

signer and such Personal Identification Number will constitute and become a substitute for the manual signature of the authorized signer for the purpose of making the oath or affirmation referred to in this paragraph.

* * * * *

(g) *Nonpublic treatment of reports.* (1) The following portions of Forms 1-FR filed pursuant to this section will be public: the statement of financial condition, the statement of the computation of the minimum capital requirements, the statements (to be filed by a futures commission merchant only) of segregation requirements and funds in segregation for customers trading on U.S. commodity exchanges and for customers' dealer options accounts, and the statement (to be filed by a futures commission merchant only) of secured amounts and funds held in separate accounts for foreign futures and foreign options customers in accordance with § 30.7 of this chapter. The other financial statements (including the statement of income (loss)), footnote disclosures and schedules of Form 1-FR, trade secrets and certain other commercial or financial information on such other statements and schedules will be treated as nonpublic for purposes of the Freedom of Information Act and the Government in the Sunshine Act and Parts 145 and 147 of this chapter.

(2) The following portions of copies of the Financial and Operational Combined Uniform Single Report under the Securities Exchange Act of 1934, Part II or Part IIA filed pursuant to paragraph (h) of this section, will be public: The statement of financial condition, the statement of the computation of the minimum capital requirements, the statements (to be filed by a futures commission merchant only) of segregation requirements and funds in segregation for customers trading on U.S. commodity exchanges and for customers' dealer options accounts, and the statement (to be filed by a futures commission merchant only) of secured amounts and funds held in separate accounts for foreign futures and foreign options customers in accordance with § 30.7 of this chapter. The other financial statements (including the statement of income (loss)), footnote disclosures and schedules of the Financial and Operational Combined Uniform Single Report under the Securities and Exchange Act of 1934, Part II or Part IIA, trade secrets and certain other commercial or financial information on such other statements and schedules will be treated as nonpublic for purposes of the Freedom

of Information Act and the Government in the Sunshine Act and parts 145 and 147 of this chapter.

* * * * *

PART 31—LEVERAGE TRANSACTIONS

3. The authority citation for Part 31 continues to read as follows:

Authority: 7 U.S.C. 12a and 23.

4. Section 31.13 is amended by revising paragraph (m) to read as follows:

§ 31.13 Financial reports of leverage transaction merchants.

* * * * *

(m) The following portions of Form 2-FR filed pursuant to this section will be public: The statement of financial condition, the computation of the minimum capital requirements pursuant to § 31.9, the schedule of coverage requirements and cover provided, and the schedule of segregation requirements and funds on deposit in segregation. The other financial statements (including the statement of income (loss)), footnote disclosures and schedules of Form 2-FR, trade secrets and certain other commercial or financial information on such other statements and schedules, will be treated as nonpublic for purposes of the Freedom of Information Act and the Government in the Sunshine Act and Parts 145 and 147 of this chapter. All information on such other statements, footnote disclosures and schedules will, however, be available for official use by any official or employee of the United States or any State, by any self-regulatory organization of which the person filing such report is a member, by the National Futures Association in the case of an applicant, and by any other person to whom the Commission believes disclosure of such information is in the public interest. The independent public accountant's opinion filed pursuant to this section will be deemed to be public information.

* * * * *

Issued in Washington, DC, on October 21, 1996 by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 96-27415 Filed 10-24-96; 8:45 am]

BILLING CODE 6351-01-P

DEPARTMENT OF THE TREASURY

27 CFR Parts 252 and 290

[Notice No. 842; Ref: Notice No. 835; 95R-046P]

RIN 1512-AA98 and 1512-AB03

Exportation of Alcoholic Beverages, Denatured Alcohol, Tobacco Products and Cigarette Papers and Tubes

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Advance notice of proposed rulemaking; reopening of comment period.

SUMMARY: This document reopens the comment period for Notice No. 835, an advance notice of proposed rulemaking, published in the Federal Register on August 9, 1996 concerning exportation of alcoholic beverages, denatured alcohol, tobacco products, and cigarette papers and tubes. ATF has received two requests to extend the comment period in order to provide sufficient time for all interested parties to respond to the issues raised in the notice.

DATES: Written comments must be received on or before December 9, 1996.

ADDRESSES: Send written comments to: Chief, Wine, Beer and Spirits Regulations Branch; Bureau of Alcohol, Tobacco and Firearms; P.O. Box 50221; Washington, DC 20091-0221; *ATTN: Notice No. 835.*

FOR FURTHER INFORMATION CONTACT: Marjorie D. Ruhf, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226 (202-927-8230).

SUPPLEMENTARY INFORMATION:

Background

On August 9, 1996, ATF published an advance notice of proposed rulemaking in the Federal Register soliciting comments from the public and industry on a proposal to revise and recodify the regulations pertaining to exportation of alcoholic beverages, denatured alcohol, tobacco products, and cigarette papers and tubes. (Notice No. 835; 61 FR 41500).

The comment period for Notice No. 835 was scheduled to close on October 8, 1996. Prior to the close of the comment period ATF received a request from a national trade association, the Presidents' Forum of the Beverage Alcohol Industry, to extend the comment period for sixty days. The Presidents' Forum stated that it needed additional time to address the numerous

and complex issues raised in the advance notice. A member of regulated industry, Brown and Williamson Tobacco Corporation, requested a two-week extension, saying that they discovered during the preparation of their written comments that several issues were more complicated than they originally assessed. In consideration of the above, ATF finds that a reopening of the comment period is warranted.

Disclosure

Copies of this notice, Notice No. 835, and the written comments will be available for public inspection during normal business hours at: ATF Public Reading Room, Room 6480, 650 Massachusetts Avenue, NW, Washington, DC.

Drafting Information

The author of this document is Marjorie D. Ruhf, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects

27 CFR Part 252

Aircraft, Alcohol and alcoholic beverages, Armed Forces, Authority delegations, (government agencies), Beer, Claims, Excise taxes, Exports, Fishing vessels, Foreign Trade Zones, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Vessels, Warehouses, Wine.

27 CFR Part 290

Administrative practice and procedure, Aircraft, Authority delegations (government agencies), Claims, Cigarette papers and tubes, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Penalties, Surety bonds, Vessels, Warehouses.

Authority and Issuance

This notice is issued under the authority in 26 U.S.C. 5301, 7805, and 27 U.S.C. 205.

Signed: October 18, 1996.

John W. Magaw,

Director.

[FR Doc. 96-27366 Filed 10-24-96; 8:45 am]

BILLING CODE 4810-31-P

DEPARTMENT OF LABOR

Office of the Secretary

29 CFR Part 4

RIN 1215-AA78

Service Contract Act; Labor Standards For Federal Service Contracts

AGENCY: Office of the Secretary, Labor.

ACTION: Proposed rule; notice of publication of regulatory impact analysis; request for comments.

SUMMARY: By notice of proposed rulemaking published in the Federal Register on May 2, 1996 (61 FR 19770), the Department of Labor (DOL or the Department) proposed alternative approaches for procedures to establish minimum health and welfare benefits requirements in the regulations issued under the McNamara-O'Hara Service Contract Act (SCA). As was explained in the proposed rule, it was not feasible to publish a regulatory impact analysis for comment with the proposed rule due to judicially imposed time constraints.

In the meantime, the Department has developed data on the occupational mix of service contract employees in order to provide a basis for the impact analysis and to aid in the selection of the most appropriate methodology. The analysis has been completed and is now being published for comment. Comments may also be submitted on the various alternatives set forth previously for comment. Comments on this document will be reviewed together with comments submitted on the May 2, 1996 proposed rule prior to promulgation of a final rule.

DATES: Comments are due on or before November 25, 1996.

ADDRESSES: Submit written comments to Maria Echaveste, Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210. Commenters who wish to receive notification of receipt of comments are requested to include a self-addressed, stamped post card, or to submit them by certified mail, return receipt requested. As a convenience to commenters, comments may be transmitted by facsimile ("FAX") machine to (202) 219-5122 (this is not a toll-free number). If transmitted by facsimile and a hard copy is also submitted by mail, please indicate on the hard copy that it is a duplicate copy of the facsimile transmission.

FOR FURTHER INFORMATION CONTACT: William Gross, Director, Division of

Wage Determinations, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S-3506, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 219-8353. This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

Survey of Occupational Employment Covered by the McNamara-O'Hara Service Contract Act; Health and Welfare Benefit Level Impact Analysis

Survey Description and Findings

Background

The McNamara-O'Hara Service Contract Act of 1965 (SCA) requires that contracts over \$2,500 (if the predecessor contract was not subject to a collective bargaining agreement) contain wage determinations issued by DOL that specify the minimum monetary wages and fringe benefits that must be paid to the various classes of workers who perform work on the service contract, based upon rates determined by DOL to be prevailing in the locality where the work is to be performed. However, because fringe benefit data are not generally available on an occupation-specific or locality basis, DOL has issued fringe benefit determinations for health and welfare based on nationwide data ever since SCA was enacted.

Following a challenge by the Service Employees International Union (SEIU) to the methodology utilized by DOL to determine health and welfare benefits, the DOL's Board of Service Contract Appeals remanded the matter to the Wage and Hour Division to consider alternative methodologies for implementing the statutory objectives. Accordingly, the Administrator of the Wage and Hour Division, by Notice published in the Federal Register on May 2, 1996 (61 FR 19770), proposed for public comment various alternative methodologies.

In the meantime, the Department has developed data to determine the occupational mix of service employees engaged in the performance of SCA-covered contracts. Based on data collected by the Federal Procurement Data System for Fiscal Year 1994, the Department has conducted a survey to obtain specific information on service contract employment by occupation within SIC industry classifications. The information collected provides a basis for the following estimates of the economic impact of the various proposed alternatives.

In an action filed by the SEIU in the U.S. District Court for the District of Columbia, the court has set a deadline