1) Developing the Department's management agenda, establishing DoD-wide goals, and identifying major issues to be resolved.

(2) Ensuring that mechanisms are in place that permit senior management to identify and focus on significant problem areas.

(3) Developing an annual management improvement plan and coordinating plans for high priority management improvement efforts.

(4) Establishing and maintaining an internal management control program to control waste, fraud, and mismanagement.

(e) Provide computer services and associated support to OSD and other assigned activities, to include: validation of automated data processing (ADP) requirements, management and control of ADP resources, systems development and operation, and the provision of consulting services.

§ 352.5 Relationships.

(a) In the performance of the above functions, the Comptroller of the Department of Defense shall:

(1) Exercise direction, authority, and control over the Defense Contract Audit Agency.

(2) Provide policy guidance, priorities and objectives, and management supervision for the Defense Automation Resources Office.

(3) Coordinate and exchange information with other DoD Components having collateral or related functions.

(4) Promote coordination, cooperation, and mutual understanding of matters pertaining to assigned functions within the Department of Defense and between

the Department of Defense, other Government Agencies, and the public.

(5) Serve on boards, committees, and other groups concerned with matters pertaining to assigned functions and represent the Secretary of Defense on assigned functions outside the Department of Defense.

(6) Maintain liaison with congressional budget oversight committees on all DoD budgetary and fiscal matters and serve as focal point for joint Office of Management and Budget/Office of the Secretary of Defense budget and management reviews.

(7) Use existing facilities and services, whenever practicable, to achieve maximum efficiency and economy.

(b) Directors of Defense Agencies and DoD Field Activities shall coordinate with the Comptroller of the Department of Defense in the development of critical elements and performance standards for the Comptroller (or equivalent) in their respective organizations.

(c) The Comptroller of the Department of Defense shall provide input to the performance evaluation of Comptrollers (or equivalents) of Defense Agencies and DoD Field Activities.

(d) The Comptroller of the Department of Defense shall be consulted as to professional qualifications of Defense Agency and DoD Field Activity Comptrollers (or equivalents) before their selection to such positions.

(e) All DoD Components shall coordinate with the Comptroller of the Department of Defense on all matters related to the functions in § 352.4.

§ 352.6 Authorities.

(a) The Comptroller of the Department of Defense is hereby delegated authority to:

(1) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD 5025.1–M that implement policies approved by the Secretary of Defense in the functions assigned to the Comptroller of the Department of Defense. Instructions to the Military Departmernts shall be issued through the Secretaries of those Departments, or their designees. Instructions to Unified and Specified Commands shall be issued through the Chairman, Joint Chiefs of Staff (CJCS)

(2) Approve or withhold authority to obligate and expend funds authorized and appropriated by Congress for the execution of DoD programs.

(3) Obtain reports, information, advice, and assistance, consistent with DoD Directive 7750.5 in carrying out assigned functions, as necessary.

(4) Communicate directly with the heads of the DoD Components. Communications to the Commanders of Unified and Specified Commands shall be coordinated through the CJCS.

(5) Establish arrangements for DoD participation in those non-defense governmental programs for which the Comptroller of the Department of Defense has been assigned primary staff cognizance.

(6) Communicate with other Government Agencies, representatives of the legislative branch, and members of the public, as appropriate, in carrying out assigned functions.

(b) Other authorities specifically delegated by the Secretary of Defense are contained in enclosure 1.

§ 352.7 Effective date.

This part is effective May 24, 1988.

Appendix—Delegations of Authority

Pursuant to the authority vested in the Secretary of Defense, the Comptroller of the Department of Defense is hereby delegated subject to the direction, authority, and control of the Secretary of Defense, authority to:

1. Approve requests to hold cash at personal risk for authorized purposes; including imprest funds, and to redelegate such authority as appropriate in the administration and control of DoD funds, consistent with provisions of the Treasury Financial Manual (TFM) and under the authority of Title 31, United States Code, section 3321 and 3342.

2. Approve DoD Component disbursing regulations developed to implement the TFM and to grant waivers when delegated by the Secretary of the Treasury to heads of Executive Departments and Agencies.

3. Approve the establishment of accounts for the individual operations financed by management funds and issue regulations for the administration of accounts thus established pursuant to the authority in Title 10, United States Code, section 2209.

4. Exercise the authority of the Secretary of Defense to establish reimbursement rates and prices for DoD goods and services.

5. Pursuant to the authority of sections 113 and 137 of Title 10, United States Code, make the determinations in order to effectuate transfers under transfer authorities enacted in DoD and military construction appropriation acts and make any reports or furnish notifications to the Congress or its committees in connection with the exercise of such transfers.

These authorities may be redelegated, as appropriate.

June 24, 1988.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Office, Department of Defense.

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32 CFR Part 390a

[DoD Directive 5154.24]

Armed Forces Institute of Pathology (AFIP)

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This part is issued to incorporate changes to DoD Directive 5154.24, "Armed Forces Institute of Pathology (AFIP)," May 24, 1988, as requested by the Department of Defense Inspector General, the Assistant Secretary of Defense (Comptroller), and the Military Departments. This part delineates the functions and responsibilities of the AFIP.

EFFECTIVE DATE: May 24, 1988.

FOR FURTHER INFORMATION CONTACT: Capt. D. Uddin, Office of the Assistant Secretary of Defense (Health Affairs), Room 3D360, the Pentagon, Washington, DC 20301, telephone (202) 695–7117.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 390a

Organization and functions (Government agencies).

Accordingly Title 32, Chapter I, is amended to add Part 390a as follows:

PART 390a—ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP)

Sec.

390a.1 Purpose.
390a.2 Definition.
390a.3 Organization.
390a.4 Administration, funding and staffing.
390a.5 Mission.
390a.6 Functions.
390a.7 Responsibilities.

Authority: 10 U.S.C. 133.

§ 390a.1 Purpose.

This part is issued to update policy, assign responsibilities, and prescribe guidance for the administration and management of the AFIP.

§ 390a.2 Definition.

Administrative Support. Planning, programming, budgeting, and execution system (PPBES) functions. These include funding; fiscal control; manpower administration; administrative support for space, facilities, and supplies; and other administrative provisions and services with related mobilization planning.

§ 390a.3 Organization.

(a) AFIP shall be a joint entity of the three Military Departments and subject to the authority, direction, and control of the Secretary of Defense in accordance with 10 U.S.C. 176, 177, and 2601.