

Reason for Amendment: This is a two-part amendment. First, this amendment updates and corrects the background commentary of § 2C1.4, the guideline that covers offenses involving unlawful compensation for federal employees and bank officials. Currently, the background commentary states that 18 U.S.C. 209 (involving the unlawful supplementation of the salary of various federal employees) and 18 U.S.C. 1909 (prohibiting bank examiners from performing any service for compensation for banks or bank officials) both are misdemeanors for which the maximum term of imprisonment is one year. In fact, however, as a result of enacted legislation, the maximum term of imprisonment for violations of 18 U.S.C. 209 is now five years if the conduct is willful. The amendment deletes the sentence of the commentary that describes the maximum term of imprisonment for these offenses.

Second, this amendment amends the commentary in the contempt guideline, § 2J1.1, pertaining to offenses under 18 U.S.C. 228 involving the willful failure to pay court-ordered child support. The commentary notes that the contempt guideline applies to second and subsequent offenses under 18 U.S.C. 228 because a first offense is a Class B misdemeanor not covered by the guidelines.

However, in the Deadbeat Parents Punishment Act of 1998, Pub. L. 105-187, Congress amended 18 U.S.C. 228 to add two new violations of that section (found at 18 U.S.C. 228(a)(2) and (3)) and to make even the first offense under those new violations a felony that would be subject to the guidelines. Accordingly, the commentary in the contempt guideline is amended to reflect that it is only the first offense under a violation of 18 U.S.C. 228(a)(1) that is not covered by the guideline.

3. Amendment: Appendix A (Statutory Index) is amended in the line referenced to "18 U.S.C. 924(i)" by striking "2A1.1, 2A1.2" and inserting "2K2.1";

by striking:

"18 U.S.C. 924(j)-(n) ..... 2K2.1",

and inserting:

"18 U.S.C. 924(j)(1) ..... 2A1.1, 2A1.2",

"18 U.S.C. 924(j)(2) ..... 2A1.3, 2A1.4",

"18 U.S.C. 924(k)-(o) .... 2K2.1";

and by inserting, after the line referenced to "18 U.S.C. 2252" the following new line:

"18 U.S.C. 2252A ..... 2G2.2, 2G2.4".

Reason for Amendment: This amendment updates the Statutory Index by adding a reference to a recently created offense (pertaining to the use of

a computer to commit certain child pornography offenses) and by correcting the references to a number of firearms offenses in response to congressional redesignations of those offenses.

Specifically, Congress recently enacted 18 U.S.C. 2252A, which makes it unlawful to traffic in, receive, or possess child pornography, including by computer. The amendment references this offense to § 2G2.2 (trafficking in child pornography) and § 2G2.4 (possession of child pornography).

In addition, in the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, and the Economic Espionage Act of 1996, Pub. L. 104-294, Congress redesignated a number of firearms provisions in 18 U.S.C. 924. The amendment changes the references in the Statutory Index to a number of these offenses in response to the congressional redesignations.

[FR Doc. 98-27982 Filed 10-16-98; 8:45 am]

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## TENNESSEE VALLEY AUTHORITY

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Tennessee Valley Authority (Meeting No. 1509).

**TIME AND DATE:** 9 a.m. (CDT), October 21, 1998.

**PLACE:** Legislative Plaza Room 16, 19 Legislative Plaza, Union and 6th Streets, Nashville, Tennessee.

**STATUS:** Open.

**AGENDA:** Approval of minutes of meeting held on September 23, 1998.

### New Business

#### A—Budget and Financing

A1. Fiscal year 1998 Tax-Equivalent Payments.

#### C—Energy

C1. Abandonment of surface rights overlying coal and associated right to mine and remove such coal affecting approximately 176.84 acres of Koppers Coal Reserve in Campbell County, Tennessee (Tract No. EKCR-10).

C2. Contract with Crisp & Crisp, Inc., for initial clearing, restoration, and reclamation of right-of-way areas to support construction of new transmission lines for the eastern TVA region.

C3. Contract with Southeastern Construction and Equipment Company, LLC, for the initial clearing, restoration, and reclamation of right-of-way areas to support construction of new transmission lines for the central TVA region.

C4. Contract with ASEA Brown Boveri Power Transmission and Distribution Company, Inc., for the supply of power transformers.

C5. Contract with Ecolochem, Inc., to provide chemical management of industrial chemical needs, for example, boiler cleaners, laboratory supplies, herbicides, and pesticides, for all TVA locations.

### E—Real Property Transactions

E1. Abandonment of a portion of TVA's Athens-Pulaski and Pulaski-Fayetteville transmission line easements and right-of-way in Giles County, Tennessee, affecting approximately 8.16 acres designated in TVA's records as Parcels A and B of Tract No. AP-104, Parcels A and B of Tract No. AP-105, and Parcels A, B, and C of Tract No. PF-3.

E2. Grant of permanent easement to the State of Tennessee affecting approximately 34 acres of land on Cherokee Lake in Grainger County, Tennessee, for improvements of Highways 11W and 25E (Tract No. XTCK-61H).

### F—Unclassified

F1. Filing of condemnation cases to acquire easements and right-of-way for an expansion to an existing electric power substation affecting the following transmission lines: Charleston District-Riceville, Bradley County, Tennessee; East Cleveland-Charleston District, Bradley County, Tennessee; Johnsonville-West Nashville Tap to Pomona and Burns, Dickson, Tennessee. The expansion of the Pinhook, Tennessee, Substation involves land, road, and right-of-way easements in Davidson County, Tennessee.

### Information Items

1. Medical contribution plan for certain employees, retirees, and dependents not eligible for the TVA Retirement System supplement benefit, future access to retiree medical coverage, future access to contributions toward retiree health coverage costs for Civil Service and Federal Employees Retirement System retirees.

2. Approval of land exchange by the United States Department of Agriculture, Forest Service, affecting approximately 3.7 acres of former TVA land on Fontana Lake in Swain County, North Carolina (Tract No. XTFR-3).

3. Approval to file a condemnation case affecting the New Albany-Holly Springs Loop to Hickory Flat Transmission Line (Tract No. THSHF-2).

4. Approval to award a fixed-price contract with General Electric Company

for the manufacture and turnkey installation of eight combustion turbine generating units for operation beginning June 2000.

5. Approval of land exchange by the United States Department of Agriculture, Forest Service, affecting approximately 2.93 acres of former TVA land on Watauga Lake in Carter County, Tennessee (Tract No. XTWAR-30).

6. Ratification and confirmation of interpretation of the TVA Act respect in revenues from exchange power arrangements and Section 13 in-lieu-of-tax payments.

For more information: Please call TVA Public Relations at (423) 632-6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 898-2999.

Dated: October 14, 1998.

**Edward S. Christenbury,**  
General Counsel Secretary.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Reports, Forms and Recordkeeping Requirements: Agency Information Collection Activity Under OMB Review

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requests (ICR) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collections was published on May 29, 1998 [63 FR 29468-29470].

**DATES:** Comments must be submitted on or before November 18, 1998.

**FOR FURTHER INFORMATION CONTACT:** Michael Robinson, NHTSA Information Collection Clearance Officer at (202) 366-9456.

#### SUPPLEMENTARY INFORMATION:

##### National Highway Traffic Safety Administration (NHTSA)

(1) *Title:* 49 CFR Part 512, Confidential Business Information.  
*OMB No.:* 2127-0025.

*Type of Request:* Extension of a currently approved Collection.

**Affected Public:** Vehicle manufacturers and equipment manufacturers.

**Abstract:** NHTSA's statutory authority at 49 CFR chapter 301 prohibits, with certain exceptions, the agency from making public confidential information which it obtains. On the other hand, the Administrative Procedure Act requires all agencies to make public all non-confidential information upon request. (5 U.S.C. section 552) and all agency rules to be supported by substantial evidence in the public record (5 U.S.C. section 706). It is therefore very important for the agency to promptly determine whether or not information it obtains should be accorded confidential treatment. NHTSA therefore promulgated 49 CFR part 512 Confidential Business Information to establish the procedure by which NHTSA will consider claims that information submitted to the agency, or which it otherwise obtains, is confidential business information. Because of part 512, both NHTSA and the submitters of information for which confidential treatment is requested are now able to ensure that confidentiality requests are properly substantiated and expeditiously processed. Confidential information is obtained by the agency for use in all of its activities. These include investigations, rulemaking actions, program planning and management, and program evaluation. The confidential information is needed to ensure the agency has all the relevant information for decision making in connection with these activities. If part 512 were not in existence, the agency would still get this confidential information, either provided voluntarily by the manufacturers or through its information gathering powers. The only difference would be that the determinations of whether the information should be accorded confidential treatment would be more expensive and time consuming.

*Estimated Annual Burden Hours:* 600 hours.

(2) *Title:* 49 CFR Part 557, Petitions for Hearings on Notifications and Remedy on Defects.

*OMB Control Number:* 2127-0039.

**Affected Public:** Persons (petitioners) who believe that a manufacturer has been deficient in notifying owners of the existence of a safety related defect or noncompliance, and that the manufacturer has not remedied the problem in accordance with statutory requirements, and who wish redress.

**Abstract:** NHTSA's statutory authority at 49 U.S.C. sections 30118(e) and 30120(e) specifies that, on petition of any interested person, NHTSA may hold

hearings to determine whether a manufacturer of motor vehicles or motor vehicle equipment has met its obligation to notify owners, purchasers, and dealers of vehicles or equipment of a defect or noncompliance and to remedy a defect or noncompliance for Federal Motor Vehicle Safety Standards for some of the products the manufacturer produces. To address these areas, NHTSA has promulgated 49 CFR part 557, Petitions for Hearings on Notification and Remedy of Defects, which adopts a uniform regulation that establishes procedures to provide for submission and disposition of petitions, and to hold hearings on the issue of whether the manufacturer has met its obligation to notify owners, distributors, and dealers of safety related defects or noncompliance and to remedy the problems by repair, repurchase, or replacement. NHTSA never requires any person to file a petition under Part 557. Filing a petition, and providing the information is done entirely at the discretion of the petitioner.

*Estimated Annual Burden Hours:* 21.

(3) *Title:* 49 CFR Part 552, Petitions for Rulemaking, Defect and Noncompliance Orders.

**Affected Public:** Any person has a statutory right to petition the agency to issue an order under section 30162.

**Abstract:** 49 U.S.C. section 30162 specifies that any interested person may file a petition with the Secretary of Transportation requesting the Secretary to begin a proceeding to prescribe a motor vehicle safety standard under 49 U.S.C. chapter 301, or to decide whether to issue an order under 49 U.S.C. section 30118(b). 49 U.S.C. 30111 gives the Secretary authority to prescribe motor vehicle safety standards. 49 U.S.C. section 30118(b) gives the Secretary authority to issue an order to a manufacturer to notify vehicle or equipment owners, purchasers, and dealers of the defect or noncompliance and to remedy the defect or noncompliance. Section 30162 further specifies that all petitions filed under its authority shall set forth the facts which it is claimed establish that an order is necessary and briefly describe the order the Secretary should issue. To implement these statutory provisions, NHTSA promulgated part 552 according to the informal rulemaking provisions of the Administrative Procedure Act (5 U.S.C. 553 *et seq.*) This regulation allows the agency to ensure that the petitions filed under section 30162 are both properly substantiated and efficiently processed. Under Part 552, any person has a statutory right to petition the agency to issue an order under section 30162. When NHTSA