

rulemaking under section 553 of Administrative Procedure Act.

Dated this 25th day of March, 1992 order of the Board.

Curtis M. Anderson,

Secretary, Farm Credit Administration.

[FR Doc. 92-7408 Filed 3-31-92; 8:45

BILLING CODE 6705-01-M

FEDERAL COMMUNICATIONS COMMISSION

[PR Docket No. 92-1; DA 92-300]

Private Land Mobile Radio Services: Lubbock Area Public Safety Plan

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Chief, Private Radio Bureau and the Chief Engineer released this Order accepting the Public Safety Radio Plan for the Lubbock area (Region 52). As a result of accepting the Plan for Region 52, licensing of the 821-824/866-869 MHz band in that region may begin immediately.

EFFECTIVE DATE: March 18, 1992.

FOR FURTHER INFORMATION CONTACT: Betty Woolford, Private Radio Bureau, Policy and Planning Branch, (202) 832-6497.

SUPPLEMENTARY INFORMATION:

Before the Federal Communications Commission Washington, DC 20554

In the Matter of Lubbock Area Public Safety Plan.

[PR Docket No. 92-1]

Adopted: March 12, 1992

Released: March 18, 1992.

ORDER

By the Chief, Private Radio Bureau and the Chief Engineer:

1. On November 12, 1991, Region 52 (Lubbock) submitted its Public Safety Plan to the Commission for review. The Plan sets forth the guidelines to be followed in allotting spectrum to meet current and future mobile communications requirements of the public safety and special emergency entities operating in the Lubbock area. On December 20, 1991, Lubbock filed revisions to the Plan, based on conversations with the Commission's staff.

2. The Lubbock Plan was placed on Public Notice for comments on January 3, 1992, 57 FR 1267 (January 13, 1992). The Commission received no comments in this proceeding.

3. We have reviewed the Plan submitted for Lubbock and find that it

Therefore, we accept the Lubbock Public Safety Radio Plan. Furthermore, licensing of the 821-824/866-869 MHz band in the Lubbock area may commence immediately.

Dated: March 25, 1992.

Federal Communications Commission,

Ralph A. Haller,

Chief, Private Radio Bureau.

[FR Doc. 92-7445 Filed 3-31-92; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS92-4]

Appraisal Subcommittee; Privacy Act of 1974; System of Records

AGENCY: Appraisal Subcommittee, Federal Financial Institutions Examination Council.

ACTION: Notice of new system of records.

SUMMARY: The Appraisal Subcommittee ("ASC") of the Federal Financial Institutions Examination Council ("FFIEC") is establishing a new system of records in accordance with the Privacy Act of 1974 ("Privacy Act"), entitled "national registry of State certified and licensed appraisers." This notice is intended to inform the public of the existence and character of this system of records.

DATES: Effective date of the system: May 13, 1992, providing that no comments or suggestions are received that justify a contrary determination. Comments concerning routine uses must be received on or before May 1, 1992.

ADDRESSES: Persons wishing to submit written comments concerning routine uses should file them with Edwin W. Baker, Executive Director, Appraisal Subcommittee, 2100 Pennsylvania Avenue, NW., suite 200, Washington, DC 20037. All comment letters should refer to Docket No. AS92-4. All comments received will be available for public inspection and copying at the above location.

FOR FURTHER INFORMATION CONTACT: Edwin W. Baker, Executive Director, or

15 U.S.C. 552n.

Marc L. Weinberg, General Counsel, at (202) 357-0133, Appraisal Subcommittee, 2100 Pennsylvania Avenue, NW., suite 200, Washington, DC 20037.

SUPPLEMENTARY INFORMATION:

I. Introduction and Background

On August 9, 1989, Congress adopted Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA"), including section 1102³ of Title XI, which established the ASC and placed it within the FFIEC. The ASC consists of representatives appointed by the heads of the Federal Financial Institutions Regulatory Agencies ("Regulatory Agencies")⁴ and the Department of Housing and Urban Development. Congress intended Title XI of FIRREA and the ASC, the Regulatory Agencies and the Resolution Trust Corporation ("RTC") to protect federal financial and public policy interests⁵ in real estate-related financial transactions⁶ requiring the services of an appraiser.⁷

The ASC has several statutory duties under Title XI. First, it must monitor the appraisal regulations adopted by the Regulatory Agencies and the RTC (collectively, "Agencies"). Those regulations set out appraisal standards for federally related transactions⁸ and

³ Public Law 101-73, 103 Stat. 511 (1989), as amended by Public Law 102-233, 105 Stat. 1761 (1991) and Public Law 102-242, 105 Stat. 2238 (1991).

⁴ 12 U.S.C. 3310 (1990).

⁵ The Regulatory Agencies are the Board of Governors of the Federal Reserve System ("FRS"), the Federal Deposit Insurance Corporation ("FDIC"), the Office of the Comptroller of the Currency ("OCC"), the Office of Thrift Supervision ("OTS"), and the National Credit Union Administration ("NCUA"). See section 1122(f) of Title XI, 12 U.S.C. 3350(f) (1990).

⁶ Title XI's general purpose is "to provide that Federal financial and public policy interests . . . will be protected by requiring that (certain) real estate appraisals are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision." Section 1101 of Title XI, 12 U.S.C. 3331 (1990).

⁷ See section 1121(b) of Title XI, 12 U.S.C. 3350(b) (1990), for the definition of "real estate-related financial transaction."

⁸ The Regulatory Agencies and the RTC have adopted appraisal regulations that, among other things, clarify the phrase "requires the services of an appraiser." See 12 CFR part 34 (OCC); part 225, subpart C (FRS); part 323 (FDIC); part 564 (OTS); part 722 (NCUA); and part 1008 (1991) (RTC).

⁹ See section 1121(4) of Title XI, 12 U.S.C. 3350(4) (1990), which defines a "federally related transaction."

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define those federally related transactions requiring the services of a State certified or State licensed appraiser. Second, the ASC must monitor and review the practices, procedures, activities, and organizational structure of the Appraisal Foundation. Third, the ASC must monitor the certification and licensing programs for real estate appraisers in each State, territory, commonwealth, and the District of Columbia ("States") and must review the State's compliance with the requirements of Title XI. It also is authorized by Title XI to take action against non-complying States.¹⁰

A major ASC program function concerns its "national registry." Under section 1103(a)(3) of Title XI,¹¹ the ASC must "maintain a national registry of State certified and licensed appraisers who are eligible to perform appraisals in federally related transactions." Another section of Title XI, section 1109(a)(1),¹² requires "(e)ach State with an appraiser certifying or licensing agency . . . (to) . . . transmit to the (ASC), no less than annually, a roster listing individuals who have received a State certification or license in accordance with this title"

In accordance with these sections, the ASC has established a system of records entitled "national registry of State certified and licensed appraisers" ("system" or "registry"), and has informed each State Appraiser Regulatory Agency ("State Agency") of its duty beginning on January 1, 1992, to submit registry data to the ASC.¹³ This system is maintained solely by the ASC and is maintained separately from other ASC records. It consists of a centralized, computerized data base of files and records concerning individual State licensed and State certified appraisers.

Those files and records are compiled by each State Agency during licensure or certification process and also are used by the State Agencies in monitoring their universe of appraisals and State regulatory standards and requirements pertaining to those appraisers. The system will allow the ASC to carry out its mandate under Title IV, as discussed above.

In accordance with OMB Circular A-108, Memoranda 1 and 3, the ASC, on March 18, 1992, submitted a report concerning the system to the Office of Management and Budget, the Speaker of the House, the President of the Senate and the Privacy Protection Study Commission, as required by the Privacy Act of 1974.

Accordingly, the ASC is establishing the following system of records:

ASC-1

SYSTEM NAME:

National registry of State certified and licensed appraisers.

SYSTEM LOCATION:

Appraisal Subcommittee of the Federal Financial Institutions Examination Council, 2100 Pennsylvania Avenue, NW., Suite 200, Washington, DC 20037.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are, or have been, licensed or certified by a State to perform appraisals in federally related transactions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Transaction code; State name; last six digits of social security number; license number; State office name; State office address; State city address; State zip; State contact person name; State contact person title; State contact person telephone number; State contact person facsimile machine number; appraiser last name; appraiser first name; appraiser middle initial; appraiser date of birth; appraiser mailing street address; appraiser mailing city address; appraiser mailing State abbreviation; appraiser mailing address zip code; appraiser company name; appraiser company telephone number; appraiser company facsimile machine telephone number; appraiser physical street address; appraiser physical city address; appraiser physical State abbreviation; appraiser physical zip code; appraiser license/certification status; appraiser license/certification status date; appraiser license/certification type; appraiser license/certification issue date; appraiser license/certification expiration date; appraiser license/

certification fee paid; appraiser license/certification date fee paid; and appraiser license/certification periods covered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 1103(a)(4) and 1109(a)(1), Title XI of FIRREA; 12 U.S.C. 3332(a)(4) and 3338(a)(1) (1990).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) The information in the system may be used by the ASC in any administrative proceeding before the ASC or in any other action or proceeding in which the ASC or any member of the ASC or its staff participates as a party or the ASC participates as amicus curiae and may be available to the extent required by law in response to a subpoena issued in the course of a proceeding in which the ASC is not a party.

(2) In any case in which records in the system indicate a violation or a potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, State or local, charged with enforcing or implementing the Statute, regulation, rule or order.

(3) The information may be given or shown to anyone during the course of an ASC investigation if the ASC staff has reason to believe that disclosure to the person will further the investigation. Information also may be disclosed to federal, State or local authorities in order to obtain information or records relevant to an ASC investigation.

(4) The information may be given to independent auditors or other private firms with which the ASC has contracted to carry out an independent audit, or to collate, aggregate or otherwise refine and process data collected in the system of records. These contractors will be required to maintain Privacy Act safeguards with respect to such records.

(5) The information may be disclosed to a federal, State or local government agency where records in this system of records pertain to an applicant for employment or to a current employer of that agency where the records are relevant and necessary to an agency decision concerning the hiring or retention of an employee or disciplinary or other administrative action concerning an employee.

¹⁰ The ASC is required to "monitor State appraiser certifying and licensing agencies for the purpose of determining whether the . . . agency's policies, practices, and procedures are consistent with (Title XI)." Section 1118(a) of Title XI, 12 U.S.C. 3347(n) (1990). See, also, section 1103(a)(1) of Title XI, 12 U.S.C. 3332(a)(1) (1990).

¹¹ See section 1118 of Title XI, 12 U.S.C. 3347 (1990).

¹² 12 U.S.C. 3332(a)(3) (1990).

¹³ 12 U.S.C. 3338(a)(1) (1990).

¹⁴ See Notices 91-1 (September 23, 1991) entitled "Registry of State Certified or Licensed Appraisers"; 91-2 (September 23, 1991) entitled "National Registry Fee Policy"; and 91-3 (November 25, 1991) entitled "Data Collection for the National Registry." See also Advisory No. 91-4 (December 20, 1991). Each State issuing appraiser licenses and certifications to persons qualified to perform appraisals in connection with federally related transactions is required by Title XI to submit its register data, even if a State is "voluntary" or has chosen to take advantage of the extension from the mandatory use of such appraisers under section 1119(a)(1) of Title XI, 12 U.S.C. 3348(a)(1), as amended.

(6) The information may be disclosed to a federal, State or local government agency in response with the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

(7) The information may be disclosed to the Department of Justice or other counsel to the ASC for legal advice and also when the defendant in litigation is: (a) Any component of the ASC or any member or employee of the ASC in his or her official capacity; or (b) the United States. The information also may be disclosed to counsel for any ASC member or employee in litigation or anticipated litigation in his or her individual capacity where the ASC or the Department of Justice agrees to represent such employee or authorizes representation by another.

(8) The information may be disclosed to a Congressional office in response to an inquiry made at the request of the individual to whom the record pertains.

(9) The information may be disclosed to the news media in accordance with guidelines contained in 28 CFR 50.2 concerning the ASC's functions relating to civil, administrative and criminal proceedings.

(10) The information may be disclosed to a federal, State or local government agency and a duly authorized officer or employee of a financial institution, as that term is defined in section 1121(7) of title XI of FIRREA, 12 U.S.C. 3350(7) (1990), where records in this system of records pertain to a person seeking to qualify as a staff or fee appraiser eligible to perform an appraisal for a financial institution in a federally related transaction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file drawers, computer diskettes, magnetic tapes, and computer memory. These records also will be stored at National Technical Information Services, Department of Commerce, Springfield, VA.

RETRIEVABILITY:

By any single data element or by any combination of data elements. Those data elements are set out under the heading, "Categories of Records in the System."

SAFEGUARDS:

The records are kept in limited access areas during duty hours and in locked

office areas at all other times. These records are available only to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

System records are retained by the ASC indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Director, Administration, ASC, 2100 Pennsylvania Avenue, NW., Suite 200, Washington, DC 20037.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether this system of records contains information about themselves, seeking access to records about themselves in this system of records, or contesting the content of records about themselves, should address written inquiries to the Privacy Act Officer, ASC, 2100 Pennsylvania Avenue, NW., Suite 200; Washington, DC 20037, pending ASC approval of 12 CFR part 1102, subpart C.

RECORD ACCESS PROCEDURE:

See notification procedure above.

CONTESTING RECORD PROCEDURES:

See notification procedure above.

RECORD SOURCE CATEGORIES:

Information in these records is supplied by State Agencies. Those Agencies gather the information from individuals seeking to become State licensed or State certified appraisers, individuals seeking to renew their licenses or certifications, or qualified individuals seeking authority from an Agency to perform appraisals in federally related transactions outside of their State of licensure or certification on a temporary basis.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

By the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

Dated: March 26, 1992.

Edwin W. Baker,
Executive Director.

[FR Doc. 92-7359 Filed 3-31-92; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed; City of Long Beach, et al.

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984. Interested parties may inspect and obtain a copy of each agreement at the

Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements of comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224-003939-004.

Title: City of Long Beach/Metropolitan Stevedore Company Terminal Agreement.

Parties: City of Long Beach Metropolitan Stevedore Company.

Synopsis: The amendment restates the Agreement between the parties and revises the legal description of the premises to include additional land area, to provide for the construction of additional improvements and to revise the compensation formula.

Agreement No.: 224-200280-001.

Title: Port of Tacoma/Maersk Terminal Lease Agreement.

Parties: Port of Tacoma Maersk, Inc.

Synopsis: The subject modification deletes the fourth of four container cranes specified in the preferential non-exclusive Lease between the Port of Tacoma and Maersk, Inc.

Agreement No.: 224-200593.

Title: Universal Maritime Services/Maryland Port Administration Terminal Agreement.

Parties: Maryland Port Administration ("MPA") Universal Maritime Services Corporation (Universal) ("Universal").

Synopsis: The Agreement allows Universal to lease from MPA 39 acres of land and 40,000 square feet of space in Shed 11 at the Dundalk Marine Terminal in Baltimore, Maryland. The Agreement has an initial term of ten years.

Agreement No.: 224-200838.

Title: L.A. Cruise Ship/Regency Maritime Corp. Terminal Agreement.

Parties: L.A. Cruise Ship Terminals, Inc. Regency Maritime Corp.

Synopsis: The subject Agreement provides for the use by Regency Maritime Corp. of terminal facilities and services provided by L.A. Cruise Ship Terminals, Inc. in the Port of Los Angeles.

Agreement No.: 224-200837.

Title: Lykes Bros./Georgia Ports Authority Terminal Agreement.

Parties: Georgia Ports Authority ("Authority") Lykes Bros. Steamship Co., Inc. ("Lykes").