

that were the subject of FR Doc. 96-1432, is corrected as follows:

**§ 120.111 [Corrected]**

1. On page 3240, in the second column, in § 120.111, paragraph (a)(4), the term "of the Operating Company" is corrected to read "and the Operating Company".

2. On page 3240, in the second and third columns, in § 120.111, paragraph (b), paragraph (b)(2) is removed and paragraphs (b)(3), (b)(4) and (b)(5) are redesignated as paragraphs (b)(2), (b)(3) and (b)(4).

**§ 120.215 [Corrected]**

3. On page 3243, in the third column, in § 120.215, the term "variable rate" in the second sentence is removed.

**§ 120.440 [Corrected]**

4. On page 3248, in the second column, in § 120.440, the phrase "attempts to respond within three days of submission to SBA" is corrected to read "will provide expedited loan processing or servicing".

**§ 120.839 [Corrected]**

5. On page 3260, in the second column, in § 120.839, paragraph (a)(2), in the last line after the semicolon, the word "and" is corrected to read "or".

Dated: February 26, 1996.

John T. Spotila,

*Acting Administrator.*

[FR Doc. 96-4773 Filed 2-29-96; 8:45 am]

BILLING CODE 8025-01-P

**13 CFR Part 121**

**Small Business Size Standards; Correction**

**AGENCY:** Small Business Administration.  
**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to the final regulations that were published Wednesday, January 31, 1996, (61 FR 3280). The regulations related to size standards by standard industrial classification code and qualifications for a small business set-aside or 8(a) contract to provide manufactured products.

**EFFECTIVE DATE:** March 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** John W. Klein, Chief Counsel for Special Programs, Office of General Counsel, (202) 205-6645.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections concern policies relating to size standards by

standard industrial classification code in the table under § 121.201, and the standard for qualifying as a small business concern for a small business set-aside or 8(a) contract to provide manufactured products under § 121.406.

**Need for Correction**

As published, the final regulations contain errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication on January 31, 1996 of the final regulations that were the subject of FR Doc. 96-1348, is corrected as follows:

**§ 121.201 [Corrected]**

1. On page 3289, in the third column, under § 121.201, in the last sentence of the text preceding the table, the words "an industry" are corrected to read "a business".

2. On page 3289, in § 121.201, in the table "Size Standards by SIC Industry", in Division A, the heading is corrected to read "Division A—Agriculture, Forestry and Fishing".

3. On page 3291, in § 121.201, in the table "Size Standards by SIC Industry", in Division D, under the heading "SIC code and description", in the entry for 3731, in the 5th line, the phrase "Including Overhauls and Conversion" is corrected to read "Including Overhauls and Conversions".

4. On page 3291, in § 121.201, in the table "Size Standards by SIC Industry", in Division E, the heading is corrected to read "Division E—Transportation, Communications, Electric, Gas, and Sanitary Services".

5. On page 3291, in § 121.201, in the table "Size Standards by SIC Industry", in Division E, the entry "Major Group 41" is corrected to read "Major Group 41—Local and Suburban Transit and Interurban Highway Passenger Transportation".

6. On page 3292, in § 121.201, in the table "Size Standards by SIC Industry", in Division G, the word "Except:" is added above the entry for 5271.

7. On page 3292, in § 121.201, in the table "Size Standards by SIC Industry", in Division H, in the entry for 6021-6082, the description is corrected to read "National and Commercial Banks, Savings Institutions and Credit Unions".

8. On page 3293, in § 121.201, in the table "Size Standards by SIC Industry", in Division I, in the entry for 7218, the second column is corrected to read "\$10.5".

**§ 121.406 [Corrected]**

9. On page 3296, in the second column, in § 121.406, paragraph (b)(4),

the phrase "'class' waivers and 'individual' waivers respectively" is corrected to read "'individual' and 'class' waivers respectively".

Dated: February 26, 1996.

John T. Spotila,

*Acting Administrator.*

[FR Doc. 96-4772 Filed 2-29-96; 8:45 am]

BILLING CODE 8025-01-P

**13 CFR Part 125**

**Government Contracting Assistance; Correction**

**AGENCY:** Small Business Administration.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to the final regulations that were published Wednesday, January 31, 1996, (61 FR 3310). The regulations related to subcontracting assistance, applications for a certificate of competency, and SBA's monitoring of contractor performance.

**EFFECTIVE DATE:** March 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** John W. Klein, Chief Counsel for Special Programs, Office of General Counsel, (202) 205-6645.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections concern policies relating to subcontracting assistance in § 125.3(b), applications for a certificate of competency under § 125.5(d)(3), and SBA's monitoring of contractor performance under § 125.5(o).

**Need for Correction**

As published, the final regulations contain errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication on January 31, 1996 of the final regulations that were the subject of FR Doc. 96-1157, is corrected as follows:

**§ 125.3 [Corrected]**

1. On page 3313, in the first column, in § 125.3, in paragraph (b), the first sentence is corrected by adding after the words "subcontract offeror" the words "on a subcontract for which a small business, small disadvantaged business, and/or women-owned small business received preference" and by adding after the words "apparent successful offeror" the words "and if the successful offeror was a small business, small

disadvantaged business, or small women-owned business”.

**§ 125.5 [Corrected]**

2. On page 3314, in the second column, in § 125.5, in paragraph (d)(3), the second sentence is removed.

3. On page 3315, in the third column, in § 125.5, in paragraph (o), the word “may” is corrected to read “will”.

Dated: February 26, 1996.

John T. Spotila,

*Acting Administrator.*

[FR Doc. 96-4775 Filed 2-29-96; 8:45 am]

BILLING CODE 8025-01-P

**DEPARTMENT OF THE TREASURY**

**Customs Service**

**19 CFR Parts 10 and 113**

[T.D. 96-20]

RIN 1515-AB51

**Treatment of Reusable Shipping Devices Arriving From Canada or Mexico**

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations to allow certain foreign- or U.S.-manufactured shipping devices arriving from Canada or Mexico to be released, under specified conditions, without entry and payment of duty at the time of arrival and without the devices being serially numbered or marked, if they are always transported on or within either intermodal and similar containers which are themselves vehicles or vehicle appurtenances and accessories. As millions of these devices are used annually in hundreds of millions of transportation moves between the United States and Canada or Mexico, Customs has determined that requiring the importing and exporting communities to individually mark and track these devices places a burden on commerce that may be alleviated.

**EFFECTIVE DATE:** April 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Louis Hryniw, Regulatory Audit, (202-927-1100).

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to Chapter 98, Subchapter III, U.S. Note 3, Harmonized Tariff Schedule of the United States (HTSUS) (19 U.S.C. 1202), in order to facilitate the prompt clearance at ports of entry of

certain substantial containers and holders, the Secretary of the Treasury is authorized to permit the admission of such devices without entry and to permit any duties thereon to be paid cumulatively from time to time either before or after their importation when conditions exist which permit adequate Customs controls to be maintained.

In this connection, Customs received a petition from, and met with representatives of, the American Automobile Manufacturers Association (AAMA) concerning an amendment to § 10.41b, Customs Regulations (19 CFR 10.41b), intended to ease the burden of serially numbering and marking certain containers or holders arriving from Canada or Mexico, as otherwise generally required thereunder.

After reviewing the AAMA proposal, Customs concluded that the requirements to serially number and mark the substantial holders and containers in question could be eased under the circumstances without risking a loss of control or revenue.

Accordingly, by a document published in the Federal Register on November 1, 1994 (59 FR 54537), Customs proposed to amend § 10.41b, to allow certain foreign-made shipping devices arriving from Canada or Mexico to be released without entry and payment of applicable duty, and without the devices being serially numbered or marked, following the submission and approval of an application by the importer or his agent in this regard.

Such application had to, among other things, describe the subject shipping devices, identify the ports where they would arrive and depart the U.S., and set forth the program for accounting for and reporting the shipping devices to Customs. If the application were approved, the importer or agent would submit to Customs a periodic report for the shipping devices, which could not be less frequent than annual, using his own accounting and recordkeeping procedures to keep track of the devices. Records supporting the periodic reports of the shipping devices would have to be retained for at least 3 years from the date the reports were filed with Customs. Any duty applicable to the devices would have to be tendered cumulatively at the time specified in the approved application. Such tender could not occur more than 90 days following the end of the related reporting period.

In the event the application were to be denied by Customs at the initial stage, a right of appeal was also provided in the proposal.

Since duty under the proposal would be due on all shipping devices acquired within the period covered by the periodic report which the applicant would undertake to file, even though the devices might not have yet been used in transborder traffic, accounting for specific movements of the devices or for diversions to domestic traffic would be superfluous.

Eight comments, including one from the AAMA, were received in response to the notice of proposed rulemaking, six supporting the proposal, with one posing a number of questions regarding the bond conditions applicable under the proposed program. Another comment advocated that the proposal be expanded to allow substantial holders or outer containers formally designated as “instruments of international traffic” to be temporarily diverted, from time to time, to domestic traffic without an entry being required therefore. Customs finds that this latter comment would have to be the subject of a separate publication, inasmuch as it clearly falls outside the scope of the published notice.

A discussion of the specific issues that were raised with respect to the proposed program itself, together with Customs response thereto, is set forth below.

**Discussion of Comments**

*Comment:* The AAMA in its comment wanted the proposed regulation clarified to state explicitly that an approval by one Customs office of an importer’s application for tracking and reporting on its shipping devices would constitute an approval binding on all Customs offices nationwide. Also, it was recommended that the proposed regulation be revised to reflect the Customs Reorganization Plan, which eliminated regional and district offices.

*Response:* An approval by the Customs office with which the subject application is filed would indeed be binding on all Customs offices nationwide. Section 10.41b(b)(4) is changed by adding an express provision to this effect, and by deleting the provision therefrom indicating that approval would be limited to those Customs offices listed in the application. Likewise, § 10.41b(b)(2)(ii) is changed to make clear that only the intended ports where it is anticipated the devices will be arriving and departing the U.S. need be listed in the application. The applicant should of course endeavor to fully anticipate and list in the application all ports to be involved in the program.

Also, § 10.41b(b) is changed to reflect the Customs Reorganization Plan, by