

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Issued: September 23, 1996.

Robert H. Volland,

Director, National Earthquake Loss Reduction Program.

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FEDERAL MARITIME COMMISSION

46 CFR Parts 501, 502, 514 and 583

Reorganization of Enforcement Components

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: The Federal Maritime Commission is amending its rules to reflect the establishment of the Bureau of Enforcement and the replacement of its District Offices with Area Representatives.

EFFECTIVE DATE: October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Vern W. Hill, Director, Bureau of Enforcement, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573, (202) 523-5783.

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission is amending various provisions of Part 500 to end of Title 46 of the Code of Federal Regulations to reflect the reorganization of its enforcement components, which includes the consolidation of the Bureau of Hearing Counsel and the Bureau of Investigations into a new Bureau of Enforcement and the replacement of its District Offices with individual Area Representatives. Notice and public comment are not necessary prior to the issuance of this rule because it deals solely with matters of agency organization. Neither is a delayed effective date required. This action does not affect the substantive duties and functions of the Commission's enforcement components.

List of Subjects

46 CFR Part 501

Administrative practice and procedure, Authority delegations, Organization and functions, Seals and insignia.

46 CFR Part 502

Administrative practice and procedure, Claims, Equal access to justice, Investigations, Lawyers,

Reporting and recordkeeping requirements.

46 CFR Part 514

Freight, Harbors, Maritime carriers, Reporting and recordkeeping requirements.

46 CFR Part 583

Freight, Maritime carriers, Reporting and recordkeeping requirements, Surety bonds.

Title 46 of the Code of Federal Regulations is amended as follows:

PART 501—THE FEDERAL MARITIME COMMISSION—GENERAL

1. The authority citation for Part 501 continues to read as follows:

Authority: 5 U.S.C. 551-557, 701-706, 2903 and 6304; 31 U.S.C. 3721; 41 U.S.C. 414 and 418; 44 U.S.C. 501-520 and 3501-3520; 46 U.S.C. app. 801-848, 876, 1111, and 1701-1720; Reorganization Plan No. 7 of 1961, 26 FR 7315, August 12, 1961; Pub. L. 89-56, 79 Stat. 195; 5 CFR Part 2638.

2. Section 501.3(l) is revised to read as follows:

§ 501.3 Organizational components of the Federal Maritime Commission.

* * * * *

(l) Bureau of Enforcement.

* * * * *

Section 501.4(c) is revised to read as follows:

§ 501.4 Lines of Responsibility.

* * * * *

(c) Bureau of Enforcement and Area Representatives. The Area Representatives report to the Director, Bureau of Enforcement.

4. Section 501.5(i) introductory paragraph and (i)(6) introductory text are revised to read:

§ 501.5 Functions of the organizational components of the Federal Maritime Commission.

* * * * *

(i) Bureau of Enforcement; Area Representatives. Under the direction and management of the Bureau Director, the Bureau of Enforcement:

* * * * *

(6) Maintains a presence in locations other than Washington, D.C. through Area Representatives whose activities include the following:

* * * * *

5. Section 501.28(b) is revised to read:

§ 501.28 Delegation to the Director, Bureau of Enforcement.

* * * * *

(b) Authority to approve administrative leave for Area Representatives.

6. In section 501.41 paragraph (a) is amended by removing the words "District Offices" and adding in their place the words "Area Representatives," and paragraph (d) is revised to read as follows:

§ 501.41 Public requests for information and decisions.

* * * * *

(d) The Area Representatives will provide information and decisions to the public within their geographic areas, or will expedite the obtaining of information and decisions from headquarters. The addresses of these Area Representatives are as follows. Further information on Area Representatives, including Internet E-mail addresses, can be obtained on the Commission's home page on the World Wide Web at "www.fmc.gov."

Los Angeles

Los Angeles Area Representative, U.S. Customs House Building, P.O. Box 3164, 300 S. Ferry Street, Room 1018,

Terminal Island Station, San Pedro, CA 90731

Miami

Miami Area Representative, Customs Management Center, 909 SE, 1st Ave., Room 736, Miami, FL 33131

New Orleans

New Orleans Area Representative, U.S. Customs House, 423 Canal Street, Room 303, New Orleans, LA 70130

Seattle

Seattle Area Representative, U.S. Customs, 3236 16th Ave., SW, Seattle, WA 98134

North Atlantic

North Atlantic Area Representative, Federal Maritime Commission, 800 North Capitol Street, NW., Suite 928, Washington, DC 20573

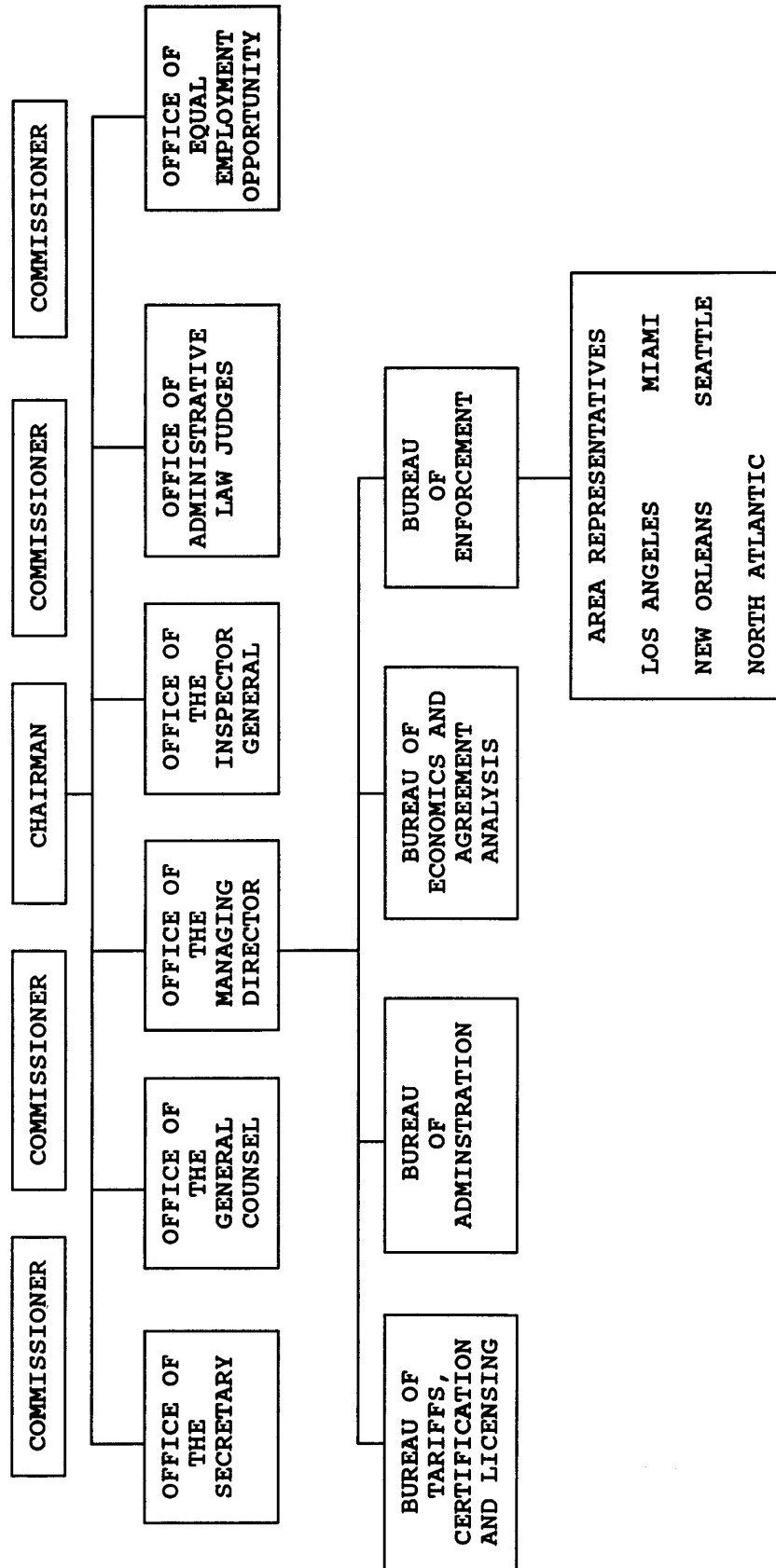
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7. Appendix A to Part 501, Federal Maritime Commission Organization Chart, is revised to read as follows:

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APPENDIX A

FEDERAL MARITIME COMMISSION
ORGANIZATION CHART



PART 502—RULES OF PRACTICE AND PROCEDURES

8. The authority citation for Part 502 is revised to read as follows:

Authority: 5 U.S.C. 504, 551, 552, 553, 556(c), 559, 561–569, 571–596; 12 U.S.C. 1141j(a); 18 U.S.C. 207; 26 U.S.C. 501(c)(3); 28 U.S.C. 2112(a); 31 U.S.C. 9701; 46 U.S.C. app. 817, 820, 821, 826, 841a, 1114(b), 1705, 1707–1711, 1713–1716; E.O. 11222 of May 8, 1965 (30 FR 6469); 21 U.S.C. 853a; and Pub. L. 88–777 (46 U.S.C. app. 817d, 817e).

9. Section 502.42 is revised to read as follows:

§ 502.42 Bureau of Enforcement.

The Director, Bureau of Enforcement, shall be a party to all proceedings governed by the rules in this part, except that in complaint proceedings under § 502.62, the Director may become a party only upon leave to intervene granted pursuant to § 502.72, and in rulemaking proceedings, the Director may become a party by designation, if the Commission determines that the circumstances of the proceeding warrant such participation. The Director or the Director's representative shall be served with copies of all papers, pleadings, and documents in every proceeding in which the Bureau of Enforcement is a party. The Bureau of Enforcement shall actively participate in any proceeding to which the Director is a party, to the extent required in the public interest, subject to the separation of functions required by section 5(c) of the Administrative Procedure Act. (See § 502.224.) [Rule 42.]

§ 502.68 [Amended]

In § 502.68, *Declaratory orders and fee*, paragraph (f)(1) is amended by removing the words "Hearing Counsel" and adding in their place the word "Enforcement".

§ 502.221 [Amended]

11. In § 502.221, *Briefs; requests for findings*, paragraph (c) is amended by removing the words "Hearing Counsel" and adding in their place the words "the Bureau of Enforcement".

§ 502.604 [Amended]

12. In § 502.604, *Compromise of penalties; Relation to assessment proceedings*, paragraph (g) is amended by removing the words "Hearing Counsel" and adding in their place the word "Enforcement".

Appendix A to Subpart W—[Amended]

13. In *Appendix A to Subpart W—Example of Compromise Agreement*, paragraph 2 is amended by removing the words "Hearing Counsel" and

adding in their place the word "Enforcement" and The Approval and Acceptance clause is amended by removing the words "Hearing Counsel" and adding in their place the word "Enforcement".

PART 514—TARIFFS AND SERVICE CONTRACTS

14. The authority citation for Part 514 continues to read as follows:

Authority: 5 U.S.C. 552 and 553; 31 U.S.C. 9701; 46 U.S.C. app. 804, 812, 814–817(a), 820, 833a, 841a, 843, 844, 845, 845a, 845b, 847, 1702–1712, 1714–1716, 1718, 1721 and 1722; and sec. 2(b) of Pub. L. 101–92, 103 Stat. 601.

15. Section 514.7(m)(3) is revised to read:

§ 514.7 Service contracts in foreign commerce.

* * * * *

(m) * * *

(3) Production for audit within 30 days of request. Every common carrier or conference shall, upon written request of the FMC's Director, Bureau of Enforcement or any Area Representative, submit requested service contract records within 30 days from the date of the request.

PART 583—SURETY FOR NON-VESSEL-OPERATING COMMON CARRIERS

16. The authority citation for Part 583 continues to read as follows:

Authority: 5 U.S.C. 553; 31 U.S.C. 9701; 46 U.S.C. app. 1702, 1707, 1709, 1710–1712, 1716, and 1721.

§ 583.4 [Amended]

17. In § 583.4 *Financial responsibility requirements*, the undesignated paragraph following paragraph (d)(6)(ii), is amended by removing the words "other Commission's district offices located in New York, NY; New Orleans, LA; San Francisco, CA; Hato Rey, PR; Los Angeles, CA; Miami, FL; and Houston, TX" and adding in their place the words "Area Representative listed at 46 CFR 501.41(d)".

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 96–25061 Filed 9–30–96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 20 and 24**

[WT Docket No. 96–59; GN Docket No. 90–314; FCC 96–278]

Broadband Personal Communications Services; Correction

AGENCY: Federal Communications Commission.

ACTION: Correction to final rule.

SUMMARY: This document contains amendments to the final rules (47 CFR Parts 20 and 24) which were published July 1, 1996 (61 FR 33859). The rules relate to the competitive bidding and ownership regulations for Personal Communications Services in the 2 GHz band ("broadband PCS").

EFFECTIVE DATE: July 31, 1996.

FOR FURTHER INFORMATION CONTACT:

Mark Bollinger, Wireless Telecommunications Bureau, (202) 418–0660.

SUPPLEMENTARY INFORMATION:**Background**

The final regulations that are the subject of these corrections modify the competitive bidding and ownership provisions for broadband PCS.

Need for Correction

As published, the final rules contain errors which are misleading and are in need of clarification. Specifically, the amendatory language to 47 CFR § 20.6 incorrectly identified the newly added note as "Note 1 to § 20.6(d)." The correct designation of this note should be "Note 3 to § 20.6." Also, with regard to § 24.720, the amendatory language should have indicated that paragraph (l)(11)(ii) is omitted and paragraph (l)(11)(i) is redesignated as paragraph (l)(11).

Correction of Publication

Accordingly, the publication on July 1, 1996 of amendments to the final rules (47 CFR Parts 20 and 24), which were the subject of FR Doc. 96–16665, is corrected as follows:

§ 20.6 CMRS spectrum aggregation limit [Corrected]

On page 33867, the amendatory language to § 20.6 is corrected to read as follows, "Section 20.6 is amended by revising paragraphs (d)(2), (e) and adding a new Note 3 to § 20.6. * * *"

§ 24.720 Definitions [Corrected]

On page 33869, in the first column, the amendatory language to § 24.720 is corrected to read as follows, "Section