

began reviewing this issue in 1993 and held public meetings in 1994 and 1995. On August 8, 1995, President Clinton directed EPA to develop and implement, on an expedited schedule, a process for consideration of reporting use information under TRI. In response, EPA has begun the regulatory development process for additional review of chemical use reporting, which the Agency believes may provide a more detailed and comprehensive picture to the public about environmental performance and about toxic chemicals in their communities. EPA has provided an ANPR to give notice of EPA's consideration of this issue and to solicit comments on all aspects of chemical use and the collection of chemical use data. The purpose of the public meetings is to provide public forums for interested parties to provide input on the issues raised by the ANPR.

Oral statements will be scheduled on a first-come first-serve basis by calling Cassandra Vail at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. EPA encourages meeting participants to provide written statements. All statements will become part of the public record and will be considered in the development of any proposed rule. In order to accommodate and schedule speakers, EPA requests that those interested in speaking at the December 3 and 4, 1996, public meeting register by Thursday, November 21, 1996. If there is sufficient interest, EPA will extend the public meeting for an additional day.

Dated: October 23, 1996.

William H. Sanders III,
Director, Office of Pollution Prevention
and Toxics.

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DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

41 CFR Part 60-250

RIN 1215-AA62

Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Vietnam Era Veterans; Correction and Extension of Comment Period

AGENCY: Office of Federal Contract
Compliance Programs, Labor.

ACTION: Proposed rule; correction and
extension of comment period.

SUMMARY: This document contains typographical and technical corrections to the proposed rule published by the Office of Federal Contract Compliance Programs (OFCCP) on Tuesday, September 24, 1996, FR Document Number 96-23638 (61 FR 50080). The proposed rule would revise the current regulations implementing the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA). In light of today's corrections, OFCCP has decided to extend the deadline for public comments on the proposed rule.

DATES: The comment period on the proposed rule is extended until December 27, 1996.

ADDRESSES: Comments should be sent to Joe N. Kennedy, Deputy Director, Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

As a convenience to commenters, OFCCP will accept public comments transmitted by facsimile (FAX) machine. The telephone number of the FAX receiver is 202-219-6195. To assure access to the FAX equipment, only public comments of six or fewer pages will be accepted via FAX transmittal. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling OFCCP at 202-219-9430 (voice), 1-800-326-2577 (TDD).

Copies of this correction document in alternate formats may be obtained by calling 202-219-9430 (voice), 1-800-326-2577 (TDD). The alternate formats available are large print, electronic file on computer disk and audio-tape.

FOR FURTHER INFORMATION CONTACT: Joe N. Kennedy, Deputy Director, Office of Federal Contract Compliance Programs, 200 Constitution Avenue, N.W., Room C-3325, Washington, D.C. 20210. Telephone: 202-219-9475 (voice), 1-800-326-2577 (TDD).

SUPPLEMENTARY INFORMATION: OFCCP issued a proposed rule on Tuesday, September 24, 1996 (61 FR 50080), which would revise the current regulations published at 41 CFR Part 60-250 that implement the affirmative action provisions of VEVRAA (38 U.S.C. 4212). The proposal also would withdraw portions of a final rule published by the Department of Labor on December 30, 1980 (which was subsequently suspended) concerning VEVRAA, Executive Order 11246, and Section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793), by withdrawing those provisions of the rule which pertain to VEVRAA. As published, the

proposed rule contains typographical and technical errors that are in need of clarification. The public comment period for the proposed rule was originally scheduled to end on November 25, 1996. To ensure that the interested public may fully consider the proposal in light of the corrections, and in accordance with Sec. 6(a)(1) of Executive Order 12866, OFCCP has decided to extend the deadline for comments to run for 60 days from the date of today's publication.

Accordingly, in proposed rule document 96-23638 beginning on page 50080 in the Federal Register issue of September 24, 1996, make the following corrections:

1. On page 50084, in the first column, in the 25th line from the top, the number "95" is corrected to read "105".

2. On page 50085, in the first column, in the third complete paragraph, in the first line, "(c)(2)" is corrected to read "(b)(2)".

3. On page 50088, in the second column, under the heading entitled "Section 60-250.42 Invitation to Self-identify", in the first paragraph, in the first line, the date is corrected to read "May 1, 1996".

4. On the same page, in the same column, in the same paragraph, in the second line, the parenthetical is corrected to read "(61 FR 19366)".

5. On the same page, in the same column, in the same paragraph, in the tenth line, the parenthetical is corrected to read "(61 FR 19336)".

6. On page 50092, in the first column, in the second complete paragraph, in the 15th and 22nd lines, "paragraph (b)(1)(iii)" is corrected to read "paragraph (c)(1)(iii)".

7. On page 50094, in the second column, in the fourth complete paragraph, in the sixth line, "either a fixed period" is corrected to read "either an indefinite period or a fixed period".

8. On page 50097, in the third column, under the heading entitled "Paperwork Reduction Act", in the first paragraph, in the last line, "OMB control number 1215-0072" is corrected to read "OMB control numbers 1215-0072 and 1215-0163".

9. On the same page, in the same column, the preamble language under the heading entitled "Paperwork Reduction Act" is corrected by adding after the first paragraph, the following paragraph:

"OFCCP solicits comments concerning the proposed revisions to the recordkeeping requirements contained in this proposed rule. OFCCP solicits comments to: (i) Evaluate whether the proposed collection of

information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. The revised recordkeeping requirements in this proposed rule have been submitted to OMB for review under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d). Written comments on these proposed recordkeeping revisions may also be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Employment Standards, Washington, D.C. 20503."

PART 60-250—[CORRECTED]

10. On pages 50107 and 50108, § 60-250.61 is corrected by redesignating paragraphs (a) through (e) as paragraphs (b) through (f) respectively, and by adding new paragraph (a) to read as follows:

§ 60-250.61 Complaint procedures.

(a) *Coordination with other agencies.* Pursuant to section 107(b) of the Americans with Disabilities Act of 1990 (ADA), OFCCP and the Equal Employment Opportunity Commission have promulgated regulations setting forth procedures governing the processing of complaints falling within the overlapping jurisdiction of both Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 793 (Section 503), and title I of the ADA to ensure that such complaints are dealt with in a manner that avoids duplication of effort and prevents the imposition of inconsistent or conflicting standards. Complaints filed under this part that are cognizable under Section 503 and the ADA will be processed in accordance with those regulations, which are found at 41 CFR part 60-742, and with this part.

* * * * *

§ 60-250.61 [Corrected]

11. On page 50107, in the third column, in § 60-250.61, in redesignated

paragraph (c)(2), in the tenth line, "(b)(1)" is corrected to read "(c)(1)".

Signed at Washington, D.C., this 21st day of October, 1996.

Bernard E. Anderson,
Assistant Secretary for Employment Standards.

Shirley J. Wilcher,
Deputy Assistant Secretary for Federal Contract Compliance.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 384

[Docket No. R-166]

RIN 2133-AB26

Criteria for Granting Waivers of Requirement for Exclusive U.S.-Flag Vessel Carriage of Certain Export Cargoes

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Maritime Administration (MARAD) is soliciting public comment concerning whether MARAD should amend its existing criteria and methodologies for granting waivers of the requirement for U.S.-flag vessel carriage of cargo covered by Public Resolution 17, 33rd Congress, 46 App. U.S.C. 1241-1 (PR 17), and if so, what the new procedures should be.

DATES: Comments must be received on or before December 27, 1996.

ADDRESSES: Comments should be sent to the Secretary, Maritime Administration, Room 7210, 400 7th St., S.W., Washington, DC 20590. Comments will become part of this docket and will be available for inspection or copying at the above address during normal business hours.

FOR FURTHER INFORMATION CONTACT: James J. Zok, Associate Administrator for Ship Financial Assistance and Cargo Preference, Maritime Administration, Washington, DC 20590. Telephone (202) 366-0364.

SUPPLEMENTARY INFORMATION: PR 17 reads:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that in any loans made by any instrumentality of the Government to foster the exporting of agricultural or other products, provision shall be made that such

products shall be carried exclusively in vessels of the United States, unless, as to any or all of such products, the Secretary of Transportation, after investigation, shall certify to the instrumentality of the Government that vessels of the United States are not available in sufficient numbers, or in sufficient tonnage capacity, or on necessary sailing schedule or at reasonable rates.

The reservation of such cargoes for the U.S.-flag merchant marine helps support a vital national asset which is necessary in times of war or national emergency, and in peacetime provides essential service to ensure the continued flow of foreign water-borne commerce.

In 1934 (37 Op. A.G. 546), and again in 1965 (42 Op. A.G. 301), the Attorney General concluded that PR 17 does not impose a mandatory requirement and is therefore not violated by the granting of waivers. MARAD's current policy on granting waivers was first published in *Pike & Fischer's Shipping Regulation Report* (at ¶ 501) in 1959. The Export-Import Bank (Exim Bank) is the principal agency generating export cargo subject to PR 17.

Under MARAD's existing policy, two types of waivers are granted. The first, called a "general" waiver, is granted to allow the national flag vessels of the recipient country to carry 50 percent of the cargo. The condition for receiving a general waiver is that the recipient country not maintain discriminatory policies detrimental to U.S.-flag vessels.

MARAD has long held that the Cargo Preference Act of 1954, 46 App. U.S.C. 1241(b) ('54 Act), is applicable to Exim Bank financed cargoes and must be read together with PR 17. The '54 Act applies "whenever the United States * * * shall advance funds or credits." (See 152 Gen. Counsel Op. 107 (May 15, 1970)). The '54 Act requires that 50 percent of the gross tonnage of all cargoes subject to the Act shall be transported on privately-owned U.S.-flag commercial vessels, to the extent such vessels are available at fair and reasonable rates for U.S.-flag commercial vessels. Thus, general waivers under PR 17 may not be granted in excess of 50 percent.

The second type of waiver is called a "statutory" or "non-availability" waiver. MARAD's policy provides that Exim Bank loan recipients may apply for a non-availability waiver "(w)hen it appears that U.S. vessels will not be available from the port or area of shipment to the foreign destinations within a reasonable time or at reasonable rates." The policy further states that "(s)uch waivers shall apply to the specific movements occurring during the period of U.S.-flag non-