

The Regulatory Flexibility Act and Executive Order 12866

Pursuant to the provisions of 5 U.S.C. 553 (a), public notice is inapplicable to this interim rule because it is within the foreign affairs function of the United States. Also, for the above reason, there is no need for a delayed effective date under 5 U.S.C. 553(d). No regulatory flexibility analysis is required for this rule since neither 5 U.S.C. 553 nor any other provision of law requires publication of a general notice of proposed rulemaking with respect to this rule. Because no notice of proposed rulemaking is required for interim regulations, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply; and because this document involves a foreign affairs function of the United States and implements an international agreement, it is not subject to the provisions of E.O. 12866.

List of Subjects in 15 CFR Part 2014

Export certificates, Imports, Lamb meat, Tariff-rate quotas.

For the reasons set out in the "Supplementary Information" section of this notice, 15 CFR is amended by adding the following new part 2014 to read as follows:

PART 2014—IMPLEMENTATION OF TARIFF-RATE QUOTA FOR IMPORTS OF LAMB MEAT

- Sec.
2014.1 Purpose.
2014.2 Definitions.
2014.3 Export certificates.

Authority: Proclamation Numbers 7208 and 7214; 19 U.S.C. 2253 (g)

§ 2014.1 Purpose.

The purpose of this part is to provide for the implementation of the tariff-rate quota for imports of lamb meat established in Proclamation 7208 (64 FR 37397) (July 9, 1999) and modified in Proclamation 7214 (64 FR 42265) (Aug. 4, 1999). In particular, this part provides for the administration of export certificates where a country that has an allocation of the in-quota quantity under the tariff-rate quota has chosen to use export certificates.

§ 2014.2 Definitions.

Unless the context otherwise requires, for the purpose of this subpart, the following terms shall have the meanings assigned below.

(a) *Lamb meat* means fresh, chilled, or frozen lamb meat, provided for in subheadings 0204.10.00, 0204.22.20, 0204.23.20, 0204.30.00, 0204.42.20, and 0204.43.20 of the HTS.

(b) *In-quota lamb meat* means lamb meat that is entered under the in-quota rate of duty.

(c) *Participating country* means any country to which an allocation of a particular quantity of lamb meat has been assigned under Proclamation 7208 that USTR has determined is, and has notified to the United States Customs Service as being, eligible to use export certificates.

(d) *Enter or Entered* means to enter or withdraw from warehouse for consumption.

(e) *HTS* means the Harmonized Tariff Schedule of the United States.

(f) *USTR* means the United States Trade Representative or the designee of the United States Trade Representative.

§ 2014.3 Export certificates.

(a) In-quota lamb meat may only be entered as a product of a participating country if the United States importer makes a declaration to the United States Customs Service, in the form and manner determined by the United States Customs Service, that a valid export certificate is in effect with respect to that lamb meat product.

(b) To be valid, an export certificate shall:

(1) Be issued by or under the supervision of the government of the participating country;

(2) Specify the name of the exporter, the product description and quantity, and the calendar year for which the export certificate is in effect;

(3) Be distinct and uniquely identifiable; and

(4) Be used in the calendar year for which it is in effect.

Robert T. Novick,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 99-27426 Filed 10-18-99; 8:45 am]

BILLING CODE 3190-01-P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 232, 239, 249, 259, 269 and 274

[Release Nos. 33-7752; 34-41986; 35-27081; 39-2376; IC-24075]

RIN 3235-AG96

Adoption of Updated EDGAR Filer Manual

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Commission is adopting an updated edition of the EDGAR Filer

Manual and is providing for its incorporation by reference into the Code of Federal Regulations. The Commission is also amending Form ID, the Uniform Application for Access Codes to File on EDGAR.

EFFECTIVE DATE: October 18, 1999. The new edition of the EDGAR Filer Manual (Release 6.6) will be effective on October 18, 1999. The incorporation by reference of the EDGAR Filer Manual is approved by the Director of the Federal Register as of October 18, 1999.

FOR FURTHER INFORMATION CONTACT: In the Office of Information Technology, Michael E. Bartell at (202) 942-8800; for questions concerning investment company filings, Ruth Armfield Sanders, Senior Special Counsel, Division of Investment Management, at (202) 942-0978; and for questions concerning Corporation Finance company filings, Herbert Scholl at (202) 942-2930.

SUPPLEMENTARY INFORMATION: Today we are adopting an updated EDGAR Filer Manual ("Filer Manual"), which describes the technical formatting requirements for the preparation and submission of electronic filings through the Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system.¹ Filers must comply with the provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.² Filers should consult the Filer Manual in conjunction with our rules governing mandated electronic filing when preparing documents for electronic submission.³

The purpose of this new version of EDGAR and the Filer Manual (Release 6.6) is to incorporate changes resulting

¹ We originally adopted the Filer Manual on April 1, 1993, with an effective date of April 26, 1993. Release No. 33-6986 (Apr. 1, 1993) [58 FR 18638]. We implemented the most recent update to the Filer Manual on June 28, 1999. See Release No. 33-7685 (May 17, 1999) [64 FR 27897].

² See Rule 301 of Regulation S-T (17 CFR 232.301).

³ See Release Nos. 33-6977 (Feb. 23, 1993) [58 FR 14628], IC-19284 (Feb. 23, 1993) [58 FR 14848], 35-25746 (Feb. 23, 1993) [58 FR 14999], and 33-6980 (Feb. 23, 1993) [58 FR 15009] in which we comprehensively discuss the rules we adopted to govern mandated electronic filing. See also Release No. 33-7122 (Dec. 19, 1994) [59 FR 67752], in which we made the EDGAR rules final and applicable to all domestic registrants; Release No. 33-7427 (July 1, 1997) [62 FR 36450], in which we adopted minor amendments to the EDGAR rules; Release No. 33-7472 (Oct. 24, 1997) [62 FR 58647], in which we announced that, as of January 1, 1998, we would not accept in paper filings that we require filers to submit electronically; Release No. 34-40935 (Jan. 12, 1999) [64 FR 2843], in which we made mandatory the electronic filing of Form 13F; and Release No. 33-7684 (May 17, 1999) [64 FR 27888], in which we adopted amendments to implement the first stage of EDGAR modernization.

from the decision by CompuServe, a sub-contractor to TRW the developer of the EDGAR system, to discontinue its EDGAR services as of October 16, 1999. The changes in the Filer Manual are due to the change in the sub-contractor for the public data network for transmission of filings to EDGAR, private mailboxes for receiving EDGAR acceptance/suspension messages, and electronic return copies of filings. The EDGAR bulletin board and the EDGAR company database will no longer be available, but filers may obtain similar information from our Web Site at www.sec.gov and the TRW/UUNET Web Site at www.trw-edgar.com.

Filers who chose to use the TRW/UUNET services may sign up using the Web Site at www.trw-edgar.com by filling out a questionnaire. TRW/UUNET will send new account information and a password. Filers who cannot access the web site can call 703-345-8900 for sign up information. The basic TRW/UUNET service will include five hours of access and a mailbox for messages. There will be additional charges for larger mailboxes and connect time over the basic limit. Those filers who want to use the public data network for transmission to EDGAR, who want a private system (instead of the Internet) for receipt of acceptance/suspense messages, or who want an electronic returned copy of their filings must sign up for this service. To access their new mailboxes, filers must use a standard POP3 mail client. Netscape Communicator, Microsoft Internet Explorer and several other Internet packages provide these clients. The www.trw-edgar.com Web Site contains additional information.

We will install the new EDGAR private mail service on Saturday, October 16, 1999. We will begin delivering messages and return copies to the new mailboxes on Monday, October 18, 1999. We will also make the new public data network available for transmissions on Monday, October 18, 1999.

Due to the switch in private mail service, we are making several changes to the EDGAR system that deal with notification and the naming of certain tags. EDGAR will no longer support numeric private mail addresses (e.g., 75200,1024). The format for EDGAR private mail user IDs is 8 to 12 upper case alphabetical and numeric characters with an optional dash (-). We have renamed the tag <COMPUSERVE-ID>; the new name is <PRIVATE-MAIL-

ID>. We have revised the Filer Manual to reflect the changes described.⁴

We have revised Form ID,⁵ the Uniform Application for Access Codes to File on EDGAR, to reflect the change in the EDGAR private mail service. We have also included an additional line in the Form ID for an optional Internet e-mail address.

We are amending Rule 301 of Regulation S-T to provide for the incorporation by reference of the Filer Manual into the Code of Federal Regulations, which incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The revised Filer Manual and the amendments to Rule 301 and to Form ID will be effective on October 18, 1999.

You may obtain paper copies of the updated Filer Manual at the following address: Public Reference Room, U.S. Securities and Exchange Commission, 450 Fifth Street, NW, Washington DC 20549-0102. We will post electronic format copies on the SEC's Web Site. The SEC's Web Site address for the Filer Manual is <http://www.sec.gov/asec/ofis/filerman.htm>. You may also obtain copies from Disclosure Incorporated, the paper and microfiche contractor for the Commission, at (800) 638-8241.

Since the Filer Manual (including Form ID) relates solely to agency procedures or practice, publication for notice and comment is not required under the Administrative Procedure Act (APA).⁶ It follows that the requirements of the Regulatory Flexibility Act⁷ do not apply.

The effective date for the updated Filer Manual and the rule and form amendments is October 18, 1999. In accordance the APA,⁸ we find that there is good cause to establish an effective date less than 30 days after publication of these rules and forms. The changes in the Filer Manual are due to the change in the sub-contractor for the public data network for transmission of filings to EDGAR, private mailboxes for receiving EDGAR acceptance/suspension messages, and electronic return copies of filings. If the changes do not become effective by October 18, it is likely that the ability of EDGAR users to make filings and send messages would be disrupted. This in turn could disrupt

⁴ In addition, we have revised Appendix C of the Filer Manual to update the pages entitled, "Examples of Document Header Tag Values for Investment Company Exhibits," and we have added examples of header tags for Form N-SAR exhibits.

⁵ 17 CFR 239.63, 249.446, 259.602, 269.7 and 274.402.

⁶ 5 U.S.C. 553(b).

⁷ 5 U.S.C. 601-612.

⁸ 5 U.S.C. 553(d)(3).

securities offerings or the filing of timely public disclosures. In addition, we find there is good cause for the changes to the Form ID becoming effective in less than 30 days after publication because of the minor and technical nature of those changes.

Statutory Basis

We are adopting the amendments to Regulation S-T and Form ID under Sections 6, 7, 8, 10, and 19(a) of the Securities Act,⁹ Sections 3, 12, 13, 14, 15, 23, and 35A of the Securities Exchange Act of 1934,¹⁰ Section 20 of the Public Utility Holding Company Act of 1935,¹¹ Section 319 of the Trust Indenture Act of 1939,¹² and Sections 8, 30, 31, and 38 of the Investment Company Act.¹³

List of Subjects

17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

17 CFR Parts 239, 249, 259, 269 and 274

Reporting and recordkeeping requirements, Securities.

Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

PART 232—REGULATION S-T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

1. The authority citation for part 232 continues to read as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77sss(a), 78c(b), 78l, 78m, 78n, 78o(d), 78w(a), 78ll(d), 79t(a), 80a-8, 80a-29, 80a-30 and 80a-37.

2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets out the technical formatting requirements for electronic submissions. The October 1999 edition of the *EDGAR Filer Manual: Guide for Electronic Filing with the U.S. Securities and Exchange Commission (Release 6.6)* is incorporated by reference into the Code of Federal Regulations, which action

⁹ 15 U.S.C. 77f, 77g, 77h, 77j and 77s(a).

¹⁰ 15 U.S.C. 78c, 78l, 78m, 78n, 78o, 78w and 78ll.

¹¹ 15 U.S.C. 79t.

¹² 15 U.S.C. 77sss.

¹³ 15 U.S.C. 80a-8, 80a-29, 80a-30 and 80a-37.

was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. You can obtain paper copies of the EDGAR Filer Manual from the following address: Public Reference Room, U.S. Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0102 or by calling Disclosure Incorporated at (800) 638-8241. Electronic format copies are available on the SEC's Web Site. The SEC's Web Site address for the Manual is <http://www.sec.gov/asec/ofis/filerman.htm>. Information on becoming an EDGAR e-mail/electronic bulletin board subscriber is available by contacting TRW/UUNET at (703) 345-8900 or at www.trw-edgar.com.

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

3. The authority citation for Part 239 continues to read in part as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

4. The authority citation for Part 249 continues to read in part as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

PART 259—FORMS PRESCRIBED UNDER THE PUBLIC UTILITY HOLDING ACT OF 1935

5. The authority citation for Part 259 continues to read in part as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

PART 269—FORMS PRESCRIBED UNDER THE TRUST INDENTURE ACT OF 1939

6. The authority citation for Part 269 continues to read in part as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

7. The authority citation for Part 274 continues to read in part as follows:

Authority: 15 U.S.C. 77ddd(c), 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77sss, 78ll(d), unless otherwise noted.

8. By revising Form ID (referenced in §§ 239.63, 249.446, 259.602, 269.7 and 274.402 of this chapter) to read as follows:

Note—The text of Form ID does not appear in the Code of Federal Regulations.

OMB APPROVAL

OMB Number: 325-0328

Expires: May 31, 2001

Estimated average burden hours per response: 0.15

United States Securities and Exchange Commission, Washington, DC 20549

Applicant's CIK (if known)

Form ID—Uniform Application for Access Codes To File on Edgar

Initial application Amendment

Part I—Application for Access Codes To File on Edgar

Name of applicant (registrant's name as specified in its charter; individual's name for signature purposes; company or individual name of filing agent or training agent).

Former name (if changed since last application)

Mailing address or post office box no.:

City State Zip

Telephone number: ()

E-Mail Address:

Applicant is a (see definitions in the General Instructions):

Filer Filing agent Training agent

Initial application for EDGAR access codes.

Amended application for (see definitions in the General Instructions):

CCC Password PMAC

Amended application to change reported information only (access codes to remain the same)

Part II—Filer Information (to be completed by filers only)

If you currently file with the SEC, check this box and provide at least one of your SEC file numbers, if known:

1933 Act No.

2-____

33-____

333-____

1934 Act No.

0-____

1-____

28-____

1935 Act No.

70-____

69-____

1940 Act No.

811-____

814-____

Other No.

__-__

__-__

Registrant's tax number or federal identification number

Telephone number (include area code)

Primary business address or post office box no. (if different from mailing address)

City State Zip

State of incorporation/organization

Fiscal year end (mm/dd)

Part III—Contact Information (to be completed by all applicants)

Person to receive EDGAR information, inquiries and access codes

Telephone number (include area code): ()

Mailing address or post office box no. (if different from applicant's mailing address)

City State Zip

E-Mail Address:

If you are an EDGAR Private Mail subscriber, provide your User ID:

Part IV—Account Information (to be completed by filers and filing agents only)

Person to receive SEC account information and billing invoices

Telephone number (include area code) ()

Mailing address or post office box no. (if different from applicant's mailing address)

City State Zip

Part V—Signature (to be completed by all applicants)

Signature: Type or print name:

Position or title: Date:

Section 19 of the Securities Act of 1933 (15 U.S.C. 77s), sections 13(a) and 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a) and 78w), section 319 of the Trust Indenture Act of 1939 (15 U.S.C. 77sss), section 20 of the Public Utility Holding Company Act of 1935 (15 U.S.C. 79t) and sections 30 and 38 of the Investment Company Act of 1940 (15 U.S.C. 80a-29 and 30a-37) authorize solicitation of this information. We will use this information to assign system identification to filers, filing agents, and training agents. This will allow the Commission to identify persons sending electronic submissions and grant secure access to the EDGAR system.

SEC (x/xx) Persons who potentially are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

Form ID—General Instructions

Using and Preparing Form ID

Use Form ID to apply for or to amend the following EDGAR codes:

Central Index Key (CIK)—The CIK uniquely identifies each filer, filing agent, and training agent. We assign the CIK at the time you make an initial application. You may not change this code

CIK Confirmation Code (CCC)—You will use the CCC in the header of your filings in conjunction with your CIK to ensure that you authorized the filing

Password (PW)—The PW allows you to log onto the EDGAR system, submit filings, and change your CCC

Password Modification Authorization Code (PMAC)—The PMAC allows you to change your password

Please see the EDGAR Filer Manual for instructions on how to file electronically, including how to use the access codes

You must complete all items in any parts which apply to you. If any item in any part does not apply to you, please mark that part "NA." If your form is incomplete, it may take us longer to assign your access codes

Part I—Applicant Information (to be completed by all applicants)

Please check the appropriate box to indicate whether you will be sending electronic submissions as a filer, filing agent, or training agent. Mark only one of these boxes per application. A "filer" is any person or entity on whose behalf an electronic filing is made. A "filing agent" is a financial printer, law firm, or other party which will be using these access codes to send a filing or portion of a filing on behalf of a filer. A "training agent" is any person or entity which will be sending only test filings in conjunction with training other persons.

If you do not already have access codes, please mark the "Initial application" box, and complete all other items in Parts II through V that apply to you.

If you already have access codes, please provide your CIK in the upper left corner, and mark the boxes to indicate the reason you are filing the amendment and any access codes you want to replace. You also should complete Part V (signature) and those items in Parts II through IV which have changed from the previous application. You may change your access codes (except your PMAC) and most other information on Form ID electronically via EDGAR. See the EDGAR Filer Manual for details.

Part II—Filer Information (to be completed by filers only)

The registrant's tax or federal identification number is the number issued by the Internal Revenue Service. Foreign private issuers should include all zeroes if they do not have a tax or federal identification number. (We do not require this number for individuals.)

We do not require state of incorporation/organization or fiscal year end for individuals. We request that foreign private issuers include their country of organization.

Part III—Contact Information (to be completed by all applicants)

In this section, identify the individual who should receive the access codes and EDGAR-related information.

If you are or become an EDGAR Private Mail subscriber, you can receive acceptance and suspension messages and any requested return copies of your filings via electronic mail at your expense. If you do not subscribe to EDGAR Private Mail, you can receive your acceptance and suspension messages via Internet E-Mail if you provide an address. We will not send return copies of filings to an Internet address.

Part IV—Account Information (to be completed by filers and filing agents only)

Identify in this section the individual who should receive account information and/or billing invoices from us. We will use this information to electronically process fee payments and billings.

Part V—Signature (to be completed by all applicants)

Send your manually signed and dated form to: Branch of Filer Support, U.S. Securities and Exchange Commission, Operations Center, Stop 0-7, 6432 General Green Way, Alexandria, VA 22312.

Dated: October 7, 1999.

By the Commission.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 99-26985 Filed 10-19-99; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 24, 159 and 174

[T.D. 99-75]

RIN 1515-AB76

Interest on Underpayments and Overpayments of Customs Duties, Taxes, Fees and Interest

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Interim rule.

SUMMARY: This document conforms the Customs Regulations to existing statutory provisions and judicial precedent regarding the assessment of interest due to underpayments or overpayments to Customs of duties, taxes and fees pertaining to imported merchandise, including interest thereon. The majority of the conforming changes reflect the terms of section 505 of the Tariff Act of 1930 (19 U.S.C. 1505), as amended by section 642(a) within the

Customs Modernization provisions of the North American Free Trade Agreement Implementation Act. Under that statute, interest accrues initially from the date the duties, taxes, fees and interest are deposited with Customs in the case of overpayments, or are required to be deposited with Customs in the case of underpayments, but in either case not beyond the date of liquidation or reliquidation of the applicable entry or reconciliation. Also under the statute and applicable judicial precedent, all bills issued by Customs for underpayments of duties, taxes, fees and interest are due within 15 or 30 days of issuance. In addition, the document conforms the Customs Regulations to other changes to 19 U.S.C. 1505 and to section 321 of the Tariff Act of 1930 (19 U.S.C. 1321) regarding interest that were made by sections 2(a) and 3(a)(12) of the Miscellaneous Trade and Technical Corrections Act of 1996.

DATES: Interim rule effective October 20, 1999. Comments must be received on or before December 20, 1999.

ADDRESSES: Written comments (preferably in triplicate) may be addressed to the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20229. Comments submitted may be inspected at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service 1300 Pennsylvania Avenue, N.W., 3rd Floor, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Robert Reiley, Financial Management Division (202-927-1504).

SUPPLEMENTARY INFORMATION:

Background

Present Regulatory Provisions

The regulatory provisions amended by this document are as follows:

Section 24.1 of the Customs Regulations (19 CFR 24.1) sets forth general procedures governing the collection of "Customs duties, taxes, and other charges," including the permissible methods of payment.

Section 24.3 of the Customs Regulations (19 CFR 24.3) sets forth general provisions regarding the rendering and payment of bills or accounts for money due the United States and the issuance of receipts therefor. Paragraph (e) of that section provides that (1) a bill for increased or additional duties determined to be due upon a liquidation or reliquidation is due 15 days from the date of such liquidation or reliquidation and (2) all other bills are due and payable upon the bill date appearing on the bill.