

prepared for a proposed highway project in Otero County, New Mexico.

FOR FURTHER INFORMATION CONTACT:

Mr. William R. Bird, Environmental Planning Engineer, Federal Highway Administration, P.O. Box 25246, Denver, Colorado 80225, telephone 303-969-5909.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with Lincoln National Forest and the New Mexico State Highway and Transportation Department, will prepare an environmental impact statement (EIS) on a proposal to improve New Mexico Forest Highway (FH) 45, Sacramento River Road. The portion to be improved extends 13.1 miles from Sunspot to Timberon in Otero County, New Mexico. The FHWA is the lead agency. The USDA-Forest Service, Lincoln National Forest, will assist the FHWA in the preparation of the environmental impact statement.

Improvements are being considered to provide a safe, all-weather facility for the existing and projected traffic demand. Alternatives under consideration include (1) taking no action, (2) the improvement of the existing facility to appropriate American Association of State Highway and Transportation Officials (AASHTO) design criteria, and (3) other alternatives that may be developed during environmental process.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens. A public scoping meeting and a public hearing will be held in the project area. Information on the time and place of public meetings and hearings will be provided in the local news media and by letter to individuals and agencies that have expressed interest in the proposal. 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 the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: February 6, 1996.

Dated: February 15, 1996.

Larry C. Smith,

Division Engineer, FHWA, Denver, Colorado.

[FR Doc. 96-4092 Filed 2-22-96; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemptions or Applications To Become a Party to an Exemption

AGENCY: Research and Special Programs Administration, D.O.T.

ACTION: List of Applications for modification of exemptions or application to become a party to an exemption; Correction.

SUMMARY: Notice of Application No. 10933-P Laidlaw Environmental Services, Inc. should have appeared at page 1985 of the February 13, 1996 Federal Register.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials, Exemptions and Approvals.

[FR Doc. 96-4080 Filed 2-22-96; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Financial Management Service

Privacy Act of 1974; Computer Matching Program

AGENCY: Financial Management Service, Treasury.

ACTION: Notice.

SUMMARY: Pursuant to 5 U.S.C. 552a, the Privacy Act of 1974, as amended, and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs, notice is hereby given of the conduct of a Financial Management Service (FMS) program of computer matches.

EFFECTIVE DATE: March 25, 1996.

ADDRESS: Comments or inquiries may be submitted to the Debt Management Services, Financial Management Service, 401 14th Street, SW, Room 151, Washington, DC 20227.

FOR FURTHER INFORMATION CONTACT:

Gerry Isenberg, Financial Program Specialist, Debt Management Services, (202) 874-6660.

SUPPLEMENTARY INFORMATION: FMS is the central disbursing source for the Federal Government and currently receives recurring and non-recurring payment certification records from departments and agencies of the Government. FMS

has a "system of records" (as defined in the Privacy Act of 1974) for specific recurring benefit payments entitled, "Payment Issue Records for Regular Recurring Benefit Payments" identified as Treasury/FMS .002.

FMS has been designated by the Office of Management and Budget as the lead agency in credit management and debt collection for the Federal Government.

Centralized administrative offset was specifically recommended by the President's Council on Integrity and Efficiency in a report dated March 22, 1995. The Treasury Offset Program takes advantage of FMS' dual roles as the primary disbursing agency for the Federal Government, and the lead agency for debt collection within the Government. The Treasury Offset Program is one of the key elements in the Department of the Treasury's reinvention initiative to improve collection of non-tax debts owed to the United States.

NAME OF SOURCE AGENCY:

Financial Management Service.

NAME OF RECIPIENT AGENCY:

Financial Management Service.

BEGINNING AND COMPLETION DATES:

This program of computer matches will commence not earlier than the fortieth day after copies of the Computer Matching Agreement are provided to the Congress and OMB unless comments dictate otherwise. The program of computer matches will conclude at the end of the eighteenth month after the beginning date.

PURPOSE:

The purpose of this program of computer matches is to identify payments made to civil service annuitants which are subject to offset to reduce outstanding delinquent debts owed to the Federal Government, and to offset such payments where appropriate.

AUTHORITY:

Authority for this program of computer matches is granted under 31 U.S.C. 3716.

CATEGORIES OF INDIVIDUALS COVERED:

Individuals receiving benefits in the form of regular recurring payments authorized by the Office of Personnel Management, individuals who are indebted to the United States and whose debts may be collected by offset in accordance with 31 U.S.C. 3716.

CATEGORIES OF RECORDS COVERED:

Included in this program of computer matches is information concerning the

debtor contained in the Debt Collection Operations System (Treasury/FMS .014) including name, taxpayer identification number, the amount of the indebtedness, the name and address of the agency who is principally responsible for collecting the debt, and the name, phone number and address of an agency contact. Information contained in Payment Issue Records for Regular Recurring Benefit Payments (Treasury/FMS .002) which shall be included in this program of computer matches shall be limited to information concerning individuals receiving civil service annuities and shall include name, taxpayer identification number, mailing address, and the amount of payment.

Dated: February 14, 1996.

Alex Rodriguez,

Deputy Assistant Secretary (Administration).

[FR Doc. 96-4109 Filed 2-22-96; 8:45 am]

Billing Code: 4810-35-F

Office of the Comptroller of the Currency

[Docket No. 96-04]

Independent Regulatory Appeals Process

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is publishing in final form its guidelines that permit national banks to appeal certain OCC decisions and actions. These appeals guidelines are required by the Riegle Community Development and Regulatory Improvement Act of 1994. These final guidelines supersede the OCC prior appeals policy as set forth in Banking Circular No. 272.

EFFECTIVE DATE: February 23, 1996.

FOR FURTHER INFORMATION CONTACT: Heidi Thomas, Legislative Counsel, Legislative and Regulatory Activities Division, 202-874-5090, or Carol Connelly, Office of the Chief National Bank Examiner, 202-874-5350, Office of the Comptroller of the Currency, 250 E Street SW, Washington, DC 20219.

SUPPLEMENTARY INFORMATION:

A. Background

Section 309(a) of the Riegle Community Development and Regulatory Improvement Act of 1994, Pub. L. 103-325 (12 U.S.C. 4806) (Act), which was signed into law on September 23, 1994, requires the OCC, the Office of Thrift Supervision, the

Federal Deposit Insurance Corporation, and the Federal Reserve Board (Federal banking agencies), and the National Credit Union Administration to establish an independent internal appellate process. This process must be available to review material supervisory determinations made at insured depository institutions or credit unions that the agency supervises.

Specifically, the Act defines "independent appellate process" in section 309(f)(2) (12 U.S.C. 4806(f)(2)) as a review by an agency official who does not directly or indirectly report to the agency official who made the material supervisory determination under review.

In addition, the Act defines "material supervisory determinations" in section 309(f)(1) (12 U.S.C. 4806(f)(1)) to include determinations relating to (1) examination ratings, (2) the adequacy of loan loss reserve provisions, and (3) loan classifications on loans that are significant to an institution. This definition expressly excludes a determination to appoint a conservator or receiver for an insured depository institution or a decision to take prompt corrective action pursuant to section 38 of the Federal Deposit Insurance Act (FDI Act) (12 U.S.C. 1831o). Section 309(g) of the Act (12 U.S.C. 4806(g)) expressly provides that the Act's requirement to establish an appeals process does not affect the authority of the Federal banking agencies to take enforcement or supervisory actions against an institution.

Finally, section 309(b) of the Act (12 U.S.C. 4906(b)) requires that the Federal banking agencies hear and decide appeals expeditiously and ensure that appropriate safeguards exist for protecting the appellant from retaliation by Federal banking agency examiners.

On December 22, 1994, the OCC published in the Federal Register for notice and comment proposed guidelines for this appellate process (59 FR 66067), as required by section 309(c) of the Act (12 U.S.C. 4806(c)). These procedures modified and clarified the OCC's existing national bank appeals procedures, described in Banking Circular No. 272 (June 11, 1993), to make them consistent with the requirements of the Act.

Pursuant to this notice and request for comments, the OCC received three comment letters from interested parties. These comment letters generally supported the OCC's proposed guidelines and concluded that they satisfied the requirements of the Act. However, the commenters suggested some changes, several of which the OCC has addressed in the final guidelines.

B. Comments

1. Examiner Retaliation

To prevent examiner retaliation, the proposed guidelines required the OCC Ombudsman to contact the appellant bank to inquire whether it believes that OCC examiners have taken actions against it in retaliation for its appeal. The Ombudsman must contact the bank within: (1) six months after the date the Ombudsman, Deputy Administrator, or Deputy Comptroller issues a final written response to an appeal; and (2) six months after the date of completion of the first examination following an appeal. In addition, national banks that believe they are the subject of retaliation because of their appeal may, at any time, seek redress with the Ombudsman.

The commenters agreed that these procedures provide appropriate safeguards to protect the appellant bank from retaliation by agency examiners, as required by the Act. However, the commenters suggested that the guidelines also should state specifically that examiner retaliation is unacceptable and unprofessional and should provide for disciplinary sanctions or otherwise describe what "appropriate action" may ensue if the Ombudsman determines that retaliation has occurred. In addition, one commenter suggested permitting the Ombudsman to exclude from the next examination any personnel involved in the appealed decision.

The OCC strongly agrees that any form of examiner retaliation is unacceptable and unprofessional. The OCC also agrees that, in some cases, it may be appropriate to exclude from the next examination of the bank personnel involved in the appealed decision. Therefore, the final guidelines provide that the Ombudsmen may recommend to the Comptroller that the next examination of a national bank not include personnel involved in a decision appealed by that bank. The Comptroller will make the final decision on exclusion.

The proposed guidelines required the Ombudsman, upon determining that retaliation has occurred, to forward the complaint to the District Administrator, Deputy Comptroller, or Inspector General for appropriate action. The final guidelines require the Ombudsman to forward these complaints to the Senior Deputy Comptroller for Bank Supervision Operations or the Inspector General. The OCC believes that retaliation complaints are better handled by senior staff in the Washington Office than in the District Office where the retaliation is alleged.