

(b) The addresses of RTC's field offices and the states over which each office has jurisdiction shall be published from time to time in the *Federal Register* and maintained by the Secretary, Resolution Trust Corporation, whose address and telephone number are given in paragraph (a) of this section.

By Order of the Chief Executive Officer of the Resolution Trust Corporation.

Dated at Washington, DC, this 3rd day of February, 1994.

Resolution Trust Corporation.

John M. Buckley, Jr.,

Secretary.

[Note: This appendix will not appear in the Code of Federal Regulations.]

**Appendix—Field Offices of the Resolution Trust Corporation
Department of Legal Services**

Resolution Trust Corporation, 100 Colony Square, suite 2300, Atlanta, GA 30361.

Responsible for: Alabama, the District of Columbia, Florida, Georgia, Maryland, North Carolina, Puerto Rico, South Carolina, Tennessee, the Virgin Islands, Virginia, and West Virginia.

Resolution Trust Corporation, 3500 Maple Avenue, suite 1500, Dallas, TX 75219.

Responsible for: Louisiana, Mississippi, and Texas.

Resolution Trust Corporation, 1225 17th Street, suite 3200, Denver, CO 80202.

Responsible for: Arizona, Colorado, New Mexico, Nevada, and Utah.

Resolution Trust Corporation, 4000 MacArthur Boulevard, 5th floor, P.O. Box 6210, Newport Beach, CA 92658-6210.

Responsible for: California, Guam, and Hawaii.

Resolution Trust Corporation, 7400 West 110th Street, suite 500, Overland Park, KS 66210-2346.

Responsible for: Alaska, Arkansas, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, North Dakota, Nebraska, Ohio, Oklahoma, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.

Resolution Trust Corporation, Valley Forge Corporation Center, 1000 Adams Avenue, P.O. Box 1500, Valley Forge, PA 19482-1500.

Responsible for: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

Alabama (Atlanta)

Alaska (Overland Pk.)
Arizona (Denver)
Arkansas (Overland Pk.)
California (Newport Beach)
Colorado (Denver)
Connecticut (Valley Forge)
Delaware (Valley Forge)
D.C. (Atlanta)
Florida (Atlanta)
Georgia (Atlanta)
Guam (Newport Beach)
Hawaii (Newport Beach)
Idaho (Overland Pk.)
Illinois (Overland Pk.)
Indiana (Overland Pk.)
Iowa (Overland Pk.)
Kansas (Overland Pk.)
Kentucky (Overland Pk.)
Louisiana (Dallas)
Maine (Valley Forge)
Maryland (Atlanta)
Massachusetts (Valley Forge)
Michigan (Overland Pk.)
Minnesota (Overland Pk.)
Mississippi (Dallas)
Missouri (Overland Pk.)
Montana (Overland Pk.)
Nebraska (Overland Pk.)
Nevada (Denver)
New Hampshire (Valley Forge)
New Jersey (Valley Forge)
New Mexico (Denver)
New York (Valley Forge)
N. Carolina (Atlanta)
N. Dakota (Overland Pk.)
Ohio (Overland Pk.)
Oklahoma (Overland Pk.)
Oregon (Overland Pk.)
Pennsylvania (Valley Forge)
Puerto Rico (Atlanta)
Rhode Island (Valley Forge)
S. Carolina (Atlanta)
S. Dakota (Overland Pk.)
Tennessee (Atlanta)
Texas (Dallas)
Utah (Denver)
Vermont (Valley Forge)
Virgin Isls. (Atlanta)
Virginia (Atlanta)
Washington (Overland Pk.)
W. Virginia (Atlanta)
Wisconsin (Overland Pk.)
Wyoming (Overland Pk.)

[FR Doc. 94-2875 Filed 2-8-94; 8:45 am]

BILLING CODE 6714-01-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 122

Business Loans—Defense Economic Assistance

AGENCY: Small Business Administration (SBA).

ACTION: Final rule.

SUMMARY: This final regulation implements Section 7(a)(21) of the

Small Business Act ("Act"), enacted on September 4, 1992. Under this final rule, SBA could make or guarantee loans to small business concerns which have been detrimentally affected by the closure or substantial reduction of a Department of Defense installation.

EFFECTIVE DATE: February 9, 1994.

FOR FURTHER INFORMATION CONTACT: Charles R. Hertzberg, Assistant Administrator for Financial Assistance, Small Business Administration, 409 3rd Street SW., Washington, DC 20416 Telephone 202/205-6490.

SUPPLEMENTARY INFORMATION: Section 7(a)(21) of the Act (Pub. L. 102-366, 106 Stat. 997-968 15 U.S.C. 636(a)(21)) was enacted on September 4, 1992. On August 26, 1993, SBA published in the *Federal Register* (58 FR 45078) a proposed regulation which would implement Section 7(a)(21) of the Act. The Agency received no comments. Accordingly, the final regulation is being promulgated without change from the proposed rule.

Under this final regulation SBA is authorized to make direct or guaranteed loans to assist a small business concern that has been, or can reasonably be expected to be, detrimentally affected by the closure or substantial reduction of a Department of Defense (DOD) installation. SBA is also authorized under this final rule to assist a small business concern which has been detrimentally affected by the termination, or substantial reduction, of a DOD program on which such small business was a prime contractor or subcontractor (or supplier) at any tier.

Under this final regulation, the Agency is also authorized to make or guarantee loans to a qualified individual who seeks to establish, or acquire, and operate a small business concern in an area that has been or can reasonably be expected to be detrimentally affected by such closure or substantial reduction. For purposes of Section 7(a)(21) of the Act, "qualified individual" is defined to be: (1) A member of the Armed Forces of the United States, honorably discharged from active duty involuntarily or pursuant to a program providing bonuses or other inducements to encourage voluntary separation or early retirement; or (2) a civilian DOD employee involuntarily separated from Federal service or retired pursuant to a program offering inducements to encourage early retirement; or (3) an employee of a prime contractor, subcontractor, or supplier at any tier of a DOD program whose employment is involuntarily terminated (or voluntarily terminated pursuant to a program offering inducements to encourage

voluntary separation or early retirement) due to the termination (or substantial reduction) of a DOD program.

In recognition that greater risk may be associated with a loan to an applicant under this program, the final rule resolves any reasonable doubts concerning the small business concern's proposed business loan for transition to nondefense-related markets in favor of the loan applicant when SBA makes any determination regarding the sound value of the proposed loan. In order to determine "sound value", SBA will consider such factors as quality of the product or service, technical qualifications of the applicant's management and employees, sales projections and the applicant's financial status.

Because the Act requires SBA to resolve any credit doubts in favor of the loan applicant under this program, the final rule does not authorize any loan under section 7(a)(21) of the Act to be made under the certified lenders program (where the lender is entitled to a three day review by SBA) or the preferred lenders program (where the lender has authority to commit the Agency's guaranty without submitting any paperwork to SBA for review).

Compliance With Executive Orders 12612, 12778 and 12866, the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., and the Paperwork Reduction Act, 44 U.S.C. ch. 35

Executive Order 12866 and Regulatory Flexibility Act

SBA certifies that this final rule would not be a significant regulatory action for purposes of E.O. 12866 and, for purposes of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., would not have a significant economic impact on a substantial number of small entities, for the following reasons:

1. It would not result in an annual economic effect of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities.

2. It would not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

3. It would not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof.

4. It would not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in E.O. 12866.

Executive Order 12612

SBA certifies that this final rule would have no Federalism implications warranting the preparation of a Federalism Assessment in accordance with Executive Order 12612.

Paperwork Reduction Act

For purposes of the Paperwork Reduction Act, 44 U.S.C., ch 35, SBA hereby certifies that this final rule imposes no new reporting or recordkeeping requirements.

Executive Order 12778

SBA certifies that this final rule is drafted, to the extent practicable, in accordance with the standards set forth in Section 2 of E.O. 12778.

[Catalog of Federal Domestic Assistance Programs, No. 59-012, Small Business Loans]

List of Subjects in 13 CFR Part 122

Loan programs—business.

Pursuant to the authority contained in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), SBA is amending Part 122, Chapter I, Title 13, Code of Federal Regulations, as follows:

PART 122—BUSINESS LOANS

1. The authority citation for part 122 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6), 636(a), 636(m).

2. Sections 122.62 through 122.62-4 are added to read as follows:

§ 122.62 Defense Economic Transition Assistance under Section 7(a)(21) of the Act.

§ 122.62-1 General rule.

(a) *Business.* The Act authorizes SBA, subject to the availability of funds appropriated for this purpose, to make direct or guaranteed loans to assist a small business concern that has been (or can reasonably be expected to be) detrimentally affected by:

(1) *Closure.* The closure (or substantial reduction) of a Department of Defense installation; or

(2) *Termination.* The termination (or substantial reduction) of a Department of Defense program on which such small business was a prime contractor or subcontractor (or supplier) at any tier.

(b) *Qualified Individual.* Under this program, SBA is authorized to make direct or guaranteed loans to a qualified individual who seeks to establish (or acquire) and operate a small business concern.

§ 122.62-2 Qualified individual.

Qualified individual, for purposes of this program, is:

(a) *Military status.* A member of the Armed Forces of the United States, honorably discharged from active duty involuntarily or pursuant to a program providing bonuses or other inducements to encourage voluntary separation or early retirement; or

(b) *Civilian status.* A civilian employee of the Department of Defense involuntarily separated from Federal service or retired pursuant to a program offering inducements to encourage early retirement; or

(c) *Contractor or supplier.* An employee of a prime contractor, subcontractor, or supplier at any tier of a Department of Defense program whose employment is involuntarily terminated (or voluntarily terminated pursuant to a program offering inducements to encourage voluntary separation or early retirement) due to the termination (or substantial reduction) of a Department of Defense program.

§ 122.62-3 Repayment ability.

Any reasonable doubts concerning the small business concern's proposed business plan for transition to nondefense-related markets shall be resolved in favor of the loan applicant when making any determination regarding the sound value of the proposed loan. In order to determine "sound value", SBA will consider such factors as quality of the product or service, technical qualifications of the applicant's management and employees, sales projections and the applicant's financial status.

§ 122.62-4 Loan making authority.

Since greater risk may be associated with a loan to an applicant under this program, any defense economic assistance loan made by a participating lender cannot be made under the Certified Lenders Program pursuant to part 120, subpart E of this chapter, or under the Preferred Lenders Program pursuant to part 120, subpart D of this chapter.

Dated: November 15, 1993.

Erskine B. Bowles,
Administrator.

[FR Doc. 94-2934 Filed 2-8-94; 8:45 am]

BILLING CODE 8025-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR PARTS 200, 202, 203, 230, 239, 240, 249, 249b, 259, 269, 274, 275, and 279

[Release No. 34-33573]

Regional Office Reorganization

ACTION: Final rule amendments.

SUMMARY: The Securities and Exchange Commission is amending its rules to reflect the reorganization of its regional offices into five regional and six district offices. The Director of the Division of Enforcement will have overall responsibility for the five regional offices, but other Division Directors will continue to be responsible for managing their respective programs in each regional and district office. This reorganization is designed to create a more efficient reporting structure and to improve program accountability. The Commission is also correcting addresses appearing in its rules and eliminating certain redundant rules of organization.

EFFECTIVE DATE: February 9, 1994.

FOR FURTHER INFORMATION CONTACT: James Clarkson, Director, Regional Office Operations, (202) 272-3090; Anne Sullivan, Office of General Counsel, (202) 272-7525.

SUPPLEMENTARY INFORMATION: On August 27, 1993, the Chairman of the Securities and Exchange Commission announced a new structure for regional offices and changed the designations of the offices and of their chief supervisory personnel. This change is intended to improve program services and streamline the operation of regional and district offices.

As a result of the reorganization, the former structure in which there were nine regional offices and three branch offices has now been replaced by a new structure comprised of five regional offices and six district offices. The heads of regional offices, located in New York, Miami, Chicago, Denver, and Los Angeles, are now designated Regional Directors. The chief supervisory personnel for the district offices, located in Boston, Philadelphia, Atlanta, Fort Worth, Salt Lake City, and San Francisco, are designated District Administrators.¹ The District Offices

and their Administrators will operate under the supervision of the Regional Directors. The Director of the Division of Enforcement has overall responsibility for the five regional offices; other Commission Division Directors are responsible for managing their respective programs in each office.²

In order to reflect this reorganization, the Commission is amending certain of its rules to substitute the terms "regional director" or "district administrator" for "regional administrator" where appropriate, and to add the term "district" where appropriate in rules which refer to "regional offices." In addition, the Commission is updating the addresses which appear in its rules for all its field offices. It is also adding rules which describe the duties of district administrators and delegate authority to these persons.³ Finally, the Commission is removing Subpart E of its Rules of Organization, Conduct and Ethics, and Information, relating to Deputy Employment Officers, which is superseded by regulations covering agency equal employment opportunity programs in 29 CFR Part 1614, and therefore is no longer necessary.⁴

The Commission has determined that these amendments and additions to its rules relate solely to the agency's organization, procedure or practice. Therefore, the provisions of the Administrative Procedure Act ("APA") regarding notice of proposed rulemaking and opportunities for public participation,⁵ are not applicable. Similarly, the provisions of the Regulatory Flexibility Act,⁶ which apply only when notice and comment are

located at 915 Second Avenue, Seattle, Washington, 98174, and will be open from 8 a.m. until 4:30 p.m. Pacific Standard Time.

² The Commission will continue to conduct regulatory functions in regional and district offices. Thus, both types of offices will perform regulatory functions with respect to registered brokers, dealers, transfer agents, investment companies, investment advisers, and others, and will receive filings from those registered entities as well as from other designated reporting entities, such as government securities brokers and dealers.

³ By separate action, certain functions previously carried on in most field offices have been consolidated. In Securities Act Release No. 7034 (Dec. 8, 1993), the Commission reduced the offices in which small business filings may be made to four regional offices and one district office. Consistent with this change, authority under the Securities Act of 1933 will not be extended by rule to District Administrators, but will be separately delegated by the Chairman only to the Atlanta District Office.

⁴ The Commission is not changing references to regional offices in any rule relating to member or employee conduct because it anticipates that the entire conduct rules will be revised in the near future.

⁵ 5 U.S.C. 553.

⁶ 5 U.S.C. 603(a).

required by the APA or other law, are not applicable.

Effects on Competition

Section 23(a)(2) of the Securities Exchange Act of 1934 ("Exchange Act")⁷ requires the Commission, in adopting rules under the Exchange Act, to consider the anti-competitive effects of such rules, if any, and to balance any impact against the regulatory benefits gained in terms of furthering the purposes of the Exchange Act. The Commission has considered the regional office reorganization, editing, and nomenclature changes adopted in this release in light of the standards cited in section 23(a)(2) and believes that their adoption would not impose any burden on competition not necessary or appropriate in furtherance of the Exchange Act.

Statutory Basis or Rule

The amendments to the Commission's rules are adopted pursuant to the authorities set forth therein.

List of Subjects

17 CFR Part 200

Administrative practice and procedure, Authority delegations (Government agencies), Equal employment opportunity, Freedom of information, government employees, Organization and functions (Government agencies), Reporting and recordkeeping requirements.

17 CFR Part 202

Administrative practice and procedure.

17 CFR Part 203

Administrative practice and procedure, Investigations.

17 CFR Parts 230, 239, 240, 249, 249b, 259, 269, 274, 275, and 279

Reporting and recordkeeping requirements.

In accordance with the foregoing, 17 CFR, chapter II of the Code of Federal Regulations is amended as follows:

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Subpart A—Organization and Program Management

1. The authority citation for part 200, following A, is amended by adding the following citation:

Authority: 15 U.S.C. 77s, 78d-1, 78d-2, 78w, 78j(d), 79t, 77sss, 80a-37, 80b-11, unless otherwise noted.

⁷ 15 U.S.C. 78w(a)(2).

¹ The Commission will close its Seattle District Office in July 1994 and transfer the functions of that office to the two other Pacific Region offices. Registrants currently filing with the Seattle District Office should continue to do so until June 30, 1994; thereafter, all registrants in the Pacific Region should make required filings in the Commission's Pacific Regional Office, located at 5670 Wilshire Boulevard, 11th Floor, Los Angeles, California 90036. Until July, the Seattle District Office will be

Sections 200.27, 200.27a, 200.30-6, and 200.30-6a are also issued under 15 U.S.C. 77e, 77f, 77g, 77h, 77j, 77q, 77u, 78e, 78g, 78h, 78i, 78k, 78m, 78o, 78o-4, 78q, 78q-1, 78t-1, 78u, 77hhh, 77uuu, 80a-41, 80b-5, and 80b-9.

2. Section 200.11 is amended by revising the section heading and paragraphs (a)(2) and (b) and adding paragraph (c) to read as follows:

§ 200.11 Headquarters Office—Regional and District Office relationships.

(a) * * *

(2) Each Regional Director is responsible, subject to the supervision of the Director of the Division of Enforcement, for the direction and supervision of his or her work force and for the execution of all programs in his or her region as shown in paragraph (b) of this section, in accordance with established policy. Each District Administrator is responsible, subject to the supervision of the relevant Regional Director, for the direction and supervision of his or her work force and for the execution of all programs through his or her office, in accordance with established policy.

(b) Regional Directors and District Administrators of the Commission.

Region 1: Northeast Region. Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia—Regional Director, 7 World Trade Center, suite 1300, New York, NY 10048.

Boston District—District Administrator, 73 Tremont Street, Sixth Floor, suite 600, Boston, MA 02108.

Philadelphia District—District Administrator, The Curtis Center, suite 1005 E., 601 Walnut Street, Philadelphia, PA 19106.

Region 2: Southeast Region. Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virgin Islands—Regional Director, 1401 Brickell Avenue, suite 200, Miami, FL 33131.

Atlanta District—District Administrator, 3475 Lenox Road, NE., suite 1000, Atlanta, GA 30326.

Region 3: Midwest Region. Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Wisconsin—Regional Administrator, Northwestern Atrium Center, 500 West Madison Street, suite 1400, Chicago, IL 60611.

Region 4: Central Region. Arkansas, Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming—Regional Administrator, 1801 California Street, suite 4800, Denver, CO 80202.

Fort Worth District—District Administrator, 801 Cherry Street, 19th Floor, Fort Worth, TX 76102. Salt Lake District—District Administrator, 500 Key

Bank Tower, 50 S. Main Street, suite 500, Box 79, Salt Lake City, UT 84144.

Region 5: Pacific Region. Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Washington—Regional Director, 5670 Wilshire Boulevard, 11th Floor, Los Angeles, CA 90036.

San Francisco District—District Administrator, 44 Montgomery Street, San Francisco, CA 94104.

(c) The following geographic allocation determines where registered brokers, dealers, transfer agents, clearing agents, registered securities associations, investment advisers, and others as designated in this chapter must file reports required to be filed in regional or district offices:

Northeast Regional Office: New Jersey, New York.

Boston District Office: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

Philadelphia District Office: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.

Southeast Regional Office: Florida, Puerto Rico, Virgin Islands.

Atlanta District Office: Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee.

Midwest Regional Office: Illinois, Indiana, Iowa, Kentucky, Ohio, Michigan, Minnesota, Missouri, Wisconsin.

Central Regional Office: Colorado, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wyoming.

Fort Worth District Office: Arkansas, Kansas, Oklahoma, Texas.

Pacific Regional Office: Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Washington.

§ 200.12 [Amended]

3. In § 200.12, remove the words "Regional Administrators" and add, in their place, the words "Regional Directors and District Administrators".

4. Section 200.27 is amended by revising the section heading, removing the words "Regional Administrator" and "Regional Administrators" and adding in their place "Regional Director" and "Regional Directors" and revising the last sentence to read as follows:

§ 200.27 The Regional Directors.

* * * In addition, the Northeast Regional Director is responsible for the Commission's participation in cases under chapters 9 and 11 of the Bankruptcy Code in the Northeast Region, excepting Delaware, District of Columbia, Maryland, Virginia, and West Virginia; the Southeast Regional Director is responsible for such participation in the Southeast Region, as well as Delaware, District of Columbia, Maryland, Virginia, and West Virginia; the Midwest Regional Director is

responsible for such participation in the Midwest and Central Regions, excepting Utah; and the Pacific Regional Director is responsible for such participation in the Pacific Region and Utah.

5. Section 200.27a is added to read as follows:

§ 200.27a The District Administrators.

Each District Administrator is responsible for executing the Commission's programs as set forth below, subject to review by the appropriate Regional Director and policy direction and review by the relevant Division Directors, the General Counsel, and the Chief Accountant in Washington, DC. The District Administrators' responsibilities include particularly the investigation of transactions in securities on national securities exchanges, in the over-the-counter market, and in distribution to the public; the examination of members of national securities exchanges and registered brokers and dealers, transfer agents, investment advisers and investment companies including the examination of reports filed under § 240.17a-5 of this chapter; the prosecution of injunctive actions in U.S. District Courts and administrative proceedings before Administrative Law Judges; the rendering of assistance to U.S. Attorneys in criminal cases; and the making of the Commission's facilities more readily available to the public in that district.

§ 200.30-1 [Amended]

6. In § 200.30-1(g)(2), remove the word "Administrator" and add, in its place, the word "Director".

§ 200.30-5 [Amended]

7. In § 200.30-5(i)(1), remove the word "Administrator" and add, in its place, the word "Director".

§ 200.30-6 [Amended]

8. In § 200.30-6, amend the section heading by removing the word "Administrators" and adding, in its place, the word "Directors" and remove the word "Administrator" each time it appears and add, in its place, the word "Director".

9. In the introductory text of paragraph (a) of § 200.30-6, remove the words "Form S-18 (§ 239.28 of this chapter)" and add, in their place, the words "Forms SB-1 and SB-2 (§§ 239.9 and 239.10 of this chapter)".

10. Section 200.30-6a is added to read as follows:

§ 200.30-6a Delegation of authority to District Administrators.

Pursuant to the provisions of Pub. L. 67-592, 76 Stat. 394, 15 U.S.C. 78d-1,

the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to each District Administrator, to be performed by him or her or under his or her direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*):

(1) Pursuant to section 15(b)(2)(C) of the Act (15 U.S.C. 78o(b)(2)(C)):

(i) To delay until the second six-month period from registration with the Commission the inspection of newly registered broker-dealers that have not commenced actual operations within six months of their registration with the Commission; and

(ii) To delay until the second six-month period from registration with the Commission the inspection of newly registered broker-dealers to determine whether they are in compliance with applicable provisions of the Act and rules thereunder, other than financial responsibility rules.

(2) Pursuant to Rule 0-4 (§ 240.0-4 of this chapter), to disclose to the Comptroller of the Currency, the Board of Governors of the Federal Reserve System and the Federal Deposit Insurance Corporation and to the state banking authorities, information and documents deemed confidential regarding registered clearing agencies and registered transfer agents, *Provided* That, in matters in which the Commission has entered a formal order of investigation, such disclosure shall be made only with the concurrence of the Director of the Division of Enforcement or his or her delegate and the General Counsel or his or her delegate.

(b) With respect to the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 *et seq.*): Pursuant to Rule 204-2(j)(3)(ii) (§ 275.204-2(j)(3)(ii) of this chapter), to make written demands upon non-resident investment advisers subject to the provisions of such rule to furnish to the Commission true, correct, complete and current copies of any or all books and records which such non-resident investment advisers are required to make, keep current or preserve pursuant to any provisions of any rule or regulation of the Commission adopted under the Investment Advisers Act of 1940, or any part of such books and records which may be specified in such demand.

(c) In nonpublic investigatory proceedings within the responsibility of the District Administrator, to grant requests of persons to procure copies of the transcript of their testimony given

pursuant to Rule 6 of the Commission Rules Relating to Investigations (§ 203.6 of this chapter).

(d) To notify the Securities Investor Protection Corporation ("SIPC") of facts concerning the activities and the operational and financial condition of any registered broker or dealer which is or appears to be a member of SIPC and which is in or approaching financial difficulty within the meaning of Section 4 of the Securities Investor Protection Act of 1970 as amended (15 U.S.C. 78aaa *et seq.*).

(e) Notwithstanding anything in the foregoing, in any case in which the District Administrator believes it appropriate, he or she may submit the matter to the Commission.

§ 200.30-11 [Amended]

11. In § 200.30-11(c)(2), add the words "or district" after the word "regional".

Subpart D—Information and Requests

12. The authority citation for part 200, subpart D continues to read in part as follows:

Authority: 80 Stat. 383, as amended, 31 Stat. 54, secs. 19, 23, 48 Stat. 85, 901, as amended, sec. 20, 49 Stat. 85, 833, sec. 319, 53 Stat. 1173, secs. 38, 211, 54 Stat. 841, 855; 5 U.S.C. 552, as amended, 15 U.S.C. 77f(d), 77s, 77ggg(a), 78m(F)(3), 78w, 79t, 79v(a), 77sss, 80a-37, 80a-44(c), 80a-44(b), 80b-10(a), 80b-11.

13. In § 200.80(c)(1)(ii), add the words "and district" after the word "regional" each time it appears, and revise the flush text and the list of addresses appearing in paragraph (c)(1)(iii) as follows:

§ 200.80 Commission records and information.

- (c) * * *
- (1) * * *
- (iii) * * *

The addresses of the Commission's regional and district offices are:

- Northeast Regional Office. 7 World Trade Center, suite 1300, New York, NY 10048. Office hours—9 a.m. to 5:30 p.m. E.S.T.
- Boston District Office—73 Tremont Street, suite 600, Boston, MA 02108. Office hours—9 a.m. to 5:30 p.m. E.S.T.
- Philadelphia District Office—The Curtis Center, suite 1005 E., 601 Walnut Street, Philadelphia, PA 19106. Office hours—9 a.m. to 5:30 p.m. E.S.T.
- Southeast Regional Office. 1401 Brickell Avenue, suite 200, Miami, FL 33131. Office hours—8:30 a.m. to 5 p.m. E.S.T.

- Atlanta District Office—Lenox Road, NE., suite 1000, Atlanta, GA 30326. Office hours—9 a.m. to 5:30 p.m. E.S.T.
- Midwest Regional Office. Northwestern Atrium Center, 500 West Madison Street, suite 1400, Chicago, IL 60611. Office hours—8:45 a.m. to 5:15 p.m. C.S.T.
- Central Regional Office. 1801 California Street, suite 4800, Denver, CO 80202. Office hours—8 a.m. to 4:30 p.m. M.S.T.
- Fort Worth District Office—801 Cherry Street, 19th Floor, Fort Worth, TX 76102. Office hours—8:30 a.m. to 5 p.m. C.S.T.
- Salt Lake District Office—500 Key Bank Tower, 50 S. Main Street, suite 500, Box 79, Salt Lake City, UT 84144. Office hours—8 a.m. to 4:30 p.m. M.S.T.
- Pacific Regional Office. 5670 Wilshire Boulevard, 11th Floor, Los Angeles, CA 90036. Office hours 8:30 a.m. to 5 p.m. P.S.T.
- San Francisco District Office—44 Montgomery Street, San Francisco, CA 94104. Office hours—8:30 a.m. to 5 p.m. P.S.T.

14. In § 200.80(c)(2), remove the words "Branch Offices" and, in their place, add the words "District Offices".

15. In § 200.80 (d)(7)(i) and (e)(7)(iii), remove the word "branch" each time it appears and, in its place, add the word "district".

16. In the introductory text of § 200.80(e), add the words "or district" after the word "regional".

Subpart E—Regulation Regarding Equal Employment Opportunity

17. Subpart E is removed and reserved.

Subpart G—Plan of Organization and Operation Effective During Emergency Conditions

18. The authority citation for part 200, subpart G continues to read in part as follows:

Authority: 15 U.S.C. 77s, 78w, 79t, 77sss, 80a-37, 80b-11, unless otherwise noted.

§ 200.202 [Amended]

19. In § 200.202(a), remove the word "Branch", and add, in its place, the word "District", and remove the words "Regional Administrator" and add, in their place, the words "Regional Director or District Administrator".

20. In § 200.203(c)(1)(vi), remove the word "Administrators" and add, in its place, the word "Directors" and add paragraph (c)(1)(vii) to read as follows:

§ 200.203 Organization, and delegations of authority.

- (c) * * *
- (1) * * *

(vii) The District Administrators in order of seniority.

§ 200.204 [Amended]

21. In § 200.204, remove the words "Regional Administrators" and add, in their place, the words "Regional Directors and District Administrators".

Subpart H—Regulations Pertaining to the Privacy of Individuals and Systems of Records Maintained by the Commission

22. The authority citation for part 200, subpart H continues to read in part as follows:

Authority: Pub. L. 93-579, sec. (f), 5 U.S.C. 552a(f), unless otherwise noted.

23. In § 200.303 (a)(2) and (b)(2), remove the word "Branch" and add, in its place, the word "District" and in paragraph (a)(2) revise the list of offices to read as follows:

§ 200.303 Times, places and requirements for requests pertaining to individual records in a record system and for the identification of individuals making requests for access to the records pertaining to them.

- (a) * * *
- (2) * * *

Northeast Regional Office, 7 World Trade Center, suite 1300, New York, NY 10048. Office hours—9 a.m. to 5:30 p.m. E.S.T.

Boston District Office—73 Tremont Street, Sixth Floor, suite 600, Boston, MA 02108. Office hours—9 a.m. to 5:30 p.m. E.S.T.

Philadelphia District Office—The Curtis Center, suite 1005 E., 601 Walnut Street, Philadelphia, PA 19106. Office hours—9 a.m. to 5:30 p.m. E.S.T.

Southeast Regional Office, 1401 Brickell Avenue, suite 200, Miami, FL 33131. Office hours—8:30 a.m. to 5 p.m. E.S.T.

Atlanta District Office—Lenox Road, NE., suite 1000, Atlanta, GA 30326. Office hours—9 a.m. to 5:30 p.m. E.S.T.

Midwest Regional Office. Northwestern Atrium Center, 500 West Madison Street, suite 1400, Chicago, IL 60611. Office hours—8:45 a.m. to 5:15 p.m. C.S.T.

Central Regional Office. 1801 California Street, suite 4800, Denver, CO 80202. Office hours—8 a.m. to 4:30 p.m. C.S.T.

Fort Worth District Office—801 Cherry Street, 19th Floor, Fort Worth, TX 76102. Office hours—8:30 a.m. to 5 p.m. C.S.T.

Salt Lake District Office—500 Key Bank Tower, 50 S. Main Street, suite 500, Box 79, Salt Lake City, UT 84144. Office hours—8 a.m. to 4:30 p.m. M.S.T.

Pacific Regional Office. 5670 Wilshire Boulevard, 11th Floor, Los Angeles, CA 90036. Office hours 8:30 a.m. to 5 p.m. P.S.T.

San Francisco District Office—44 Montgomery Street, San Francisco, CA 94104. Office hours—8:30 a.m. to 5 p.m. P.S.T.

* * * * *

§ 200.309 [Amended]

24. In § 200.309(a)(1), remove the word "Branch" each time it appears, and in its place, add the word "District."

PART 202—INFORMAL AND OTHER PROCEDURES

25. The authority citation for part 202 continues to read in part as follows:

Authority: 15 U.S.C. 77s, 77t, 78d-1, 78u, 78w, 78ll(d), 79r, 79t, 77sss, 77uuu, 80a-37, 80a-41, 80b-9, and 80b-11, unless otherwise noted.

* * * * *

§ 202.2 [Amended]

26. In § 202.2 add the words "or district" between the words "regional" and "offices".

§ 202.3 [Amended]

27. In § 202.3(a), remove the words "Form S-18 (17 CFR 239.28)" and add, in their place, the words "Forms SB-1 and SB-2 (17 CFR 239.9 and 239.10)".

§ 202.5 [Amended]

28. In § 202.5(c) remove the words "or Regional Administrator" and add, in their place, the words "Regional Director, or District Administrator".

§ 202.7 [Amended]

29. In § 202.7(a), add the words "or district" between the words "regional" and "office."

PART 203—RULES RELATING TO INVESTIGATIONS

30. The authority citation for part 203 continues to read as follows:

Authority: 15 U.S.C. 77s, 78w, 79t, 77sss, 80a-37, 80b-11, unless otherwise noted.

§§ 203.2 and 203.7 [Amended]

31. In §§ 203.2 and 203.7(a), add the words "Director or District" between the word "Regional" and the word "Administrator".

32. In § 203.7(a), add the words "or District" between the word "Regional" and the word "Offices".

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

33. The authority citation for part 230 continues to read in part as follows:

Authority: 15 U.S.C. 77b, 77f, 77g, 77h, 77j, 77s, 77sss, 78c, 78l, 78m, 78n, 78o, 78w, 78ll(d), 79t, 80a-8, 80a-29, 80a-30, and 80a-37, unless otherwise noted.

* * * * *

§ 230.445 [Amended]

34. In § 230.445(b), remove the word "branch" and add in its place add the word "district".

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

35. The authority citation for part 239 continues to read in part as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s, 77sss, 78c, 78l, 78m, 78n, 78o(d), 78w(a), 78ll(d), 79e, 79f, 79g, 79j, 79l, 79m, 79n, 79q, 79t, 80a-8, 80a-29, 80a-30 and 80a-37, unless otherwise noted.

* * * * *

§ 239.0-1 [Amended]

36. In § 239.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

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

Subpart A—Rules and Regulations Under the Securities Exchange Act of 1934

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

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

* * * * *

§§ 240.15c3-1, 240.17a-3, 240.17-5 [Amended]

38. In part 240, add the words "or district" after the words "regional" and "region" each time they appear in the following places:

(a) The introductory text of § 240.15c3-1(a)(6)(iv), and § 240.15c3-1(a)(6)(v), (a)(7)(iv), (c)(2)(x)(B)(1)(ii), (c)(2)(x)(F)(3), and (e)(1)(iv);

(b) Section 240.17a-3(b)(2);

(c) Section 240.17a-5(a)(3), (b)(1), the introductory text of § 240.17a-5(c)(1), § 240.17a-5(c)(2)(iii), (c)(2)(iv), (d)(1)(i), (d)(6), (e)(4), (f)(2)(i), the introductory text of § 240.17a-5(f)(4), and § 240.17a-5(m)(1); and

(d) Section 240.17a-11(g).

§§ 240.15c3-1, 240.17a-7 [Amended]

39. In §§ 240.15c3-1(c)(12), 240.17a-7(b)(1) and (b)(2), add the words "or District" after the word "Regional" each time it appears.

40. In part 240, add the words "or district" after the word "region" and the words "or District" after the word "Regional" each time they appear in the following places:

(a) Section 240.15c3-1d (c)(6)(i) and (c)(6)(ii);

(b) Section 240.17Ad-2(h)(1).

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

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

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

* * * * *

§ 249.0-1 [Amended]

42. In § 249.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

PART 249b—FURTHER FORMS, SECURITIES EXCHANGE ACT OF 1934

43. The authority citation for part 249b continues to read in part as follows:

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

* * * * *

§ 249b.100, 249b.102, and 249b.200 [Amended]

44. In § 249b.100, 249b.102, and 249b.200, add the words "and district" between the words "regional" and "offices" in the appended footnote each time they appear.

PART 259—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

45. The authority citation for part 259 continues to read as follows:

Authority: 15 U.S.C. 79e, 79f, 79g, 79j, 79l, 79m, 79n, 79q, 79t.

§ 259.0-1(b) [Amended]

46. In § 259.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

PART 269—FORMS PRESCRIBED UNDER THE TRUST INDENTURE ACT OF 1939

47. The authority citation for part 269 continues to read as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

§ 269.0-1 [Amended]

48. In § 269.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

49. The authority citation for part 274 continues to read as follows:

Authority: 15 U.S.C. 80a-1, *et seq.*, unless otherwise noted.

§ 274.0-1 [Amended]

50. In § 274.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

51. The authority citation for part 275 continues to read in part as follows:

Authority: Sec. 203, 54 Stat. 850, as amended, 15 U.S.C. 80b-3; sec. 204, 54 Stat. 852, as amended, 15 U.S.C. 80b-4; sec. 206A, 84 Stat. 1433, as added, 15 U.S.C. 80b-6A; sec. 211, 54 Stat. 855, as amended, 15 U.S.C. 80b-11, unless otherwise noted;

* * * * *

§ 275.204-2 [Amended]

52. In § 275.204-2(j)(3)(i) and (j)(3)(ii), add the words "or District" between the words "Regional" and "Office" each time they appear.

PART 279—FORMS PRESCRIBED UNDER THE INVESTMENT ADVISERS ACT OF 1940

53. The authority citation for part 279 continues to read as follows:

Authority: The Investment Advisers Act of 1940, 15 U.S.C. 80b-1, *et seq.*

* * * * *

§ 279.0-1 [Amended]

54. In § 279.0-1(b), add the words "and district" between the words "regional" and "offices" each time they appear.

Dated: February 2, 1994.

By the Commission.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 94-2826 Filed 2-8-94; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 157

[Docket No. RM81-19-000]

Project Cost and Annual Limits

February 3, 1994.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: Pursuant to the authority delegated by 18 CFR 375.307(e)(1), the Director of the Office of Pipeline and Producer Regulation computes and publishes the project cost and annual limits specified in Table I of § 157.208(d) and Table II of § 157.215(a) for each calendar year.

EFFECTIVE DATE: January 1, 1994.

FOR FURTHER INFORMATION, CONTACT: Martin A. Burless, Jr., Chief, Pipeline Certificates and Projects Branch, Division of Pipeline Certificates, OPFR, (202) 208-0581

SUPPLEMENTARY INFORMATION:

Order of the Director, OPFR

February 3, 1994.

Section 157.208(d) of the Commission's Regulations provides for project cost limits applicable to construction, acquisition, operation and miscellaneous rearrangement of facilities (Table I) authorized under the blanket certificate procedure (Order No. 234, 19 FERC ¶61,216). Section 157.215(a) specified the calendar year dollar limit which may be expended on underground storage testing and development (Table II) authorized under the blanket certificate. Section 157.208(d) requires that the "limits specified in Tables I and II shall be adjusted each calendar year to reflect the 'GNP implicit price deflator' published by the Department of Commerce for the previous calendar year."

Pursuant to § 375.307(e)(1) of the Commission's Regulations, the authority for the publication of such cost limits, as adjusted for inflation, is delegated to the Director of the Office of Pipeline and Producer Regulation. The cost limits for calendar years 1982 through 1994, as published in Table I of § 157.208(d) and Table II of § 157.215(a), are hereby issued.

Note that these inflation adjustments are based on the Gross Domestic Product (GDP) Implicit Price Deflator rather than the Gross National Product (GNP) Implicit Price Deflator, which is

not yet available for 1993. The Commerce Department advises that in recent years the annual change has been virtually the same for both indices. Further adjustments will be made, if necessary.

List of Subjects in 18 CFR Part 157

Natural gas.
Robert J. Cupina,
Deputy Director, Office of Pipeline and
Producer Regulation.

Accordingly, 18 CFR part 157 is amended as follows:

PART 157—[AMENDED]

1. The authority citation for part 157 continues to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7352.

§ 157.208 [Amended]

2. Table I in § 157.208(d) is revised to read as follows:

TABLE I

Year	Limit	
	Auto. project cost limit (col. 1)	Prior notice project cost limit (col. 2)
1982	\$4,200,000	\$12,000,000
1983	4,500,000	12,800,000
1984	4,700,000	13,300,000
1985	4,900,000	13,800,000
1986	5,100,000	14,300,000
1987	5,200,000	14,700,000
1988	5,400,000	15,100,000
1989	5,600,000	15,600,000
1990	5,800,000	16,000,000
1991	6,000,000	16,700,000
1992	6,200,000	17,300,000
1993	6,400,000	17,700,000
1994	6,600,000	18,100,000

§ 157.215 [Amended]

3. Table II in § 157.215(a) is revised to read as follows:

TABLE II

Year	Limit
1982	\$2,700,000
1983	2,900,000
1984	3,000,000
1985	3,100,000
1986	3,200,000
1987	3,300,000
1988	3,400,000
1989	3,500,000
1990	3,600,000
1991	3,800,000
1992	3,900,000
1993	4,000,000
1994	4,100,000

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

[Docket No. 93F-0058]

Indirect Food Additives: Polymers

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 polymethylmethacrylate/poly(trimethoxysilylpropyl) methacrylate copolymers as components of surface primers used in conjunction with regulated silicone polymers in repeat-use, food-contact applications. This action is in response to a petition filed by General Electric Co.

DATES: Effective February 9, 1994; written objections and requests for a hearing by March 11, 1994.

ADDRESSES: Submit 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: Andrew J. Zajac, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9500.

SUPPLEMENTARY INFORMATION: In a notice published in the *Federal Register* of April 22, 1993 (58 FR 21583), FDA announced that a food additive petition (FAP 3B4362) had been filed by General Electric Co., c/o 700 13th St. NW., suite 1200, Washington, DC 20005. The petition proposed that the food additive regulations be amended to provide for the safe use of polymethylmethacrylate/poly(trimethoxysilylpropyl) methacrylate copolymers as surface primers with silicone polymers regulated in § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300) and § 177.2600 *Rubber articles intended for repeated use* (21 CFR 177.2600).

FDA has evaluated data in the petition and other relevant material and concludes that the proposed use of polymethylmethacrylate/poly(trimethoxysilylpropyl) methacrylate copolymer is safe and that the regulations should be amended by adding new § 177.2465 (21 CFR 177.2465) 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 March 11, 1994, 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 177

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, Center for Food Safety and Applied Nutrition, 21 CFR part 177 is amended as follows:

PART 177—INDIRECT FOOD ADDITIVES: POLYMERS

1. The authority citation for 21 CFR part 177 continues to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. New § 177.2465 is added to subpart C to read as follows:

§ 177.2465 Polymethylmethacrylate/poly(trimethoxysilylpropyl)methacrylate copolymers.

Polymethylmethacrylate/poly(trimethoxysilylpropyl)methacrylate copolymers (CAS Reg. No. 26936-30-1) may be safely used as components of surface primers used in conjunction with silicone polymers intended for repeated use and complying with § 175.300 of this chapter and § 177.2600, in accordance with the following prescribed conditions.

(a) *Identity.* For the purpose of this section, polymethylmethacrylate/poly(trimethoxysilylpropyl)methacrylate copolymers are produced by the polymerization of methylmethacrylate and trimethoxysilylpropylmethacrylate.

(b) *Conditions of use.* (1) The polymethylmethacrylate/poly(trimethoxysilylpropyl)methacrylate copolymers are used at levels not to exceed 6.0 percent by weight of the primer formulation.

(2) The copolymers may be used in food contact applications with all food types under conditions of use B through H as described in Table 2 of § 176.170(c) of this chapter.

Dated: January 31, 1994.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 94-2881 Filed 2-8-94; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF DEFENSE**Office of the Secretary****32 CFR Part 228****Security Protective Force**

AGENCY: National Security Agency, DOD.

ACTION: Final rule.

SUMMARY: The National Security Agency (NSA) has promulgated regulations which protect its foreign intelligence facilities within the United States. The classified and highly sensitive worldwide activities of the Agency are

directed and supervised from these various facilities. Furthermore, all intelligence support functions for the conduct of the various foreign intelligence missions of the NSA are managed from these facilities. Pursuant to a Delegation of Authority to the Director, NSA from the Administrator of General Services effective October 1, 1986, the NSA was empowered to promulgate this part, which has the force of law. Pursuant to the Delegation, the NSA has the authority to carry out the protective police functions set forth above with respect to property under its charge and control, and has promulgated this part pursuant thereto.

EFFECTIVE DATE: February 9, 1994.

FOR FURTHER INFORMATION CONTACT: Peter R. Badger, Office of General Counsel, National Security Agency. (301) 688-5015.

SUPPLEMENTARY INFORMATION: On September 30, 1991, the Administrator of General Services signed a Delegation of Authority, effective October 1, 1991, which delegated to the Director, NSA the authorities vested in the Administrator by, inter alia, the Act of June 1, 1948, 62 Stat. 281, Sections 1 through 4 (40 U.S.C. 318-318c), to perform functions with respect to the protection of the buildings and grounds occupied by the Agency. 40 U.S.C. 318 empowers the Administrator of General Services to appoint special policemen to protect property under his charge and control. In furtherance of this purpose, such special policemen are granted the same powers as sheriffs and constables, and are authorized to enforce laws enacted for the protection of persons and property, to prevent breaches of the peace, to suppress affrays (brawls) or unlawful assemblies, and to enforce with criminal penalties any rules and regulations made and promulgated by the Administrator. Section 318a provides specific authority to promulgate regulations to be enforced by such special policemen.

On July 2, 1991, NSA published this regulation as a proposed rule with comment period. No comments were received, and the rule is now being published in final without substantive changes.

This rule is not a significant regulatory action within the meaning of Executive Order 12866 of September 30, 1993. As required by the Regulatory Flexibility Act, it has been certified that this rule will not have a significant impact on small business entities. This rule is not subject to the Paperwork Reduction Act because it will not impose on the public any reporting or record keeping requirements

List of Subjects in 32 CFR Part 228

Security measures.

Accordingly, Title 32, Chapter I, Subchapter M is amended to add a new Part 228 to read as follows:

PART 228—SECURITY PROTECTIVE FORCE

Sec.

- 228.1 Applicability.
- 228.2 Control of activities on protected property.
- 228.3 Restrictions on admission to protected property.
- 228.4 Control of vehicles on protected property.
- 228.5 Enforcement of parking regulations.
- 228.6 Security inspection.
- 228.7 Prohibition on weapons and explosives.
- 228.8 Prohibition on photographic or electronic recording or transmitting equipment.
- 228.9 Prohibition on narcotics and illegal substances.
- 228.10 Prohibition on alcohol.
- 228.11 Restrictions on the taking of photographs.
- 228.12 Physical protection of facilities.
- 228.13 Disturbances on protected property.
- 228.14 Prohibition on gambling.
- 228.15 Restriction regarding animals.
- 228.16 Soliciting, vending, and debt collection.
- 228.17 Distribution of unauthorized materials.
- 228.18 Penalties and the effect on other laws.

Authority: 40 U.S.C. 318-318c.

§ 228.1 Applicability.

This part applies to all property under the charge and control of the Director, NSA, and to all persons entering in or on such property (hereinafter referred to as "protected property"). Employees of the NSA and any other persons entering upon protected property shall be subject to these regulations.

§ 228.2 Control of activities on protected property.

Persons in and on protected property shall at all times comply with official signs of a prohibitory, regulatory, or directory nature and with the direction of Security Protective Officers and any other duly authorized personnel.

§ 228.3 Restrictions on admission to protected property.

Access to protected property shall be restricted to ensure the orderly and secure conduct of Agency business. Admission to protected property will be restricted to employees and other persons with proper authorization who shall, when requested, display government or other identifying credentials to the Security Protective Officers or other duly authorized