Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from 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 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

92-03-02. McDonnell Douglas: Amendment 39-8156. Docket 92-NM-02-AD.

Applicability: Model DC-9-81, -82, -83, and -87 series airplanes, and Model MD-88 airplanes, certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent loss of engine thrust, accomplish the following:

(a) Within 10 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"Ice on Wing Upper Surfaces

CAUTION

Ice shedding from the wing upper surface during takeoff can cause severe damage to one or both engines, leading to surge, vibration, and complete thrust loss. The formation of ice can occur on wing surfaces during exposure of the airplane to normal icing conditions. Clear ice can also occur on the wing upper surfaces when cold-soaked fuel is in the main wing fuel tanks, and the airplane is exposed to conditions of high humidity, rain, drizzle, or fog at ambient temperatures well above freezing. Often, the ice accumulation is clear and difficult to detect visually. The ice forms most frequently on the inboard, aft corner of the main wing tanks. [END OF CAUTIONARY NOTE]

The wing upper surfaces must be physically checked for ice when the airplane has been exposed to conditions conducive to ice formation. Takeoff may not be initiated unless the flight crew verifies that a visual check and a physical (hands-on) check of the wing upper surfaces have been accomplished, and that the wing is clear of ice accumulation when any of the following conditions occur:

(1) When the ambient temperature is less than 50 degrees F and high-humidity or visible moisture (rain, drizzle, sleet, snow, fog, etc.) is present;

(2) When frost or ice is present on the lower surface of either wing;

(3) After completion of de-icing.

When tufts and triangular decals are installed in accordance with McDonnell Douglas MD-80 Service Bulletin 30-59, the physical check may be made by assuring that all installed tufts move freely.

NOTE

This limitation does not relieve the requirement that aircraft surfaces are free of frost, snow, and ice accumulation, as required by Federal Aviation Regulations §§ 91.527 and 121.629. [END OF NOTE]"

(b) Within 10 days after the effective date of this AD, revise the Configuration Deviation List (CDL) Appendix of the AFM to include the following. This may be accomplished by inserting a copy of this AD in the AFM.

"30-80-01 Triangular Decal and Tuft Assemblies

Up to two (2) decals or tufts per side may be missing, provided:

(a) At least one decal and tuft on each side is located along the aft spar line; and

(b) The tufts are used for performing the physical check to determine that the upper wing is free of ice by observing that the tufts move freely.

Up to eight (8) decals and/or tufts may be missing, provided:

(a) Takeoff may not be initiated unless the flight crew verifies that a physical (hands-on) check is made of the upper wing in the location of the missing decals and/or tufts to assure that there is no ice on the wing when icing conditions exist;

OR

(b) When the ambient temperature is more than 50 degrees F."

(c) Within 30 days after the effective date of this AD, install tufts and triangular decals on the inboard side of the wings' upper surfaces, in accordance with McDonnell Douglas Service Bulletin 30-59, dated September 18, 1989; Revision 1, dated January 5, 1990; or Revision 2, dated August 15, 1990.

(d) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. The request shall be forwarded through an FAA Principal Maintenance or Operations Inspector, as appropriate, who may concur or comment and then send it to the Manager, Los Angeles ACO.

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

(f) The installation required by this AD shall be done in accordance with McDonnell Douglas Service Bulletin 30-59, dated September 18, 1989; Revision 1, dated January 5, 1990; or Revision 2, dated August 15, 1990. 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 McDonnell Douglas Corporation, P.O. Box 1771, Long Beach, California 90846-0001, Attention: Business Unit Manager, Technical Publications, C1-HDR (54-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington, or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, D.C.

(g) This amendment (39-8156), AD 92-03-02, becomes effective January 17, 1992.

Issued in Renton, Washington, on January 3, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-1447 Filed 1-15-92; 4:15 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T.D. 92-6]

Customs Regulations Amendment Relating to the Generalized System of Preferences Direct Importation Requirement

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

ACTION: Interim regulation; solicitation of comments.

SUMMARY: This document expands the "imported directly" definition in the Customs Regulations pertaining to the Generalized System of Preferences (GSP) to allow goods produced in a member of a GSP-designated association of countries to be shipped through, and subjected to limited processing operations in, another member of the same association whose designation as a member of that association for GSP purposes was terminated by the President. The amendment supports the overall goals of the GSP program which include fostering the continued economic development and integration of association members.

DATES: Interim rule effective January 17, 1992. Comments must be received on or before March 17, 1992.

ADDRESSES: Written comments (preferably in triplicate) may be addressed to and inspected at the Regulations and Disclosure Law Branch, room 2119, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Craig Walker, Office of Regulations and Rulings (202–566–2938).

SUPPLEMENTARY INFORMATION:

Background

Title V of the Trade Act of 1974, as amended (19 U.S.C. 2461–2465), authorizes the President to establish a Generalized System of Preferences (GSP) to provide duty-free treatment for articles which (1) are designated by the President as eligible articles for purposes of the GSP, (2) are the growth, product, or manufacture of a country designated by the President as a beneficiary developing country (BDC) for purposes of the GSP, (3) have at least 35 percent of their appraised value attributable to the cost or value of materials produced in the BDC and/or the direct costs of processing operations performed in the BDC, and (4) are imported directly from the BDC into the Customs territory of the United States. The Customs Regulations implementing the GSP are contained in §§ 10.171–10.178 (19 CFR 10.171–10.178).

Section 10.175 of the Customs Regulations (19 CFR 10.175) defines the expression "imported directly" for purposes of the GSP. Paragraph (a) provides the most restrictive definition (that is, direct shipment from the BDC to the United States without passing through the territory of any other country), and paragraphs (b)–(d) set forth certain limited derogations from the strict rule contained in paragraph (a).

Paragraph (b) refers to shipment from the BDC to the United States through the territory of any other country under circumstances in which the merchandise in the shipment does not enter into the commerce of the intermediate country while en route to the United States, and the invoice, bills of lading, and other shipping documents show the United States as the final destination.

Paragraph (c) covers merchandise shipped from the BDC to the United States through a free trade zone in a BDC and sets forth the following principal conditions: (1) The merchandise shall not enter into the commerce of the country maintaining the free trade zone, (2) the merchandise must not undergo any operations other than sorting, grading, testing, packing, unpacking, repacking, decanting, affixing marks or labels or the like if incidental to other operations permitted under the paragraph, and operations necessary to preserve the merchandise in its condition as introduced into the free trade zone, (3) the merchandise may be purchased and resold, other than at retail, for export within the free trade zone, and (4) an additional Certificate of Origin Form A, declaring what operations, if any, were performed on the merchandise in the free trade zone, shall be prepared and submitted to Custom with the original Certificate of Origin.

Paragraph (d) refers to a shipment from a BDC to the United States through the territory of any other country under circumstances in which the invoices and other documents do not show the United States as the final destination and states that the articles in the shipment are imported directly only if: (1) The articles remained under the control of the customs authority in the intermediate country, (2) the articles did not enter into the commerce of the intermediate country except for the purpose of sale other than at retail, and the district director is satisfied that the importation results from the original commercial transaction between the importer and the producer or the producer's sales agent, and (3) the articles were not subjected to operations other than loading and unloading and other activities necessary to preserve the articles in good condition.

Each of the above exceptions to the strict "imported directly" rule was designed to address potential or known problems that could otherwise interfere with the goals of the GSP program, such as geographical limitations (for example, a landlocked BDC needing access to a seaport located in a neighboring country) and regional or product-specific marketing or distribution requirements. The documentary requirements and other conditions set forth in each of these transshipment exceptions were specifically designed to ensure that Customs would still be able to trace the imported goods to their true country of origin, in recognition of the fact that the real function of the direct importation requirement is to assist in establishing compliance with the basic GSP origin requirements.

In Proclamation 5805 of April 29, 1988, published at 53 FR 15785 on May 4, 1988, the President pursuant to 19 U.S.C. 2464 terminated the designation of Singapore and Brunei Darussalam as BDCs for purposes of the GSP, thus removing them both from the list of independent countries entitled to GSP benefits and from the list of members of the Association of South East Asian Nations (ASEAN) treated as one BDC for GSP purposes. The action with regard to Singapore was based on a determination that Singapore was sufficiently advanced in economic development and improved in trade competitiveness that continued preferential treatment under the GSP was not warranted. The action as regards Brunei Darussalam was based on a determination that its per capita gross national product had exceeded the applicable limit for GSP designation provided in 19 U.S.C. 2464(f). The principal intended effect of the Presidential action was (1) to exclude from GSP duty-free treatment all articles produced in Singapore or in Brunei Darussalam, and (2) in the case of an article produced in another ASEAN member country, to preclude counting any cost or value of materials or direct costs of processing operations attributable to Singapore or Brunei Darussalam in order to meet the GSP 35 percent value-added requirement under the cumulation of value provision applicable to members of an association of countries treated as one country under the GSP.

However, the Presidential Proclamation also has had the collateral effect of excluding from GSP duty-free treatment articles produced in any remaining GSP-eligible ASEAN member country (Indonesia, Malaysia, the Philippines, or Thailand) and shipped to Singapore or Brunei Darussalam where unpacking, testing, labeling, repacking and other minimal operations are performed on such articles prior to final shipment to the United States. This results from the fact that, by removing Singapore and Brunei Darussalam from the list of ASEAN member countries treated as one country for GSP purposes, such an article can no longer be considered to have been directly shipped to the United States from the ASEAN and thus would not be "imported directly" within the meaning of the GSP statute. Moreover, none of the above-described exceptions to the strict "imported directly" rule set forth in 19 CFR 10.175 would apply in such circumstances, and in this regard the following is noted: (1) Paragraph (b) is inapplicable because testing and other operations performed on the article in Singapore or Brunei Darussalam constitute entry into the commerce of those countries; (2) paragraph (c) does not apply because the free trade zone must be located in a BDC and Singapore and Brunei Darussalam are no longer BDCs; and (3) paragraph (d) does not permit the types of operations performed on the article in Singapore or Brunei Darussalam.

The Office of the United States Trade Representative (USTR) has determined that the situation described above is having a serious negative effect on both the GSP program and the goals of the ASEAN. While the Presidential action has had the desired effect of preventing

Singapore and Brunei from benefitting from the GSP trade preference, it has also caused difficulties for the remaining GSP-eligible ASEAN member countries which, having in the past found it necessary to transship some of their products through Singapore or Brunei Darussalam for the purpose of performing testing and related minor operations and in order to facilitate marketing and distribution, are now able to do so only at the cost of losing GSP duty-free treatment on those products. Thus, in effect, GSP availability has been somewhat eroded for products of Indonesia, Malaysia, the Philippines, and Thailand, thereby frustrating the intent behind their continued designation as GSP BDCs. Moreover, by precluding Singapore or Brunei Darussalam from having such peripheral involvement with the GSP transactions of the other ASEAN members, the goal of the ASEAN, which is to further the economic integration of its members, will be frustrated. In accordance with commitments made to interested foreign governmental entities to try to find a solution to this problem, USTR therefore requested Customs to consider whether the Customs Regulations could be amended on an expedited basis to correct this situation. Customs has concluded that a regulatory amendment in this case, so long as it does not affect the President's action withdrawing direct GSP benefits from the two countries in question, would be equitable, proper and consistent with the overall objectives of the GSP program.

In order to ensure that the solution to this problem is limited to the narrow "imported directly" context under which it arose, and in keeping with the regulatory approach taken toward similar problems in the past, this document simply sets forth an amendment to 19 CFR 10.175 involving the addition of a new paragraph (e) to cover cases in which goods originating in a member of an association treated as one GSP country are shipped through the territory of a former BDC whose designation as a member of the same association was terminated by the President. The new regulatory text set forth in this document incorporates the limitations or conditions found in present paragraph (c) with respect to the general prohibition against entry into the commerce, the limited types of operations that would be permitted, the allowance of only a non-retail purchase or resale for export, and the submission of an additional Certificate of Origin Form A describing the operations performed; however, the new text is not limited to free trade zone situations as in the case of paragraph (c) because such a limitation would be overly restrictive and is unnecessary in this context. This new paragraph (e) also specifically lists Singapore and Brunei Darussalam so as to clarify the present application of the paragraph, and future amendments to this list would be made as changed circumstances may warrant.

Finally, Customs believes that the pressing need for this regulatory change as explained above, coupled with the fact that the change confers a benefit on the general public by removing a restriction, warrants immediate implementation of the change in the form of an interim rule with provision for public comments thereon.

Comments

Before adopting this interim regulation as a final rule, consideration will be given to any written comments (preferably in triplicate) timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4, Treasury Department Regulations (31 CFR 1.4), and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on normal business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations and Disclosure Law Branch, room 2119, Customs Service Headquarters, 1301 Constitution Avenue NW., Washington, DC.

Inapplicability of Notice and Delayed Effective Date Requirements

Pursuant to the provisions of 5 U.S.C. 553(a) public notice is inapplicable to this regulation because it falls within the foreign affairs function of the United States. The regulation implements commitments made to foreign governmental entities by the Executive Office of the President and accords with the President's statutory authority regarding administration of the GSP program. In addition, because this regulation is necessary to support the objectives of the existing GSP program and since it confers a benefit on the general public, it is determined pursuant to 5 U.S.C. 553(b)(B) that notice and public procedures are impracticable, unnecessary, and contrary to the public interest. Furthermore, for the above reasons, it is determined that good cause exists under the provisions of 5 U.S.C. 553(d)(3) for dispensing with a delayed effective date.

Executive Order 12291

This document does not meet the criteria for a "major rule" as specified in E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for interim regulations, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

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.

Amendment to the Regulations

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 authority citation for part 10 continues to read as follows:

Authority: 19 U.S.C. 66, 1202, 1481, 1484, 1498, 1508, 1623, 1624.

* * * * *

2. Section 10.175 is amended by removing the period at the end of paragraph (d)(3) and adding in its place "; or", and by adding a new paragraph (e) to read as follows:

§ 10.175 Imported directly defined.

* * * * *

(e)(1) Shipment to the U.S. from a beneficiary developing country which is a member of an association of countries treated as one country under section 502(a)(3), Trade Act of 1974, as amended (19 U.S.C. 2462(a)(3)), through the territory of a former beneficiary developing country whose designation as a member of the same association for GSP purposes was terminated by the President pursuant to section 504, Trade Act of 1974, as amended (19 U.S.C. 2464), provided:

(i) The articles in the shipment did not enter into the commerce of the former beneficiary developing country except for purposes of performing one or more of the operations specified in paragraph (c)(1) of this section and except for purposes of purchase or resale, other than at retail, for export; and

(ii) The person responsible for the articles in the former beneficiary developing country, or any person having knowledge of the facts, shall prepare and sign an additional

Certificate of Origin Form A declaring what operations, if any, were performed in the former beneficiary developing country. At the request of the district director, this additional Certificate of Origin shall be presented to Customs along with the Certificate of Origin required by § 10.173(a)(1). The provisions of §§ 10.173 (a)(2), (a)(3), (a)(4) and (a)(5) are applicable to this paragraph.

(2) The designation of the following countries as members of an association of countries for GSP purposes has been terminated by the President pursuant to section 504 of the Trade Act of 1974 (19 U.S.C. 2464):

Brunei Darussalam.

Singapore.

Approved: January 13, 1992.

Michael H. Lane,

Acting Commissioner of Customs.

Peter K. Nunez,

Assistant Secretary of the Treasury.

[FR Doc. 92-1228 Filed 1-16-92, 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 90F-0321]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 1,3,5-tris(3,5-di-*tert*-butyl-4-hydroxybenzyl)-*s*-triazine-2,4,6(1*H*, 3*H*, 5*H*)trione as an antioxidant for polymethylpentene homopolymers used in contact with food. This action is in response to a petition filed by Ciba-Geigy Corp.

DATES: Effective January 17, 1992; written objections by February 18, 1992.

ADDRESSES: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Marvin D. Mack, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-254-9511.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of October 30, 1990 (55 FR 45656), FDA announced that a food additive petition (FAP 0B4219) had been filed by Ciba-Geigy Corp., Seven Skyline Dr., Hawthorne, NY 10532, proposing that § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) be amended to provide for the safe use of 1,3,5-tris(3,5-di-*tert*-butyl-4-hydroxybenzyl)-*s*-triazine-2,4,6(1*H*, 3*H*, 5*H*)trione as an antioxidant for polymethylpentene homopolymers used in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe, and that 21 CFR 178.2010 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before February 18, 1992, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director of the Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 706 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 376).

2. Section 178.2010 is amended in the table in paragraph (b) for the entry 1,3,5-tris(3,5-di-*tert*-butyl-4-hydroxybenzyl)-*s*-triazine-2,4,6(1*H*, 3*H*, 5*H*)trione * * * by numerically adding a new entry "6." under the heading "Limitations" to read as follows:

§ 178.2010 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) * * *

Substances	Limitations
* *	* * *
1,3,5-tris(3,5-di-*tert*-butyl-4-hydroxybenzyl)-*s*-triazine-2,4,6(1*H*, 3*H*, 5*H*) trione(CAS Reg. No. 27676-62-6).	For use only: * * * 6. At levels not to exceed 0.2 percent by weight of olefin polymers complying with § 177.1520(c)(4) of this chapter. The finished polymers may be used in contact with food under conditions of use A through H described in Table 2 of § 176.170(c) of this chapter.
* *	* * *

Dated: January 10, 1992.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-1263 Filed 1-16-92; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 100 and 165

CGD 92-002

Safety and Security Zones

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary rules issued.

SUMMARY: This document gives notice of temporary safety zones, security zones, and local regulations. Periodically the Coast Guard must issue safety zones, security zones, and special local regulations for limited periods of time in limited areas. Safety zones are established around areas where there has been a marine casualty or when a vessel carrying a particularly hazardous cargo is transiting a restricted or congested area. Special local regulations are issued to assure the safety of participants and spectators of regattas and other marine events.

DATES: The following list includes safety zones, security zones, and special local regulations that were established between October 1, 1991 and December 31, 1991 and have since been terminated. Also included are several zones established earlier but inadvertently omitted from the past published list.

ADDRESSES: The complete text of any temporary regulation may be examined at, and is available on request, from Executive Secretary, Marine Safety Council (G-LRA-2), U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001.

FOR FURTHER INFORMATION CONTACT: Don Harris, Regulatory Paralegal, Marine Safety Council at (202) 267-1477 between the hours of 8 a.m. and 3:30 p.m., Monday through Friday.

SUPPLEMENTARY INFORMATION: The local Captain of the Port must be immediately responsive to the safety needs of the waters within his jurisdiction; therefore, he has been delegated the authority to issue these regulations. Since events and emergencies usually take place without advance notice or warning, timely publication of notice in the **Federal Register** is often precluded. However, the affected public is informed through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is frequently provided by Coast Guard patrol vessels enforcing the restrictions imposed in the zone to keep the public informed of the regulatory activity. Because mariners are notified by Coast Guard officials on scene prior to enforcement action, **Federal Register** notice is not required to place the special local regulation, security zone, or safety zone in effect. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To discharge this legal obligation without imposing undue expense on the public, the Coast Guard publishes a periodic list of these temporary local regulations, security zones, and safety zones. Permanent safety zones are not included in this list. Permanent zones are published in their entirety in the **Federal Register** just as any other rulemaking. Temporary zones are also published in their entirety if sufficient time is available to do so before they are placed in effect or terminated. Non-major safety zones, special local regulations and security zones have been exempted from review under E.O. 12291 because of their emergency nature and temporary effectiveness.

The following regulations were placed in effect temporarily during the period October 1, 1991 through December 31, 1991, unless otherwise indicated.

Docket #	Location	Type	Effective date
CGD1-91-057	Lower East River, New York	Safety	31 Dec 91.
CGD1-91-153	Lower Hudson River, NY/NJ	Safety	11 Oct 91.
CGD1-91-154	Old Rte 156 Niantic River	Safety	08 Oct 91.
CGD1-91-155	Kill Van Kull, NY/NJ	Safety	15 Oct 91.
CGD1-91-163	Shinnecock Inlet, Unexploded	Safety	22 Oct 91.
CGD1-91-164	Old Rte 156 Niantic River Bridge	Safety	29 Oct 91.
CGD1-91-166	Lower East River, NY	Security	12 Nov 91.
CGD1-91-169	Boston Inner Harbor	Safety	31 Dec 91.
CGD2-91-001	Fleur De Lis Regatta	Special	11 Oct 91.
CGD5-91-048	American Diabetes Choptank Swim	Special	19 Oct 91.
CGD7-91-105	Lauderdale Great South Florida	Special	05 Oct 91.
CGD7-91-106	Columbus Day Cruising Regatta	Special	12 Oct 91.
CGD7-91-112	Dick Misener Memorial Marathon	Special	05 Oct 91.
CGD7-91-113	Gold Cup Challenge	Special	06 Oct 91.
CGD7-91-118	1991 Offshore World Championship	Special	13 Nov 91.
CGD7-91-120	29th Annual Christmas Boat Parade	Special	15 Dec 91.
CGD7-91-123	City of Boynton Beach/Delray Beach	Special	13 Dec 91.
CGD7-91-124	Winterfest Boat Parade	Special	14 Dec 91.
CGD7-91-125	Christmas Parade of Boats	Special	07 Dec 91.
CGD8-91-023	Banana Bend Championship Outboard	Special	12 Oct 91.
	Captain of the Port Regulations		
Boston 91-151	Boston Inner Harbor	Safety	12 Oct 91.
Charleston 91-102	Cooper River, SC	Safety	12 Sep 91.
Charleston 91-103	Intracoastal Waterway	Safety	15 Aug 91.
Charleston 91-104	Cooper River, SC	Emergency	17 Sep 91
Charleston 91-119	ICW/Wappoo Cut Bridge	Emergency	20 Nov 91.
Chicago 09-91-17	Merrill C. Meigs Airfield	Security	20 Sep 91.
Chicago 09-91-18	Merrill C. Meigs Airfield	Security	10 Dec 91.
Hampton Rds 91-05-09	James River	Safety	23 Oct 91
Hampton Rds 91-05-11	Alligator River	Safety	27 Nov 91.
Honolulu 91-02	Honolulu & Bellows AFB	Safety	15 Nov 91.
Honolulu 91-03	Honolulu Harbor	Security	06 Dec 91.
Huntington 91-05	Kanawha River Mile 0.01.6	Safety	08 Nov 91.
Jacksonville 91-98	Florida, Fernandina	Safety	08 Sep 91.
Jacksonville 91-99	Jax Pride & Jax Mac	Safety	12 Sep 91.
Jacksonville 91-122	St. Johns River	Safety	29 Nov 91.
Jacksonville 91-128	Jacksonville Landing	Safety	07 Dec 91
Jacksonville 91-130	Hot Winter Jet Ski Race	Safety	15 Dec 91.
LA/LB 91-23	Explosive Anchorage K-5	Safety	16 Dec 91

Docket #	Location	Type	Effective date
Louisville 91-16	Calhoun, Kentucky	Safety	03 Oct 91.
Louisville 91-16	Louisville, Kentucky	Safety	04 Oct 91.
Paducah 91-13	Lower Mississippi	Safety	31 Aug 91.
Paducah 91-14	Upper Mississippi River	Safety	17 Sep 91.
Paducah 91-15	Tennessee River	Safety	30 Sep 91.
Paducah 91-16	Ohio River	Safety	01 Oct 91.
Paducah 91-17	Cumberland River	Safety	05 Oct 91.
Paducah 91-18	Tennessee River	Safety	03 Oct 91.
Pittsburgh 91-04	Allegheny River	Security	14 Aug 91.
Pittsburgh 91-05	Ohio River	Safety	28 Sep 91.
Pittsburgh 91-07	Monongahela River	Safety	29 Oct 91.
Portland 90-03	Columbia River	Safety	06 Jun 90.
Puget Sound 91-12	Lake Washington Canal	Safety	19 Aug 91.
Puget Sound 91-13	Lake Washington Canal	Safety	19 Aug 91.
Puget Sound 91-14	Elliott Bay, WA	Safety	14 Sep 91.
Puget Sound 91-16	Elliott Bay, WA	Safety	16 Sep 91.
Puget Sound 91-17	Eagle Harbor, Winslow, WA	Safety	08 Dec 91.
San Francisco 91-09	San Francisco Bay	Safety	12 Oct 91.
San Francisco 91-10	San Francisco Bay	Safety	12 Oct 91.
San Francisco 91-11	San Francisco Bay	Safety	16 Oct 91.
San Francisco 91-12	San Francisco Bay	Safety	22 Oct 91.
Savannah 91-108	Sea Island, GA	Security	28 Sep 91.
Savannah 91-109	St. Simons Island	Security	28 Sep 91.
Wilmington 91-011	Cape Fear River	Safety	01 Oct 91.
Wilmington 91-012	Cape Fear River	Safety	01 Oct 91.
Wilmington 91-013	Cape Fear River	Safety	05 Oct 91.

Dated: January 13, 1992.

D.M. Wrye,

Lieutenant Commander, USCG, Acting Executive Secretary, Marine Safety Council.

[FR Doc. 92-1289 Filed 1-16-92; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF EDUCATION

34 CFR Part 690

Pell Grant Program; Correction

AGENCY: Department of Education.

ACTION: Final regulations—correction.

SUMMARY: This document corrects the final regulations for the Pell Grant Program that were published in the **Federal Register** on November 6, 1991 at 55 FR 56912.

FOR FURTHER INFORMATION CONTACT: Joyce R. Coates, Program Specialist, Pell Grant Branch, Division of Policy and Program Development, U.S. Department of Education, 400 Maryland Avenue, SW. (room 4318, ROB-3), Washington, DC 20202, (202) 708-7888. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 (in Washington, DC 202 area code, telephone 708-9300) between 8 a.m. and 7 p.m., Eastern time.

SUPPLEMENTARY INFORMATION: On November 6, 1991, the Secretary published final regulations in the **Federal Register** for the Pell Grant Program, 34 CFR part 690. This document corrects the Preamble of these final regulations as follows:

On page 56912, column 2, the third paragraph from the bottom is removed.

Dated: January 13, 1992.

Carolynn Reid-Wallace,

Assistant Secretary for Postsecondary Education.

[FR Doc. 92-1311 Filed 1-16-92; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Parts 1 and 10

[Docket No. 910764-1306]

RIN 0651-AA27

Duty of Disclosure

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice of final rulemaking.

SUMMARY: The Patent and Trademark Office (Office) is amending the rules of practice in patent cases to (1) clarify the duty of disclosure for information required to be submitted to the Office; (2) provide flexible time limits for submitting information disclosure statements including the requirement for a fee in certain cases; (3) eliminate consideration of duty of disclosure issues by the Office except in disciplinary and interference proceedings, and under other limited circumstances; and (4) eliminate the striking of patent applications which are improperly executed. The Office further is amending the Patent and Trademark Office Code of Professional Responsibility to define as misconduct a failure to comply with the rules on duty of disclosure. The rules as adopted strike a balance between the need of the Office to obtain and consider all known relevant information pertaining to patentability before a patent is granted and the desire to avoid or minimize unnecessary complications in the enforcement of patents.

EFFECTIVE DATE: March 16, 1992. These rules will be applicable to all applicants and reexamination proceedings pending or filed after the effective date.

FOR FURTHER INFORMATION CONTACT: By telephone Charles E. Van Horn (703-305-9054) or J. Michael Thesz (703-305-9384) or by mail addressed to Commissioner of Patents and Trademarks, Washington, DC 20231, and marked to the attention of Charles E. Van Horn (Crystal Park 2—room 919).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking on duty of disclosure and practitioner misconduct published in the **Federal Register** at 54 FR 11334 (March 17, 1989), and in the Patent and Trademark Office Official Gazette at 1101 Off. Gaz. Pat. Off. 12 (April 4, 1989), was withdrawn. On August 6, 1991, the Office published in the **Federal Register** a notice of proposed rulemaking relating to duty of disclosure. 56 FR 37321. The notice was also published in the Official Gazette, 1129 Off. Gaz. Pat. Off. 52 (August 27, 1991). Sixty written comments were received in response to the notice of proposed rulemaking. A public hearing was held on October 8, 1991. Eleven individuals offered oral comments at the hearing. The sixty written comments and a copy of the transcript of the hearing are available for public inspection in the Office of the Assistant