

manufacturer from misrepresenting the total amount due at lease inception, requires the manufacturer to provide consumers with clear, readable, and understandable cost information in their car lease and financed purchase advertising, requires advertisements that reference an initial payment or state that no initial payment is due to clearly and conspicuously disclose, as applicable, that the deal is a lease, and to disclose the fact that an extra charge may be imposed at the end of the lease based on the residual value of the car. The consent order also prohibits the respondent from misrepresenting the existence or amount of any balloon payment or the annual percentage rate for the advertised loans.

DATES: Complaint and Order issued February 6, 1997.¹

FOR FURTHER INFORMATION CONTACT: David Medine, FTC/S-4429, Washington, D.C. 20580. (202) 326-3224.

SUPPLEMENTARY INFORMATION: On Thursday, December 5, 1996, there was published in the **Federal Register**, 61 FR 64524, a proposed consent agreement with analysis In the Matter of General Motors Corporation and Mitsubishi Motor Sales of America, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1601, *et seq.*; 15 U.S.C. 1667-1667e; 12 CFR 226)

Donald S. Clark,

Secretary.

[FR Doc. 97-9369 Filed 4-10-97; 8:45 am]

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FEDERAL TRADE COMMISSION

[Docket No. C-3716]

Phaseout of America, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order requires, among other things, the New York-based firms to send a postcard to identifiable past purchasers of PhaseOut, a purported stop-smoking device, notifying them of the Commission's action. The order also requires the respondents to have scientific substantiation for claims that PhaseOut or any other smoking-cessation product reduces the amount of nicotine, tar, and carbon monoxide smokers receive. In addition, the consent order prohibits the respondents' misrepresentations concerning any test, study or endorsement.

DATES: Complaint and Order issued February 12, 1997.¹

FOR FURTHER INFORMATION CONTACT: Shira Modell, FTC/S-4002, Washington, DC 20580, (202) 326-3116.

SUPPLEMENTARY INFORMATION: On Thursday, December 5, 1996, there was published in the **Federal Register**, 61 FR 64526, a proposed consent agreement with analysis In the Matter of PhaseOut of America, Inc., et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,

Secretary.

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GENERAL SERVICES ADMINISTRATION

[GSA Bulletin FTR 25]

Federal Travel Regulation; Promoting, Encouraging, and Facilitating the Use of Firesafe Accommodations

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Notice of bulletin.

SUMMARY: The attached bulletin informs Federal agencies of responsibilities for complying with the Hotel and Motel Fire Safety Act of 1990, Pub. L. 101-391, 104 Stat. 747 (codified as amended in scattered sections of 15 U.S.C. and 5 U.S.C.), as amended by section 1614 of the National Defense Authorization Act for Fiscal Year 1997, Pub. L. 104-201, 110 Stat. 2739, to save lives and protect property by promoting fire and life safety in hotels, motels, and all places of public accommodation affecting commerce.

EFFECTIVE DATE: This bulletin is effective March 31, 1997.

FOR FURTHER INFORMATION CONTACT: Jane Groat, General Services Administration, Office of Governmentwide Policy (MTT), Washington, DC 20405; e-mail, jane.groat@gsa.gov; telephone (202) 501-1538.

SUPPLEMENTARY INFORMATION:

Subsection 4(a) of Pub. L. No. 101-391, 104 Stat. 747 (codified at 5 U.S.C. 5707a), authorizes the Administrator of General Services, among other things, to take appropriate actions to encourage employees traveling on official business to stay at places of public accommodation that meet the requirements of fire prevention and control guidelines, and require, with limited exception, agencies to use "approved accommodations" for conferences. Section 5 of Pub. L. 101-391 required each agency to achieve an adequate "approved accommodations percentage" beginning in Fiscal Year 1995. Further, section 5 of the law required the Comptroller General of the United States to conduct an audit of the compliance of agencies with the established requirements and to submit a report to Congress describing the results of such audit. Section 1614 of the National Defense Authorization Act for Fiscal Year 1997 (Pub. L. 104-201, 110 Stat. 2739) repealed the "approved accommodations" data collection and reporting requirement, as well as the requirement for the Comptroller General to conduct an audit. The law did not, however, repeal the Hotel and Motel Fire Safety Act provisions that authorize the Administrator of General Services to encourage employees traveling on official business to lodge at "approved accommodations" or require, with limited exception, agencies to use "approved accommodations" for conferences.

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street and Pennsylvania Avenue NW., Washington, DC 20580.

Dated: March 31, 1997.

G. Martin Wagner,

Associate Administrator, Office of Governmentwide Policy.

Attachment

March 31, 1997.

[GSA Bulletin FTR 25]

To: Heads of Federal agencies.

Subject: Promoting, Encouraging, and Facilitating the Use of Firesafe Accommodations.

1. Purpose

This bulletin informs agencies that pursuant to the Federal Travel Regulation (FTR) (41 CFR 301-304) each agency is responsible for influencing its employees who require commercial lodging when performing official travel to stay at an approved firesafe accommodation. Further, Federal employees traveling on official business, and pre-employment interviewees, are strongly encouraged to stay at an approved accommodation as defined in FTR § 301-17.2(c).

2. Background

a. The Hotel and Motel Fire Safety Act of 1990, Pub. L. No. 101-391, 104 stat. 747 (codified as amended in scattered sections of 15 U.S.C. and 5 U.S.C.) (the Act) requires the development and issuance of guidelines, and sets standards, concerning the use and installation of automatic sprinkler systems and smoke detectors in places of public accommodation affecting commerce.

b. In September 1994, the General Services Administration (GSA) issued FTR Amendment 39 (59 FR 46192, Sept. 7, 1994) instructing agencies, among other things, to ensure that each agency achieve an adequate "approved accommodations percentage" as specified in the Act, and reflected in the FTR, to enhance the safety of Federal employees traveling on official business. An "approved accommodations percentage" is the percentage of nights that an agency's employees traveling on official business spend in approved accommodations, i.e., any place of public accommodation that meets the requirements of the fire prevention and control guidelines in 15 U.S.C. 2225, relative to the total number of nights spent in places of public accommodation.

c. Section 1614 of the National Defense Authorization Act for Fiscal Year 1997, Pub. L. No. 104-201, 110 Stat. 2739, repealed the "approved accommodations" data collection and employee reporting requirement imposed by the Act.

d. In December 1996, GSA issued FTR Amendment 53 (61 FR 64997, Dec. 10, 1996) to eliminate the "approved accommodations" data collection and reporting requirement.

e. GSA is issuing the guidelines contained in this bulletin to inform agencies that although the data collection and reporting requirement was repealed, the provisions that encourage agencies to promote the use of "approved accommodations" or require, with limited exception, the use of "approved accommodations" for conferences were not repealed. Agencies, therefore, should continue to effectuate policies strongly

encouraging employees to use "approved accommodations".

3. Hotel and Motel Fire Safety Guidelines

The Act sets standards for fire prevention and control in places of public accommodation affecting commerce. These requirements include installation of hard-wired, single station smoke detectors in each guest room of each place of public accommodation, and an automatic sprinkler system in each place of public accommodation that is more than three stories. The Act further requires each State to submit to the Director of the Federal Emergency Management Agency (FEMA) a list of places of public accommodation in the State that comply with the Act's fire safety standards. From the State lists, FEMA must compile and publish in the **Federal Register** a national master list and distribute it to each Federal agency. The Act requires FEMA to periodically update the master list based on information provided by the States, and to distribute the updated list to each agency. Any questions regarding the FEMA list may be directed to Mr. John Ottoson, United States Fire Administration, at (301) 447-1272. The list is available via the internet at <http://www.usfa.fema.gov/hotel/hotelindex>.

4. Federal Travel Program Compliance

It is the policy of the Federal Government to save lives and protect property by promoting fire safety in hotels, motels, and all places of public accommodation affecting commerce. The GSA's travel programs adhere to established fire safety guidelines and survey accommodations that meet fire safety standards when conducting surveys of lodging costs for the purpose of establishing locality per diem rates.

5. Federal Agency Compliance

a. Pursuant to FTR § 301-7.2(b)(2), it is the responsibility of each agency when authorizing travel to take appropriate measures to influence employees, and others who will procure commercial lodging in the performance of official travel, to stay at a firesafe approved accommodation.

b. Pursuant to FTR part 301-16, an agency may not sponsor or fund in whole or in part a conference at a place of public accommodation that is not an approved accommodation, unless a waiver is granted.

6. Other Fire Safety Responsibilities

a. Pursuant to FTR § 301-1.3(a)(2), employees are strongly encouraged to stay in an approved accommodation when commercial lodging is required.

b. Pursuant to FTR § 301-1.202(b)(6), an interviewee traveling to a pre-employment interview is strongly encouraged to stay at an approved accommodation when commercial lodging is required.

7. Expiration Date

This bulletin remains in effect until canceled or superseded.

8. For Further Information Contact

Jane E. Groat, General Services Administration, Office of Governmentwide Policy (MTT), Washington, DC 20405; e-mail,

jane.groat@gsa.gov; telephone (202) 501-1538.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Specific List for Categorization of Laboratory Test Systems, Assays, and Examinations by Complexity.

AGENCY: Centers for Disease Control and Prevention (CDC), HHS.

ACTION: Notice with comment period.

SUMMARY: Regulations codified at 42 CFR 493.17, implementing the Clinical Laboratory Improvement Amendments of 1988 (CLIA), Public Law 100-578, require that the Secretary provide for the categorization of specific laboratory test systems, assays, and examinations by level of complexity. The criteria for such categorizations also are set forth in those regulations.

This Notice announces the addition of approximately 1,300 test systems, assays, and examinations that have been categorized and notified between June 7, 1996 and December 31, 1996. These categorizations were effective on the issue date of the notification letter sent to the manufacturer and are subject to the 30 day comment period for this Notice.

DATES: Effective date: All categorizations in this Notice were effective on the date of the test categorization notification letter sent to the manufacturer. Written comments on the tests initially categorized in this Notice will be considered if they are received at the address indicated below, by no later than 5 p.m. on May 12, 1997. CDC reserves the right to reevaluate and recategorize tests based on the comments received in response to this Notice.

ADDRESSES: Comments on the categorization of tests in this Notice should be addressed to CLIA Federal Register Notice, Centers for Disease Control and Prevention, Mail Stop F-11, 4770 Buford Highway, NE, Atlanta, Georgia 30341-3724.

Requests for test complexity categorization should be submitted to: Attention: Test Categorization/CLIA, Centers for Disease Control and Prevention, Mail Stop F-11, 4770 Buford Highway, NE, Atlanta, Georgia 30341-3724.