

transported to appraise or control conduct was substantially impaired by drugs or alcohol. In the case of transportation involving an adult, rather than a minor, this characteristic generally will not apply where the alcohol or drug was voluntarily taken.

"4. For the purposes of § 3B1.1 (Aggravating Role), the persons transported are considered participants only if they assisted in the unlawful transportation of others.

"5. For the purposes of Chapter Three, Part D (Multiple Counts), each person transported is to be treated as a separate victim. Consequently, multiple counts involving the transportation of different persons are not to be grouped together under § 3D1.2 (Groups of Closely-Related Counts). Special instruction (c)(1) directs that if the relevant conduct of an offense of conviction includes more than one person being transported, whether specifically cited in the count of conviction or not, each such person shall be treated as if contained in a separate count of conviction.

"6. Subsection (b)(3) is intended to have broad application and includes offenses involving a minor entrusted to the defendant, whether temporarily or permanently. For example, teachers, day care providers, baby-sitters, or other temporary caretakers are among those who would be subject to this enhancement. In determining whether to apply this adjustment, the court should look to the actual relationship that existed between the defendant and the child and not simply to the legal status of the defendant-child relationship.

"7. If the adjustment in subsection (b)(3) applies, do not apply § 3B1.3 (Abuse of Position of Trust or Use of Special Skill) based on an abuse of a position of trust.

"8. The cross reference in subsection (c)(1) is to be construed broadly to include all instances where the offense involved employing, using, persuading, inducing, enticing, coercing, transporting, permitting, or offering or seeking by notice or advertisement, a minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct.

"9. The cross reference at subsection (c)(3) addresses the unusual case in which the offense did not involve transportation for the purpose of prostitution and neither subsection (c)(1) nor (c)(2) is applicable. In such case, the guideline for the underlying prohibited sexual conduct is to be used, e.g., § 2A3.2 (Criminal Sexual Abuse of a Minor (Statutory Rape) or Attempt to Commit Such Acts) or § 2A3.4 (Abusive Sexual Contact or Attempt to Commit

Abusive Sexual Contact). If there is no offense guideline for the underlying prohibited sexual conduct, § 2X5.1 (Other Offenses) is to be used."

(C) Additional Issue for Comment: The Commission invites comment on whether, as an alternative to the proposed amendments set forth above as Option 1 and Option 2, the Commission should apply the enhanced offense level required by the congressional directive only if the defendant is convicted of 18 U.S.C. 2243(a). Note that section 4 of the Sex Crimes Against Children Prevention Act of 1995 directs the Commission to increase by at least three levels the base offense level for an offense under 18 U.S.C. 2243(a). As proposed for comment under Option 1, the enhanced base offense level (increasing the current level of 16 to a proposed level of 19, 20, or 21) would apply to all offenses to which § 2G1.2 currently applies, not just offenses under 18 U.S.C. 2243(a). Similarly, as proposed for comment under Option 2, the enhanced specific offense characteristic related to the age of the victim (increasing the current levels by three, four, or five levels, in addition to the two-level increase for that specific offense characteristic proposed to be made under Option 2 as a result of the consolidation of §§ 2G1.2 and 2G1.1) would apply to all offenses to which § 2G1.2 currently applies.

[FR Doc. 96-4050 Filed 2-22-96; 8:45 am]

BILLING CODE 2210-40-P

DEPARTMENT OF STATE

[Public Notice No. 2338]

Shipping Coordinating Committee, Marine Environment Protection Committee and Associated Bodies; Notice of Meeting

The Shipping Coordinating Committee will conduct an open meeting at 9:30 a.m. on Wednesday, March 27, 1996, in Room 2415, at U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593. The purpose of the meeting is to prepare for discussions regarding the new Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) addressing the control of air pollution from ships. These discussions will take place during the Thirty-eighth session of the Marine Environment Protection Committee of the International Maritime Organization (IMO) scheduled for July 01-10, 1996, at IMO Headquarters in London, England.

Among other things, items of particular interest are: application of the new Annex; criteria and procedures for the establishment of special areas to reduce sulphur oxide emissions; survey and certification issues; reduction of nitrogen oxide emissions from marine engines; shipboard incinerators; ozone depleting substances; fuel oil quality; and volatile organic compound emissions during loading operations. The U.S. Safety of Life at Sea (SOLAS) Working Group supports the U.S. Representative to the IMO Committee in developing the U.S. position on those issues raised at the IMO Committee meetings. Because of the impact on domestic regulations through development of these international agreements, the U.S. SOLAS Working Group serves as an excellent forum for the public to express their ideas. All members of the maritime community are encouraged to send representatives to participate in the development of U.S. positions on those issues affecting your maritime industry and remain abreast of all activities ongoing with the IMO.

Members of the public may attend this meeting up to the seating capacity of the room. Interested persons may seek information by writing: Mr. Wayne Lundy, U.S. Coast Guard Headquarters, Commandant (G-MMS), 2100 Second Street, S.W., Washington, DC 20593-0001 or by calling: (202) 267-2206.

Dated: February 14, 1996.

Charles A Mast,

Chairman, Shipping Coordinating Committee.

[FR Doc. 96-4074 Filed 2-22-96; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice No. 2335]

U.S. International Telecommunication Advisory Committee (ITAC); Renewal

The Department of State has renewed the Charter of the United States International Telecommunication Advisory Committee (ITAC). This advisory committee will continue to obtain the views and advice of American experts and interested parties with respect to a broad range of technical, operational and administrative questions in the telecommunications and information sector. ITAC's focus is on U.S. participation in the work of international treaty organizations, primarily the International Telecommunication Union (ITU) and the OAS Inter-American Telecommunication Commission (CITEL).

The committee's principal work, which is to develop, coordinate and recommend contributions to and positions for international meetings and conferences, has been a major factor in ensuring effective U.S. preparations for the relevant international activities. The Under Secretary for Management has determined that the committee is necessary and in the public interest.

Membership in the ITAC is unlimited and may include representatives of all parties interested in the telecommunications and information fields or in the work of ITAC, including U.S. Government agencies, recognized operating agencies, service providers, manufacturers, users, associations, academia, and the public in general. The committee will follow the procedures prescribed by the Federal Advisory Committee Act (FACA). Meetings will be open to the public unless a determination is made in accordance with section 10(d) of the FACA, 5 U.S.C. §§ 552b(c)(1) and (4), that a meeting or a portion of the meeting should be closed to the public. Notice of each meeting will be provided in the Federal Register at least 15 days prior to the meeting date.

For further information, please call: Richard E. Shrum, ITAC Chairman and Director, Office of Multilateral Affairs, International Communications and Information Policy, (202) 647-0050; fax (202) 647-7407.

Dated: February 13, 1996.

Vonya B. McCann,

U.S. Coordinator, Communications and Information Policy.

[FR Doc. 96-4072 Filed 2-22-96; 8:45 am]

BILLING CODE 4710-45-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Order 96-2-28; Dockets OST-95-586 and 95-585]

Applications of Sun Pacific International, Inc., for Issuance of Certificate Authority; Notice of Order to Show Cause

AGENCY: Department of Transportation.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order (1) finding Sun Pacific International, Inc., fit, willing, and able, and (2) awarding it certificates of public convenience and necessity to engage in interstate and foreign charter passenger air transportation.

DATES: Persons wishing to file objections should do so no later than February 26, 1996.

ADDRESSES: Objections and answers to objections should be filed in Dockets OST-95-585 and 95-586 and addressed to the Documentary Services Division (C-55, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590 and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Mr. James A. Lawyer, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590, (202) 366-1064.

Charles A. Hunnicutt,

Assistant Secretary for Aviation and International Affairs.

[FR Doc. 96-4081 Filed 2-22-96; 8:45 am]

BILLING CODE 4910-62-P

Federal Highway Administration

Environmental Impact Statement; Erie County, New York

AGENCY: Federal Highway Administration, New York State Department of Transportation.

ACTION: Notice of Intent.

SUMMARY: The action to be evaluated by this Environmental Impact Statement is the rehabilitation or reconstruction of the Peace Bridge U.S. Plaza and Connecting Roadways to improve circulation and increase capacity for the processing of commercial and passenger vehicles at the international border with Canada.

FOR FURTHER INFORMATION CONTACT: Harold J. Brown, Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 9th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, (518) 431-4127; or Robert J. Russell, Regional Director, New York State Department of Transportation, Region 5, 125 Main Street, Buffalo, New York 14203, (716) 847-3238; or Clifford T. Elwood, Capital Projects Manager, Buffalo and Fort Erie Public Bridge Authority, Peace Bridge Plaza, Buffalo, New York 14213-2494, (716) 884-6752.

SUPPLEMENTARY INFORMATION: The Federal Highway Administration (FHWA), in cooperation with the Buffalo and Fort Erie Public Bridge Authority (BFEPBA) and the New York State Department of Transportation (NYSDOT), will evaluate various Plaza alternatives which consider building

placement, vehicle circulation patterns, and improved ingress and egress. Each option calls for a major renovation of the 17-acre international toll plaza including toll booths, administration buildings and primary and secondary inspection operations performed by the U.S. Customs Service and the Immigration and Naturalization Service. Alternatives include potential expansion of the existing Plaza to accommodate space requirements for primary and secondary vehicle inspection, vehicle circulation and processing. Connecting roadway alternatives consider improved ingress and egress patterns to the Plaza to facilitate improved on-site circulation, closure of Moore and Baird Drives within the Historic Front Park, and improved connections between I-190, local roadways, and the Peace Bridge Plaza. The environmental, socio-economic, and engineering viability implications of each alternative will be examined. The no action alternative will also be analyzed as a base line for gauging the impacts of the Plaza and roadway reconfiguration alternatives.

Input from federal, State, local governments, local agencies, private organizations, and the community will be solicited during the development of the Environmental Impact Statement (EIS). A public scoping meeting and a formal public hearing will be scheduled. Public notice will be given to identify the time and place for the meeting and hearing. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, questions, and suggestions are invited from all interested parties. They should be directed to the BFEPBA, NYSDOT or FHWA at the address provided above.

Issued on February 13, 1996.

Stanley Gee,

Assistant Division Administrator, Federal Highway Administration, Albany, New York.

[FR Doc. 96-4073 Filed 2-22-96; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: Otero County, New Mexico

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent to prepare an Environmental Impact Statement.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be