

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (96-087)]

Notice of Prospective Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of prospective patent license.

SUMMARY: NASA hereby gives notice that Containerless Research, Inc., of Evanston, Illinois, has applied for an exclusive license to practice the invention described in U.S. Patent No. 4,521,854, entitled "Closed Loop Electrostatic Levitation System," which was issued on June 4, 1985, to the United States of America as represented by the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Thomas H. Jones, Patent Counsel, NASA Management Office-JPL.

DATES: Responses to this notice must be received by September 23, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas H. Jones, Patent Counsel, NASA Management Office-JPL, Mail Station 180-801, Pasadena, CA 91109; telephone (818) 354-5179.

Dated: July 17, 1996.

Edward A. Frankle,
General Counsel.

[FR Doc. 96-18804 Filed 7-23-96; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on August 6, 1996, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Tuesday, August 6, 1996—1:00 p.m. until 3:00 p.m.

The Subcommittee will discuss proposed ACRS activities and related matters. It may also discuss the status of

appointment of members to the ACRS. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff person named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting the cognizant ACRS staff person, Dr. John T. Larkins (telephone: 301/415-7360) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: July 18, 1996.

Sam Duraiswamy,
Chief, Nuclear Reactors Branch.

[FR Doc. 96-18779 Filed 7-23-96; 8:45 am]

BILLING CODE 7590-01-P

Advisory Committee on Reactor Safeguards, Subcommittee Meeting on Probabilistic Risk Assessment; Notice of Meeting

The ACRS Subcommittee on Probabilistic Risk Assessment will hold a meeting on August 7, 1996, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, August 7, 1996—8:30 a.m. until the conclusion of business.

The Subcommittee will discuss risk-based inservice testing and inservice inspection requirements, pilot applications for risk-informed and performance-based regulations, and related matters. The Subcommittee will also continue its discussion of issues

identified in the Staff Requirements Memoranda dated May 15 and June 11, 1996, including: the role of performance-based regulation in the PRA Implementation Plan; plant-specific application of safety goals; and requirements for risk neutrality versus the allowance for acceptable increases in risk. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the cognizant ACRS staff engineer, Mr. Michael T. Markley (telephone 301/415-6885) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: July 18, 1996.

Sam Duraiswamy,
Chief, Nuclear Reactors Branch.

[FR Doc. 96-18780 Filed 7-23-96; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF MANAGEMENT AND BUDGET**Cumulative Report on Rescissions and Deferrals**

July 1, 1996.

This report is submitted in fulfillment of the requirement of Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344). Section 1014(e) requires a monthly report listing all budget authority for the current fiscal year for which, as of the first day of the month, a special message had been transmitted to Congress.

This report gives the status, as of July 1, 1996, of 24 rescission proposals and six deferrals contained in eight special messages for FY 1996. These messages were transmitted to Congress on October 19, 1995; and on February 21, February 23, March 5, March 13, April 12, May 14, and June 24, 1996.

Rescissions (Attachments A and C)

As of July 1, 1996, 24 rescission proposals totaling \$1.4 billion had been transmitted to the Congress. Congress approved eight of the Administration's rescission proposals in P.L. 104-134. A total of \$963.4 million of the rescissions proposed by the President was rescinded by that measure. Attachment

C shows the status of the FY 1996 rescission proposals.

Deferrals (Attachments B and D)

As of July 1, 1996, \$2,338.4 million in budget authority was being deferred from obligation. Attachment D shows the status of each deferral reported during FY 1996.

Information From Special Messages

The special messages containing information on the rescission proposals and deferrals that are covered by this cumulative report are printed in the editions of the Federal Register cited below:

60 FR 55154, Friday, October 27, 1995
61 FR 8691, Tuesday, March 5, 1996
61 FR 10812, Friday, March 15, 1996
61 FR 13350, Tuesday, March 26, 1996
61 FR 17915, Tuesday, April 23, 1996
61 FR 26226, Friday, May 24, 1996
61 FR 34909, Wednesday, July 3, 1996

Jacob J. Lew,
Acting Director.

**ATTACHMENT A.—STATUS OF FY 1996
RESCISSIONS**
[In millions of dollars]

	Budgetary resources
Rescissions proposed by the President	1,425.9

**ATTACHMENT A.—STATUS OF FY 1996
RESCISSIONS—Continued**
[In millions of dollars]

	Budgetary resources
Rejected by the Congress	- 462.5
Amounts rescinded by P.L. 104-134	- 963.4
Currently before the Congress	0

**ATTACHMENT B.—STATUS OF FY 1996
DEFERRALS**
[In millions of dollars]

	Budgetary resources
Deferrals proposed by the President	3,689.7
Routine Executive releases through July 1, 1996 (OMB/Agency releases of \$1,351.3 million, partially offset by cumulative positive adjustment of \$4 thousand.)	- 1,351.3
Overtaken by the Congress.	
Currently before the Congress	2,338.4

BILLING CODE 3110-01-M

ATTACHMENT C
Status of FY 1996 Rescission Proposals - As of July 1, 1996
(Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending Before Congress		Date of Message	Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days					
DEPARTMENT OF AGRICULTURE								
Cooperative State Research, Education, and Extension Service	R96-8		12,000	3-5-96	12,000	5-6-96		
Buildings and facilities.....								
DEPARTMENT OF DEFENSE								
Procurement								
Aircraft procurement, Army.....	R96-11		140,000	4-12-96	140,000	6-10-96		
Procurement of ammunition, Army.....	R96-12		47,200	4-12-96	47,200	6-10-96		
Other procurement, Army.....	R96-13		5,800	4-12-96	5,800	6-10-96		
Procurement of ammunition, Navy and Marine Corps.....	R96-15		10,000	4-12-96	10,000	6-10-96		
Shipbuilding and conversion, Navy.....	R96-14		9,200	4-12-96	9,200	6-10-96		
Missile procurement, Air Force.....	R96-1		310,000	2-21-96			310,000	P.L. 104-134
Other procurement, Air Force.....	R96-2		265,000	2-21-96			265,000	P.L. 104-134
National guard and reserve equipment.....	R96-16		13,600	4-12-96	13,600	6-17-96		
Research, Development, Test, and Evaluation								
Research, development, test, and evaluation Army.....	R96-4		19,500	2-23-96			19,500	P.L. 104-134
	R96-17		9,600	4-12-96	9,600	6-10-96		
Research, development, test, and evaluation Navy.....	R96-5		35,000	2-23-96			35,000	P.L. 104-134
	R96-18		39,800	4-12-96	39,800	6-10-96		
Research, development, test, and evaluation Air Force.....	R96-3		245,000	2-21-96			245,000	P.L. 104-134
	R96-6		44,900	2-23-96			44,900	P.L. 104-134
	R96-19		58,000	4-12-96	58,000	6-10-96		

1/ Funds never withheld from obligation.

Page 1

07/08/96

ATTACHMENT C
Status of FY 1996 Rescission Proposals - As of July 1, 1996
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending Before Congress		Date of Message	Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days					
DEPARTMENT OF DEFENSE - Continued								
Research, development, test, and evaluation								
Defense-wide.....	R96-7		40,600	2-23-96			40,600	P.L. 104-134
	R96-20		67,200	4-12-96	67,200	6-19-96		
Military Construction								
Military construction, Army.....	R96-21		10,000	3-13-96	10,000	6-7-96		
Military construction, Navy.....	R96-22		8,000	3-13-96	8,000	6-5-96		
Military construction, Air Force.....	R96-23		15,000	3-13-96	15,000	5-23-96		
Military construction, Defense-wide.....	R96-24		13,000	3-13-96	13,000	6-7-96		
Military construction, Air National Guard.....	R96-25		4,000	3-13-96	4,000	6-7-96		
GENERAL SERVICES ADMINISTRATION								
Real Property Activities								
Federal buildings fund.....	R96-9		3,500	3-5-96	1/		3,400	P.L. 104-134
TOTAL RESCISSIONS.....		0	1,425,900		462,400		963,400	

1/ Funds never withheld from obligation.

Page 2

07/08/96

ATTACHMENT D
Status of FY 1996 Deferrals - As of July 1, 1996
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted		Date of Message	Releases(-)		Cumulative Adjustments (+)	Amount Deferred as of 7-1-96
		Original Request	Subsequent Change (+)		Cumulative OMB/Agency	Congressionally Required		
FUNDS APPROPRIATED TO THE PRESIDENT								
International Security Assistance Economic support fund and International Fund for Ireland	D96-1 D96-1A	75,000	1,942,076	10-19-95 2-23-96	1,211,441		4	805,639
Foreign military financing program	D96-4 D96-4A	1,385,140	26	2-23-96 5-14-96	33,325			1,351,841
Foreign military financing loan program.....	D96-5	64,400		2-23-96				64,400
Agency for International Development International disaster assistance, Executive.....	D96-6	124,625		2-23-96	84,000			40,625
DEPARTMENT OF STATE								
Other United States emergency refugee and migration assistance fund.....	D96-3 D96-3A	40,486	50,545	10-19-95 3-5-96	22,546			68,486
SOCIAL SECURITY ADMINISTRATION								
Limitation on administrative expenses.....	D96-2 D96-2A	7,321	44	10-19-95 6-24-96				7,365
TOTAL, DEFERRALS.....		1,696,972	1,992,692		1,351,312		4	2,338,355

[FR Doc. 96-18776 Filed 7-23-96; 8:45 am]
BILLING CODE 3110-01-C

PENSION BENEFIT GUARANTY CORPORATION

Pendency of Request for Exemption From the Bond/Escrow Requirement Relating To the Sale of Assets by an Employer who Contributes to a Multiemployer Plan; St. Louis Cardinals, L.P.

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of pendency of request.

SUMMARY: This notice advises interested persons that the Pension Benefit Guaranty Corporation has received a request from The St. Louis Cardinals, L.P., a Missouri limited partnership, for an exemption from the bond/escrow requirement of section 4204(a)(1)(B) of the Employee Retirement Income Security Act of 1974, as amended, with respect to the Major League Baseball Players Benefit Plan. Section 4204(a)(1) provides that the sale of assets by an employer that contributes to a multiemployer pension plan will not result in a complete or partial withdrawal from the plan if certain conditions are met. One of these conditions is that the purchaser post a bond or deposit money in escrow for the five-plan-year period beginning after the sale. The PBGC is authorized to grant individual and class exemptions from this requirement. Before granting an exemption the PBGC is required to give interested persons an opportunity to comment on the exemption request. The purpose of this notice is to advise interested persons of the exemption request and solicit their views on it.

DATES: Comments must be submitted on or before September 9, 1996.

ADDRESSES: All written comments (at least three copies) should be addressed to: Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, N.W., Washington, D.C. 20005-4026, or hand-delivered to Suite 340 at the above address between 9:00 a.m. and 4:00 p.m., Monday through Friday. The non-confidential portions of the request for an exemption and the comments received will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, at the above address, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Ralph L. Landy, Office of the General

Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, N.W., Washington, D.C. 20005-4026; telephone 202-326-4127 (202-326-4179 for TTY and TDD). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

Background

Section 4204 of the Employee Retirement Income Security Act of 1974, as amended by the Multiemployer Pension Plan Amendments Act of 1980 ("ERISA" or "the Act"), provides that a bona fide arm's-length sale of assets of a contributing employer to an unrelated party will not be considered a withdrawal if three conditions are met. These conditions, enumerated in section 4204(a)(1) (A)-(C), are that—

(A) the purchaser has an obligation to contribute to the plan with respect to the operations for substantially the same number of contribution base units for which the seller was obligated to contribute;

(B) the purchaser obtains a bond or places an amount in escrow, for a period of five plan years after the sale, in an amount equal to the greater of the seller's average required annual contribution to the plan for the three plan years preceding the year in which the sale occurred or the seller's required annual contribution for the plan year preceding the year in which the sale occurred (the amount of the bond or escrow is doubled if the plan is in reorganization in the year in which the sale occurred); and

(C) the contract of sale provides that if the purchaser withdraws from the plan within the first five plan years beginning after the sale and fails to pay any of its liability to the plan, the seller shall be secondarily liable for the liability it (the seller) would have had but for section 4204.

The bond or escrow described above would be paid to the plan if the purchaser withdraws from the plan or fails to make any required contributions to the plan within the first five plan years beginning after the sale.

Additionally, section 4204(b)(1) provides that if a sale of assets is covered by section 4204, the purchaser assumes by operation of law the contribution record of the seller for the plan year in which the sale occurred and the preceding four plan years.

Section 4204(c) of ERISA authorizes the Pension Benefit Guaranty Corporation ("PBGC") to grant individual or class variances or exemptions from the purchaser's bond/escrow requirement of section 4204(a)(1)(B) when warranted. The

legislative history of section 4204 indicates a Congressional intent that the sales rules be administered in a manner that assures protection of the plan with the least practicable intrusion into normal business transactions. Senate Committee on Labor and Human Resources, 96th Cong., 2nd Sess., S.1076, The Multiemployer Pension Plan Amendments Act of 1980: Summary and Analysis of Considerations 16 (Comm. Print, April 1980); 128 Cong. Rec. S10117 (July 29, 1980). The granting of an exemption or variance from the bond/escrow requirement does not constitute a finding by the PBGC that a particular transaction satisfies the other requirements of section 4204(a)(1). Such questions are to be decided by the plan sponsor in the first instance, and any disputes are to be resolved in arbitration. 29 U.S.C. Sections 1382, 1399, 1401.

Under the PBGC's regulation on variances for sales of assets (29 CFR Part 2643), a request for a variance or waiver of the bond/escrow requirement under any of the tests established in the regulation (29 CFR 2643.12-2643.14) is to be made to the plan in question. The PBGC will consider waiver requests only when the request is not based on satisfaction of one of the four regulatory tests or when the parties assert that the financial information necessary to show satisfaction of one of the regulatory tests is privileged or confidential financial information within the meaning of 5 U.S.C. section 552(b)(4) (the Freedom of Information Act).

Under section 2643.3 of the regulation, the PBGC shall approve a request for a variance or exemption if it determines that approval of the request is warranted, in that it—

(1) would more effectively or equitably carry out the purposes of Title IV of the Act; and

(2) would not significantly increase the risk of financial loss to the plan.

Section 4204(c) of ERISA and section 2643.3(b) of the regulation require the PBGC to publish a notice of the pendency of a request for a variance or exemption in the Federal Register, and to provide interested parties with an opportunity to comment on the proposed variance or exemption.

The Request

The PBGC has received a request from the St. Louis Cardinals, L.P. ("the Buyer") for an exemption from the bond/escrow requirement of section 4204(a)(1)(B) with respect to its purchase of the St. Louis Cardinals Baseball Team from the St. Louis Baseball Club, Inc. ("the Seller") on