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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule; Correction.

SUMMARY: Referring to page 50101 of September 28, 1995, paragraph 3 of the Department of the Navy's submission is amended by striking the following language: "Table Five of 706.2 is amended by adding the following vessel;" and substituting therefor: "Table Five of 706.2 is amended by substituting the following information for that contained in the entry for USS MITSCHER."

EFFECTIVE DATE: September 13, 1995.

FOR FURTHER INFORMATION CONTACT: Commander K.P. McMahon, (703) 325-9744.

Dated: June 21, 1996.

M.W. Kerns,

LT, JAGC, U.S. Navy, Acting Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 96-17499 Filed 7-10-96; 8:45 am]

BILLING CODE 3810-FF-M

PANAMA CANAL COMMISSION

35 CFR Parts 61 and 123

RIN 3207-AA34 and RIN 3207-AA35

Technical Amendments

AGENCY: Panama Canal Commission.

ACTION: Final rule.

SUMMARY: The Panama Canal Commission hereby amends its regulations in title 35, Code of Federal Regulations, part 61, to add a new

paragraph to section 61.155 which eliminates the requirement for disinfecting vessels under certain conditions as set out by the World Health Organization (WHO). The Commission is also amending 35 CFR, part 123, paragraph (a) of section 123.4, by substituting the words "in meters" for "in feet and inches", thereby conforming to the policy of utilizing the metric measurement scales wherever possible.

EFFECTIVE DATE: July 11, 1996.

FOR FURTHER INFORMATION CONTACT:

Captain George T. Hull, Director, Marine Bureau, Panama Canal Commission, telephone in Balboa, Republic of Panama, 011/507-272-4500, or Barbara Fuller, Assistant to the Secretary for Commission Affairs, Office of the Secretary, Panama Canal Commission, 1825 I Street NW, Suite 1050, Washington, DC 20006-5402; Telephone: (202) 634-6441; Facsimile: (202) 634-6439.

SUPPLEMENTARY INFORMATION: The Panama Canal Commission hereby amends 35 CFR Part 61 in accordance with the World Health Organization (WHO) guidelines. These guidelines require the owner of a vessel transiting the Panama Canal to assist in eliminating the spread of yellow fever throughout the world by disinfecting (disinsecting) his vessel whenever the level of *Aedes aegypti* mosquitos in the Republic of Panama is below the WHO critical infestation level of less than one percent (expressed as WHO index level 1.0). The change eliminates the requirement for such disinsecting when the index of *Aedes aegypti* mosquitos in Panama is higher than 1.0.

The Commission is also amending its regulations in part 123, to substitute "in meters" for "in feet and inches" in order to replace existing information required of vessel customers, which conforms to the policy of using metric measurement scales.

The Commission is proceeding with the issuance of a final rule instead of a proposed rule with a request for comments because the change to part 61 eliminates a requirement for transiting the Canal and the change to part 123 is a technical amendment.

The Commission has been exempted from Executive Order 12866 and, accordingly, the provisions of that directive do not apply to this final rule. Even if the Order were applicable, its

implementation would not have a significant economic impact on a substantial number of small entities as defined under that Act.

Further, the agency has determined that implementation of the rule will have no adverse effect on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Because a notice of proposed rulemaking and opportunity for public comment are not required to be given for this final rule by the Administrative Procedure Act (5 U.S.C. 553) or by any other law, under sections 603(a) and 604(a) of the Regulatory Flexibility Act (5 U.S.C. 601), no initial or final regulatory flexibility analysis has to be or will be prepared.

Finally, the Administrator of the Panama Canal Commission certifies these changes in regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order No 12988.

List of Subjects

35 CFR Part 61

Communicable Diseases, Public health.

35 CFR Part 123

Radio, Vessels.

Accordingly, 35 CFR Parts 61 and 123 are amended as follows:

PART 61-HEALTH, SANITATION AND COMMUNICABLE DISEASE SURVEILLANCE

1. The authority citation for part 61 continues to read as follows:

Authority: Issued under authority vested in the President by section 1701, Pub. L. 96-70, 93 Stat. 492; EO 12173, 44 FR 69271.

2. Section 61.155 is amended by adding a new paragraph (e) as follows:

§ 61.155 Vessels; yellow fever.

* * * * *

(e) The disinfecting required under paragraph (a) of this section shall be required when the index of *Aedes aegypti* in Panama exceeds the 1.0 index level established by the World Health Organization (WHO).

PART 123—RADIO COMMUNICATION

3. The authority for part 123 continues to read as follows:

Authority: Issued under authority of the President by 22 U.S.C. 3811; EO 12215, 45 FR 36043.

4. The "CHARLIE" paragraph following Paragraph (a) of § 123.4 is revised to read as follows:

§ 123.4 Advance notification required by radio from vessels approaching the Canal.

(a) * * * CHARLIE—Estimated draft upon arrival, and estimated transit draft if scheduled to work cargo or take bunker prior to transiting, in meters, fore and aft, in Tropical Fresh Water.

* * * * *

Dated: June 27, 1996.

Gilberto Guardia F.,

Administrator, Panama Canal Commission.

[FR Doc. 96-17662 Filed 7-10-96; 8:45 am]

BILLING CODE 3640-04-P

POSTAL SERVICE**39 CFR Parts 5, 7, 10****Board of Governors Bylaws**

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Board of Governors of the United States Postal Service has approved amendments to its bylaws. First, the bylaw provisions concerning procedures of committees of the Board has been amended to conform the conditions under which the Government in the Sunshine Act is invoked to the definition of covered "meeting" under that Act. Second, the Board has revised its rules of conduct to delete provisions superseded by the Standards of Ethical Conduct for Employees of the Executive Branch issued by the Office of Government Ethics and by the Postal Service regulations supplemental to the Standards. Conforming changes are made to the remaining ethics provisions.

EFFECTIVE DATE: July 11, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas J. Koerber, (202) 268-4800.

SUPPLEMENTARY INFORMATION:**A. Committee Procedures**

In practice, the Board of Governors has used its committees for a means of in-depth, informal exchange with management on matters of ongoing concern to the Board. It has not considered that sessions of this type are covered by the provisions of the

Government in the Sunshine Act, regarding notice and open meetings. The provisions of that Act apply to "the deliberations of at least the number of individual agency members required to take action on behalf of the agency where such deliberations determine or result in the joint conduct or disposition of official agency business" (5 U.S.C. 552b(a)(2)). The Board's bylaw concerning Public Observation (part 7) generally incorporates this language from the Sunshine Act in full (39 CFR 7.1(b)).

Bylaw provisions on committee procedures, in 39 CFR 5.2, currently refer to formal actions by committees—such as recommendations, preliminary decisions, and hearings—in a manner which reaches outside the terms of the Sunshine Act regarding when a committee session will be subject to the Board's Public Observation rules under part 7. Since the Board has intended that the Public Observation rules will apply strictly as provided in the Sunshine Act, some of this bylaw language may be subject to misinterpretation. Accordingly, this language is deleted from 39 CFR 5.2, and conforming changes are made in 39 CFR 7.1(a).

The Board's committees continue to be subject to the Public Observation procedures under part 7, only to the extent that a particular session should constitute a "meeting" within the meaning of the Government in the Sunshine Act, 5 U.S.C. 552b(a)(2), and section 7(b) of the bylaws.

B. Rules of Conduct**Background**

On August 7, 1992, the Office of Government Ethics (OGE) published new Standards of Ethical Conduct for Employees of the Executive Branch (Standards), now codified at 5 CFR part 2635. See 57 FR 35006-35067 (August 7, 1992) as corrected at 57 FR 48557 (October 27, 1992) and 57 FR 52583 (November 4, 1992), with additional grace-period extensions at 59 FR 4779-4780 (February 2, 1994) and 60 FR 6390-6391 (February 2, 1995). The Standards, which became effective February 3, 1993, set uniform ethical conduct standards applicable to all executive branch personnel. The Standards superseded most federal agency regulations promulgated under subparts A, B, and C of former 5 CFR part 735.

On September 11, 1995, the Postal Service, with the concurrence of OGE and pursuant to 5 CFR 2635.105, published regulations applicable to Postal Service employees to supplement

the Standards. See 60 FR 47240-47241, September 11, 1995. The supplemental regulations, to be codified at 5 CFR part 7001, prohibit certain outside employment or activities, and require prior approval for employees to engage in other specified outside employment or activities.

Discussion**I. General**

The principal purpose of the revisions to part 10 is to repeal outdated provisions of the Code of Ethical Conduct for Postal Service Governors (Code), which have been superseded by the new Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) and Postal Service regulations supplemental thereto (5 CFR part 7001). The Governors of the Postal Service are special Government employees within the meaning of 18 U.S.C. 202(a). Special Government employees are subject to the Standards of Ethical Conduct for Employees of the Executive Branch, and agency regulations supplemental thereto (5 CFR 2635.102(h)). Therefore, the Governors are subject to the regulations in 5 CFR parts 2635 and 7001.

Some provisions of 39 CFR part 10 are retained in amended form to conform to the Ethics Reform Act of 1989. The retained provisions concern advisory service, restrictions on post-employment activities, and the filing of financial disclosure reports.

II. Revision of the Heading of 39 CFR Part 10

The heading of 39 CFR part 10, "Code of Ethical Conduct for Postal Employees [Appendix]," is being revised to "Rules of Conduct for Postal Service Governors [Appendix]." This revision is intended to make clear that the rules of conduct in 39 CFR part 10, as amended, are not part of the ethical standards contained in 5 CFR part 2635 and regulations supplemental thereto.

III. Repeal of Financial Interest Prohibitions

The provisions of the Code that prohibited the holding of specified financial interests, 39 CFR 10.22(a) through (e), and those provisions of 39 CFR 10.23 that involved compensated outside employment relationships, remained temporarily in effect pursuant to the note following 5 CFR 2635.403(a), as extended at 59 FR 4779-4780, February 2, 1994, and 60 FR 6390-6391, February 2, 1995. The note following 5 CFR 2635.403(a) provides that such prohibitions shall cease to be effective upon the issuance of agency