

indexed principal feature before DTC will process the transaction.<sup>5</sup>

Because the value of MMI securities with an indexed principal feature may change dramatically in a short period of time, DTC participants desire to have a mechanism by which they can determine whether a particular MMI issue has this feature before accepting a delivery. DTC determined that it could provide its participants the service they desired by processing these securities types through DTC's existing RAD facility and by revising its CUSIP descriptions to include a unique identifier that will indicate whether a particular issue has an indexed principal feature. In this way, DTC participants immediately will be able to tell from an issue's special CUSIP identifier that it has an index principal feature and then take appropriate action to affirmatively authorize or reject the delivery of the securities. These procedures should reduce the likelihood that a DTC participant inadvertently will complete a purchase transaction involving this type of security without full knowledge of its indexed principal feature.

## II. Discussion

Section 17A(b)(3)(F)<sup>6</sup> of the Act requires that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions. The Commission believes that DTC's proposed rule change is consistent with DTC's obligations under the Act before the new procedures will give DTC participants better information as to whether a particular issue of securities has an indexed principal feature. This should help DTC participants to avoid inadvertently completing a purchase transaction in a securities issue having an indexed principal feature when such a purchase is not intended.

## III. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b) (2) of the Act, that the proposed rule change (File No. SR-DTC-95-15) be, and hereby is, approved.

<sup>5</sup> Although these transactions will be directed to DTC's existing RAD facility, such transactions will be subject to a separate approval and reporting process.

<sup>6</sup> 15 U.S.C. § 78q-1 (b) (3) (F) (1988).

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96-3042 Filed 2-9-96; 8:45 am]

BILLING CODE 8010-01-M

## SMALL BUSINESS ADMINISTRATION

[License No. 05/05-0223]

### ABN Capital (USA) Inc.; Notice of Issuance of a Small Business Investment Company License

On Friday, October 27, 1995, a notice was published in the Federal Register (Vol. 60, No. 208, FR 55076) stating that an application had been filed by ABN AMRO Capital (USA) Inc., at 135 South LaSalle Street, Chicago, IL 60674, with the Small Business Administration (SBA) pursuant to Section 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1995)) for a license to operate as a small business investment company.

Interested parties were given until close of business Monday, November 13, 1995 to submit their comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, SBA issued License No. 05/05-0223 on January 31, 1996, to ABN AMRO Capital Inc. to operate as a small business investment company.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 5, 1996.

Don A. Christensen,

*Associate Administrator for Investment.*

[FR Doc. 96-2934 Filed 2-9-96; 8:45 am]

BILLING CODE 8025-01-P

## SOCIAL SECURITY ADMINISTRATION

### Published Social Security Acquiescence Rulings

**AGENCY:** Social Security Administration.

**ACTION:** Notice of Published Social Security Acquiescence Rulings.

**SUMMARY:** Social Security Acquiescence Rulings (ARs) explain the manner in which the Social Security Administration (SSA) applies holdings of the United States Courts of Appeals that conflict with SSA's interpretation of a provision of the Social Security Act

(the Act) or regulations when adjudicating claims under title II and title XVI of the Act and part B of the Black Lung Benefits Act. This notice lists ARs and rescissions of ARs that were published in the Federal Register from January 11, 1990, through December 31, 1995. In addition, we have included Federal Register references for three prior notices of cumulative listings of ARs. The purpose of this notice is to assist individuals in finding ARs.

#### FOR FURTHER INFORMATION CONTACT:

Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1695.

**SUPPLEMENTARY INFORMATION:** Even though we are not required to do so pursuant to 5 U.S.C. 552(a)(1) and (a)(2), SSA's regulations were amended on January 11, 1990, to provide that ARs are to be published in their entirety in the Federal Register under authority of the Commissioner of Social Security (20 CFR 422.406(b)(2)). An AR explains how SSA will apply a holding of a United States Court of Appeals that is at variance with SSA's interpretation of the Act or regulations in adjudicating claims under title II and title XVI of the Act and part B of the Black Lung Benefits Act.

Although regulations and ARs are published in the Federal Register, only the regulations are subsequently published in the Code of Federal Regulations (CFR). The CFR is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. Consequently, the CFR may not state the circuitwide standard in effect when we have determined that the holding in a decision of a United States Court of Appeals is at variance with our national interpretation. Therefore, we are publishing this listing to assist individuals who need to reference ARs in effect as a result of holdings of the United States Courts of Appeals.

If an AR is later rescinded as obsolete, we will publish a notice in the Federal Register to that effect, as provided for in 20 CFR 404.985(e), 410.670c(e), or 416.1485(e). If we decide to relitigate an issue covered by an AR, as provided for by 20 CFR 404.985(c), 410.670c(c), or 416.1485(c), we will publish a notice in the Federal Register stating that we will apply our interpretation and not the standard expressed in the AR, and explain why we have decided to relitigate the issue. In either of these situations, we will include the

information in notices of published ARs such as this one.

This notice contains a listing of all ARs published under the requirements of 20 CFR 422.406(b)(2) during the period January 11, 1990, through December 31, 1995. The listing includes the AR number, title, publication date and the Federal Register reference number. This notice also lists ARs which were rescinded during this period. We anticipate publishing a notice each year that will list similar information.

(Catalog of Federal Domestic Assistance Programs Nos. 96.001 Social Security-Disability Insurance; 96.002 Social Security-Retirement Insurance; 96.004 Social Security-Survivors Insurance; 96.005 Special Benefits for Disabled Coal Miners; 96.006 Supplemental Security Income.)

Dated: February 6, 1996.

Walter H. Burton, Jr.

*Social Security Administration*

#### Published Social Security Acquiescence Rulings

Published cumulative lists of ARs relating to claims under title II and title XVI of the Social Security Act and part B of the Black Lung Benefits Act were issued for ARs published prior to January 11, 1990.

1. The first notice announcing 14 ARs, issued during the period from January 23, 1986, through April 30, 1986, was published in the Federal Register on June 4, 1986 (51 FR 20354).

2. A second notice announcing 12 additional ARs, issued during the period from May 20, 1986, through March 31, 1987, was published in the Federal Register on August 7, 1987 (52 FR 29941).

3. A third notice announcing 11 more ARs, issued during the period from May 1, 1987, through November 14, 1988, the withdrawal of one AR which was issued earlier, and the withdrawal of one of the ARs issued during this period was published in the Federal Register on July 10, 1990 (55 FR 28302).

This notice lists ARs published in the Federal Register including the period from January 11, 1990, through December 31, 1995. It includes three ARs which were issued earlier, rescinded and replaced by revised ARs under their original AR number. It also includes the outright rescission of five ARs issued during this period, and the outright rescission of 12 ARs issued earlier. One AR published during this period was revised. Two ARs published during this period required correction. The correction notices are also discussed in this notice. (The parenthetical number that follows each

AR number refers to the United States judicial circuit involved.)

#### Acquiescence Rulings

AR 86-2R(2) *Rosenberg v. Richardson*, 538 F.2d 487 (2d Cir. 1976); *Capitano v. Secretary of HHS*, 732 F.2d 1066 (2d Cir. 1984)—Entitlement of a Deemed Widow When a Legal Widow is Entitled on the Same Earnings Record—Title II of the Social Security Act.

*Published:* June 25, 1992, at 57 FR 28527.

Note: The original AR for the Second Circuit Court of Appeals' holding in *Rosenberg* and *Capitano* (AR 86-2(2)), issued January 23, 1986, was rescinded and replaced by this revised AR.

AR 86-18R(5) *Woodson v. Schweiker*, 656 F.2d 1169 (5th Cir. 1981)—Interpretation of the Deemed Marriage Provision—Title II of the Social Security Act.

*Published:* June 25, 1992, at 57 FR 28529 as AR 860918R(5).

Note: The original AR for the Fifth Circuit Court of Appeals' holding in *Woodson* (AR 86-18(5)), issued May 22, 1986, was rescinded and replaced by this revised AR.

AR 86-19R(11) *Woodson v. Schweiker*, 656 F.2d 1169 (5th Cir. 1981)—Interpretation of the Deemed Marriage Provision—Title II of the Social Security Act.

*Published:* June 25, 1992, at 57 FR 28524.

Note: The original AR applicable in the Eleventh Circuit for the Fifth Circuit Court of Appeals' holding in *Woodson* (AR 86-19(11)), issued May 22, 1986, was rescinded and replaced by this revised AR.

AR 90-1(9) *Paxton v. Secretary of Health and Human Services*, 856 F.2d 1352 (9th Cir. 1988)—Treatment of a Dependent's Portion of an Augmented Veterans Benefit Paid Directly To a Veteran—Title XVI of the Social Security Act.

*Published:* July 16, 1990, at 55 FR 28946. Rescinded—See section on Rescissions in this notice.

AR 90-2(2) *Ruppert v. Bowen*, 871 F.2d 1172 (2d Cir. 1989)—Evaluation of a Rental Subsidy as In-Kind Income for Supplemental Security Income (SSI) Benefit Calculation Purposes—Title XVI of the Social Security Act.

*Published:* July 16, 1990, at 55 FR 28947.

AR 90-3(4) *Smith v. Bowen*, 837 F.2d 635 (4th Cir. 1987)—Use of Vocational Expert or Other Vocational Specialist in Determining Whether a Claimant Can Perform Past Relevant Work—Titles II and XVI of the Social Security Act.

*Published:* July 16, 1990, at 55 FR 28949.

AR 90-4(4) *Culbertson v. Secretary of Health and Human Services*, 859 F.2d 319 (4th Cir. 1988); *Young v. Bowen*, 858 F.2d 951 (4th Cir. 1988)—Waiver of Administrative Finality in Proceedings Involving Unrepresented Claimants Who Lack the Mental Competence to Request Administrative Review—Titles II and XVI of the Social Security Act.

*Published:* July 16, 1990, at 55 FR 28943.

AR 90-5(2) *Kier v. Sullivan*, 888 F.2d 244 (2d Cir. 1989), *reh'g denied*, January 22, 1990—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Published:* September 18, 1990, at 55 FR 38400. Rescinded—See section on Rescissions in this notice.

AR 90-6(1) *Cassas v. Secretary of Health and Human Services*, 893 F.2d 454 (1st Cir. 1990), *reh'g denied*, April 9, 1990—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Published:* September 18, 1990, at 55 FR 38398. Rescinded—See section on Rescissions in this notice.

AR 90-7(9) *Ruff v. Sullivan*, 907 F.2d 915 (9th Cir. 1990)—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Published:* September 18, 1990, at 55 FR 38402. Rescinded—See section on Rescissions in this notice.

AR 91-1(5) *Lidy v. Sullivan*, 911 F.2d 1075 (5th Cir. 1990)—Right to Subpoena an Examining Physician for Cross-examination Purposes—Titles II and XVI of the Social Security Act.

*Published:* December 31, 1991, at 56 FR 67625 as AR 91-X(5).

*Correction Notice Published:* May 1, 1992, at 57 FR 18899—AR number changed to 91-1(5).

AR 92-1(3) *Mazza v. Secretary of Health and Human Services*, 903 F.2d 953 (3d Cir. 1990)—Order of Effectuation in Concurrent Application Cases (Title II/Title XVI).

*Published:* January 10, 1992, at 57 FR 1190 as AR 91-X(3).

*Correction Notice Published:* May 1, 1992, at 57 FR 18899—AR number changed to 92-1(3).

AR 92-2(6) *Difford v. Secretary of Health and Human Services*, 910 F.2d 1316 (6th Cir. 1990), *reh'g denied*, February 7, 1991—Scope of Review on Appeal in a Medical Cessation of Disability Case—Title II of the Social Security Act.

*Published:* March 17, 1992, at 57 FR 9262.

AR 92-3(4) *Branham v. Heckler*, 775 F.2d 1271 (4th Cir. 1985); *Flowers v. U.S. Department of Health and Human Services*, 904 F.2d 211 (4th Cir. 1990)—What Constitutes a Significant Work-Related Limitation of Function.  
*Published:* March 10, 1992, at 57 FR 8463.

AR 92-4(11) *Bloodsworth v. Heckler*, 703 F.2d 1233 (11th Cir. 1983)—Judicial Review of an Appeals Council Dismissal of a Request for Review of an Administrative Law Judge (ALJ) Decision.  
*Published:* April 8, 1992, at 57 FR 11961.

AR 92-5(9) *Quinlivan v. Sullivan*, 916 F.2d 524 (9th Cir. 1990)—Meaning of the Term "Against Equity and Good Conscience" in the Rules for Waiver of Recovery of an Overpayment—Titles II and XVI of the Social Security Act; Title IV of the Federal Mine Safety and Health Act of 1977.

*Published:* June 22, 1992, at 57 FR 27783.

AR 92-6(10) *Walker v. Secretary of Health and Human Services*, 943 F.2d 1257 (10th Cir. 1991)—Entitlement to Trial Work Period Before Approval of an Award for Benefits and Before 12 Months Have Elapsed Since Onset of Disability—Titles II and XVI of the Social Security Act.

*Published:* September 17, 1992, at 57 FR 43007.

AR 92-7(9) *Gonzalez v. Sullivan*, 914 F.2d 1197 (9th Cir. 1990)—Effect of Initial Determination Notice Language on the Application of Administrative Finality—Titles II and XVI of the Social Security Act.

*Published:* September 30, 1992, at 57 FR 45061.

AR 93-1(4) *Branham v. Heckler*, 775 F.2d 1271 (4th Cir. 1985); *Flowers v. U.S. Department of Health and Human Services*, 904 F.2d 211 (4th Cir. 1990)—What Constitutes a Significant Work-Related Limitation of Function.

*Published:* April 29, 1993, at 58 FR 25996.

Note: The original AR for the Fourth Circuit Court of Appeals' holding in *Branham* and *Flowers* (AR 92-3(4)), issued March 10, 1992, was revised to reflect a regulatory change regarding the IQ Listing range. There were no other substantive changes to this AR.

AR 93-2(2) *Conley v. Bowen*, 859 F.2d 261 (2d Cir. 1988)—Determination of Whether an Individual With a Disabling Impairment Has Engaged in Substantial Gainful Activity Following a Reentitlement Period—Title II of the Social Security Act.

*Published:* May 17, 1993, at 58 FR 28887.

AR 93-3(6) *Akers v. Secretary of Health and Human Services*, 966 F.2d 205 (6th Cir. 1992)—Attorney's Fees Based in Part on Continued Benefits Paid to Social Security Claimants—Title II of the Social Security Act.

*Published:* July 29, 1993, at 58 FR 40662.

AR 93-4(2) *Condon and Brodner v. Bowen*, 853 F.2d 66 (2d Cir. 1988)—Attorney's Fees Based in Part on Continued Benefits Paid to Social Security Claimants—Title II of the Social Security Act.

*Published:* July 29, 1993, at 58 FR 40663.

AR 93-5(11) *Shoemaker v. Bowen*, 853 F.2d 858 (11th Cir. 1988)—Attorney's Fees Based in Part on Continued Benefits Paid to Social Security Claimants—Title II of the Social Security Act.

*Published:* July 29, 1993, at 58 FR 40665.

AR 93-6(8) *Brewster on Behalf of Keller v. Sullivan*, 972 F.2d 898 (8th Cir. 1992)—Interpretation of the Secretary's Regulation Regarding Presumption of Death—Title II of the Social Security Act.

*Published:* August 16, 1993, at 58 FR 43369. Rescinded—See section on Rescissions in this notice.

AR 94-1(10) *Wolfe v. Sullivan*, 988 F.2d 1025 (10th Cir. 1993)—Contributions To Support re: Posthumous Illegitimate Child—Title II of the Social Security Act.

*Published:* June 27, 1994, at 59 FR 33003.

AR 94-2(4) *Lively v. Secretary of Health and Human Services*, 820 F.2d 1391 (4th Cir. 1987)—Effect of Prior Disability Findings on Adjudication of a Subsequent Disability Claim Arising Under the Same Title of the Social Security Act—Titles II and XVI of the Social Security Act.

*Published:* July 7, 1994, at 59 FR 34849.

AR 95-1(6) *Preslar v. Secretary of Health and Human Services*, 14 F.3d 1107 (6th Cir. 1994)—Definition of Highly Marketable Skills for Individuals Close to Retirement Age—Titles II and XVI of the Social Security Act.

*Published:* May 4, 1995, at 60 FR 22091.

AR 95-2(9) *Hodge v. Shalala*, 27 F.3d 430 (9th Cir. 1994)—Workers' Compensation—Proration of a Lump-Sum Award for Permanent Disability Over the Remainder of an Individual's Working Life Under Oregon Workers' Compensation Law—Title II of the Social Security Act.

*Published:* July 12, 1995, at 60 FR 35987.

#### Rescissions Without Replacement ARs

AR 86-1(9) *Summy v. Schweiker*, 688 F.2d 1233 (9th Cir. 1982)—Third party payments for medical care or services—Title XVI of the Social Security Act.

*Notice of Rescission Published:* July 5, 1994, at 59 FR 34444.

AR 86-6(3) *Aubrey v. Richardson*, 462 F.2d 782 (3d Cir. 1972); *Shelnutt v. Heckler*, 723 F.2d 1131 (3d Cir. 1983)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 86-7(5) *Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981); *Wages v. Schweiker*, 659 F.2d 59 (5th Cir. 1981)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 86-8(6) *Johnson v. Califano*, 607 F.2d 1178 (6th Cir. 1979)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 86-9(9) *Secretary of Health, Education and Welfare v. Meza*, 386 F.2d 389 (9th Cir. 1966); *Gardner v. Wilcox*, 370 F.2d 492 (9th Cir. 1966)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 86-10(10) *Edwards v. Califano*, 619 F.2d 865 (10th Cir. 1980)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 86-11(11) *Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

AR 87-1(6) *Webb v. Richardson*, 472 F.2d 529 (6th Cir. 1972)—Attorneys' Fees - Single Fee, Not to Exceed 25 Percent of Past-Due Benefits, Set by Tribunal Which Ultimately Upholds the Claim.

*Notice of Rescission Published:* March 3, 1995, at 60 FR 11977.

AR 87-3(9) *Hart v. Bowen*, 799 F.2d 567 (9th Cir. 1986)—Current Market

Value of an Installment Sales Contract as an Excess Resource.

*Notice of Rescission Published:* February 9, 1995, at 60 FR 7782.

AR 87-5(3) *Velazquez v. Heckler*, 802 F.2d 680 (3d Cir. 1986)—Consideration of Vocational Factors in Past Work Determinations.

*Notice of Rescission Published:* July 16, 1990, at 55 FR 28943.

AR 88-5(1) *McCuin v. Secretary of Health and Human Services*, 817 F.2d 161 (1st Cir. 1987)—Reopening by the Appeals Council of Decisions of Administrative Law Judges under Titles II and XVI of the Social Security Act.

*Notice of Rescission Published:* February 23, 1994, at 59 FR 8650.

AR 88-7(5) *Hickman v. Bowen*, 803 F.2d 1377 (5th Cir. 1986)—Evaluation of Loans of In-Kind Support and Maintenance for Supplemental Security Income Benefit Calculation Purposes.

*Notice of Rescission Published:* September 8, 1992, at 57 FR 40918.

AR 90-1(9) *Paxton v. Secretary of Health and Human Services*, 856 F.2d 1352 (9th Cir. 1988)—Treatment of a Dependent's Portion of an Augmented Veterans Benefit Paid Directly To a Veteran—Title XVI of the Social Security Act.

*Notice of Rescission Published:* November 17, 1994, at 59 FR 59416.

AR 90-5(2) *Kier v. Sullivan*, 888 F.2d 244 (2d Cir. 1989), *reh'g denied*, January 22, 1990—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Notice of Rescission Published:* May 22, 1991, at 56 FR 23592.

AR 90-6(1) *Cassas v. Secretary of Health and Human Services*, 893 F.2d 454 (1st Cir. 1990), *reh'g denied*, April 9, 1990—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Notice of Rescission Published:* May 22, 1991, at 56 FR 23591.

AR 90-7(9) *Ruff v. Sullivan*, 907 F.2d 915 (9th Cir. 1990)—Assessment of Residual Functional Capacity in Disabled Widows' Cases—Title II of the Social Security Act.

*Notice of Rescission Published:* May 22, 1991, at 56 FR 23592.

AR 93-6(8) *Brewster on Behalf of Keller v. Sullivan*, 972 F.2d 898 (8th Cir. 1992)—Interpretation of the Secretary's Regulation Regarding Presumption of Death.

*Notice of Rescission Published:* July 14, 1995, at 60 FR 36327.

[FR Doc. 96-3070 Filed 2-9-96; 8:45 am]

BILLING CODE 4190-29-F

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Title 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from CSX Transportation (CSXT), Burlington Northern Santa Fe and New York Air Brake Corporation (NYAB) requests for a waiver of compliance with a requirement of Federal rail safety standards. The petitions are described below, including the regulatory provisions involved and the nature of the relief being requested.

CSX Transportation (CSXT) Burlington Northern Santa Fe (BNSF) and New York Air Brake Corporation (NYAB) Waiver Petition Docket Number H-95-3

The CSXT, BNSF and NYAB individually seek waivers of compliance with certain provisions of the Locomotive Safety Regulations (Title 49 CFR Part 229). CSXT, BNSF and NYAB are each requesting a temporary waiver of compliance with § 229.29, for all of their locomotives equipped with the New York Air Brake Company/Knorr Brake Corporation Computer Controlled Brake (CCB). This includes all locomotives currently built or on order plus any that may be ordered for delivery up to month 48 of the test period.

The National Railroad Passenger Corporation (Amtrak) has also petitioned the FRA for a similar waiver. This was published in the Federal Register on July 31, 1995 (Vol. 60, No. 146, Page 39069). Since the three petitions apply to the same type of brake equipment and for the same time interval, FRA is combining the three petitions under Docket Number H-95-3.

Section 229.29 stipulates that all brake valves must be cleaned, tested and inspected every 736 calendar days. On January 29, 1985, FRA published a notice granting approval for the 26-L type air brake equipment to be cleaned, inspected and tested every 1104 calendar days (Vol. 50, No. 19, Page 3910). The petition requests that the CCB brake valves be maintained on a 5-year test interval.

The CCB brake equipment combines certain pneumatic features of the 26L brake with microprocessor controls. The CCB pneumatic and electro-pneumatic devices rely on poppet valve and seat technology which has been proven in service in other Knorr brake equipment.

The CCB system consists of a console desk controller, an electronic control

system unit and a pneumatic interface unit. The electronic control system unit contains the logic processor (computer), power supply, input/output interfaces, diagnostic program and brake operation programs. The desk console controller contains the standard automatic and independent brake operating handles. The console controller also contains a direct connection to brake pipe which is utilized for emergency brake applications. The pneumatic interface unit contains the connections to the standard train line and locomotive multiple unit pneumatic lines. The pneumatic unit contains all of the devices which are driven by the electronic control system to perform all functions currently carried out by the 26-L brake system.

The brake system includes advanced diagnostics and a self test program. The self test program is manually initiated and provides a test of all electronic and pneumatic interface functions. Any faults detected are displayed on the system unit. In-service faults are detected and stored in nonvolatile memory. The railroad states that safety is enhanced by the CCB Equipment in (1) Constant vigilance for deviation from performance by the microcomputer, (2) the control of faults to a known safe condition, and (3) the capability of warning the operator of a fault condition. These features are not available in the existing 26-L Brake Equipment. Life of all components are rated in excess of 5-years.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify ERA, in writing, before and end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number H-95-3) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, ERA, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received within 45 days of the date of publication of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201,