COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 63 FR 28370.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 2 p.m., Monday, June 15, 1998.

CHANGES IN THE MEETING: The Commodity Futures Trading Commission changed the meeting to discuss adjudicatory matters to Tuesday, June 16, 1998 at 2:30 p.m.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 98–14962 Filed 6–2–98; 11:20 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., Friday, June 30, 1998.

PLACE: 1155 21st St., N.W., Washington, D.C., 9th Floor, Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement Matters.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 98–14963 Filed 6–2–98; 11:20 am]

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CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 98–2]

In the Matter of Central Sprinkler Corporation and Central Sprinkler Company; Prehearing Conference

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of first prehearing conference.

DATES: This notice announces a prehearing conference to be held in the Matter of Sprinkler Corp., and Central Sprinkler Co. on June 16, 1998, at 10:00 a.m.

ADDRESSES: The prehearing conference will be held in hearing room 420 of the East West Towers Building, 4330 East West Highway, Bethesda, Maryland 20814.

FOR FURTHER INFORMATION CONTACT: For additional information contact Sadye E. Dunn, Secretary, U.S. Consumer Product Safety Commission, Washington, D.C.; telephone (301) 504–0800; telefax (301) 504–0127.

SUPPLEMENTARY INFORMATION: This public notice is issued pursuant to 16 CFR 1025.21(b) of the U.S. Consumer Product Safety Commission's Rules of Practice for Adjudicative Proceedings to inform the public that a prehearing conference will be held in an administrative proceeding under Section 15 of the Consumer Product Safety Act (CPSA) captioned CPSC Docket No. 98–2, In the Matter of Central Sprinkler Corp.; and Central Sprinkler Co. The Presiding Officer in the proceeding is United States Administrative Law Judge William B. Moran. The Presiding Officer has determined that, for good and sufficient cause, the time period for holding this first prehearing conference had to be extended to the date announced above, which date is beyond the fifty (50) day period referenced in 16 CFR 1025.21(a).

The public is referred to the Code of Regulations citation listed above for identification of the issues to be raised at the conference and is advised that the date, time and place of the hearing also will be established at the conference.

Substantively, the issue being litigated in this proceeding is described by the Presiding Officer as whether the "Omega" series automatic fire sprinklers, manufactured by the Central entities, do not and will not function in a significant percentage of instances and consequently are defective, presenting a "substantial product hazard" and creating a "substantial risk of injury to the public." See 15 U.S.C. 2064(a)(2) and 16 CFR 1115.4.

Should the allegations be proven, Complaint Counsel for the Office of Compliance of the U.S. Consumer Product Safety Commission seeks a finding that the product presents a substantial product hazard and that public notification be made pursuant to 15 U.S.C. 2064(c) and that other appropriate relief be directed under 15 U.S.C. 2064(d) of the CPSA as set forth in the Complaint.

Dated: June 1, 1998.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 98–14878 Filed 6–3–98; 8:45 am]

BILLING CODE 6355–01–M

DEPARTMENT OF DEFENSE

Department of the Army

Program for Qualifying Department of Defense (DOD) Brokers

AGENCY: Military Traffic Management Command, DOD.

ACTION: Notice.

SUMMARY: In previous Federal Register notice (Vol. 62, No. 27, pages 5962–5963) Monday, February 10, 1997, the Headquarters, Military Traffic Management Command (HQMTMC) announced a request for comments on the Program for Qualifying Department of Defense (DOD) Brokers. Comments received were about equally divided in favor and in opposition to the proposal. By notice published in the **Federal Register** (Vol. 63, No. 57, page 14431) Wednesday, March 25, 1998, HQMTMC announced its decision to test the broker program for a period of one year, beginning June 1, 1998. The Carrier Qualification Program is being amended to add qualification standards for brokers and to expand the Basic Agreement to include brokers. The effect is that brokers will be eligible to qualify to compete in DOD transportation procurements on the same or similar terms as other carriers, except shipments requiring Transportation Protective Service (TPS). Under MTMC's new policy, brokers, interested in competing for DOD traffic (except TPS shipments) can apply for qualification by executing the Basic Agreement, and by complying with the requirements for submission of evidence of insurance (cargo and public liability), a list of underlying carriers which the broker intends to use in the movement of DOD shipments, a performance bond, and other standard requirements. A copy of the Agreement between MTMC and brokers is available upon request. An analysis of the comments in opposition to the proposal is set forth below.

FOR FURTHER INFORMATION CONTACT: Rick Wirtz, MTOP–QQ, Telephone 703–681–6393; Headquarters, Military Traffic Management Command, ATTN: MTOP–QQ, 5611 Columbia Pike, Falls Church, Virginia 22041–5050.

SUPPLEMENTARY INFORMATION: The following comments in opposition to the broker proposal were received from industry:

Comment 1. Several comments object that MTMC's treatment of brokers in the Basic agreement is inconsistent with the definition of brokers contained in the ICC Termination Act. Thus, the National Motor Freight Traffic Association,

Incorporated (NMFTA) contends that brokers, as defined at 49 U.S.C. 13102(2), legally may not conduct carrier operations or perform transportation unless independently authorized to do so as a motor carrier or freight forwarder. Similarly, Monheim & Guilbert object that MTMC's Basic Agreement (''undertakes to carry and deliver. * * *'') converts a broker into a carrier, imposes loss and damage liability, and imposes a public liability insurance requirement. MCD Transportation, Incorporated, objects to the requirement for cargo insurance. Green Valley Transportation, Incorporated objects that MTMC is attempting to redefine a broker as a carrier, in conflict with DOT regulations. Munitions Carriers Conference contends that cargo liability and insurance are requirements for carriers, not brokers.

Response 1. These objections reflect concerns about the Department of Transportation's (DOT) enforcement of the Interstate Commerce Act, as amended by the ICC Termination Act. The Interstate Commerce Act is a statute providing for the economic regulation of certain carriers and brokers by the DOT and the Surface Transportation Board. That statute established a registration requirement for regulated carriers and brokers. However, that regulatory statute is not a procurement statute, and it does not restrict MTMC's transportation procurement authority. The DOD has the right to make its own arrangements and to contract for transportation on its own terms. The DOD has the same right in this regard as any commercial shipper. In exercising its procurement authority, MTMC has determined that brokers should be eligible to compete for DOD traffic on the same terms as other carriers. For example, MTMC has the right to contract with brokers for standards of cargo liability, without regard to whether any cargo liability is imposed on brokers by the Interstate Commerce Act. Compliance with DOT's registration requirements remains, as always, a separate obligation of regulated carriers and brokers. We will not speculate whether brokers will violate statues and regulations enforced by other agencies. Under the Basic Agreement, the broker agrees to comply with all applicable Federal, State, municipal, and other local laws and regulations.

Comment 2. The American Movers Conference contends that brokers might violate the Anti-Kickback Act by collecting commissions from motor carriers for government business, and that the brokers and motor carriers might discuss each other's rates in violation of the Certification of Independent Pricing.

Response 2. We cannot assume that brokers and motor carriers are going to violate the law when they participate in procurements for DOD traffic. The potential for illegal kickbacks and price fixing always exists in every government procurement, without regard to the participation of brokers. The possibility of illegal activities by bidders is insufficient basis to exclude brokers from competition.

Comment 3. TRISM Specialized Carriers contends that MTMC's proposal runs the risk that carriers with an unsatisfactory DOT safety rating may be employed by brokers to transport DOD shipments, presenting the possibility of a claim of negligence on the part of MTMC in the event of an injury or accident.

Response 3. MTMC must defer to the DOT in the enforcement of DOT's safety ratings and regulations. As a general rule, shippers are not legally liable for the accidents of carriers hired to transport their goods. In any case, MTMC's Basic Agreement will require brokers to purchase a minimum of $1 million public liability insurance.

Comment 4. NMFTA and American Road Line contend that the qualification requirements for brokers are less onerous than the requirements for motor carriers, thereby giving brokers an unwarranted competitive advantage. NMFTA contends this violates the mandate for full and open competition in the Armed Services Procurement Act.

Response 4. The purpose of the proposed Basic Agreement with brokers is to enable brokers to compete for DOD traffic. There is no reason to believe that continued exclusion of brokers form competition for DOD traffic will somehow contribute to full and open competition. The qualification requirements set forth in the Basic Agreement for brokers are identical to those contained in the Basic Agreement for freight forwarders and shipper agents. It would serve no useful purpose to impose on brokers our requirements governing vehicles and drivers of motor carriers, because brokers, unlike motor carriers, generally do not have vehicles and drivers.

George R. McDonald,

Chief, Qualification Division, ADCSOPS-Quality.

[FR Doc. 98–14854 Filed 6–3–98; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Exclusive License Announcement

AGENCY: U.S. Army Research Laboratory.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.7(a)(1)(I), announcement is made of prospective exclusive license of U.S. Patent 5,609,290, ''Fluxless Soldering Method'', for the purpose of manufacturing, using, and selling the processes involved in this invention.

This invention is described as a Fluxless Soldering Method. One of the seven inventors of this invention has assigned his rights to the United States of America as represented by the Secretary of the Army, Washington, DC. The other six inventors have assigned their rights to the University of North Carolina at Charlotte which has exclusively licensed all of its interest to Integrated Electronics Innovations, Inc.

Under the authority of Section 11(a)(2) of the Federal Technology Transfer Act of 1986 (Public Law 99–502) and Section 207 of Title 35, United States Code, the Department of the Army, as represented by the Army Research Laboratory, intends to grant a limited term exclusive or partially exclusive license of the above named patent to Integrated Electronics Innovations, Inc., a small business which is interested in manufacturing, using, and/or selling the processes involved in this invention.

FOR FURTHER INFORMATION CONTACT:

Ms. Norma Cammarata, Technology Transfer Manager, Army Research Laboratory, Attn: AMSRL–CP–TA, 2800 Powder Mill Road, Adelphi, MD 20783–1145, 301–394–2952 phone, 301–394–5818 fax, NORMAC@ARL.MIL, email.

SUPPLEMENTARY INFORMATION: Pursuant to 37 CFR 404.7(a)(1)(I), any interested party may file written objections to this prospective exclusive license arrangement. Written objections should be directed to the above address on or before 60 days from the publication of this notice.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98–14853 Filed 6–3–98; 8:45 am]

BILLING CODE 3710–08–M