unable to propose amendments to Form G-405 at the same time the SEC made changes to its respective form since the Treasury's rulemaking authority under the GSA expired on October 1, 1991, and was not reauthorized until December 17, 1993.⁶

The collection of information in these proposed amendments to Form G–405 is contained in the new Item 15 of the form which poses a simple, factual question. Form G–405 is required to be submitted by registered government securities brokers and dealers to the SEC or to the appropriate regulatory authority according to an SEC approved plan. The requirement to file Form G–405 is not applicable to financial institutions that have filed notice as government securities brokers and dealers.

The Department is proposing to add only the new item 15 to Schedule I, and it believes that the changes will not have more than a *de minimis* effect on the amount of time necessary to complete the form. The Department's most recent Paperwork Reduction Act Filing with respect to all parts of Form G-405, which includes Part I, Part IA, Part II, Part IIA, and Part III as well as the proposed amended Schedule I. shows an annual estimate of 41 respondents filing 12 times per year, with a burden of 144 hours per respondent per year. Since Schedule I is only filed once per year while the other parts are filed monthly or quarterly, the burden represented by the entire Schedule I is only a fraction of the burden imposed by the complete form. The requirements for filing Form G-405 have been previously reviewed and approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3504(h)) and assigned control number 1535-0089. No modification is projected to the reporting burden.

List of Subjects in 17 CFR Part 449

Banks, banking, Brokers, Government securities, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, it is proposed to amend 17 CFR part 449 as follows:

PART 449—FORMS, SECTION 15C OF THE SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for part 449 is revised to read as follows:

Authority: Sec. 101, Pub. L. 99–571, 100 Stat. 3208; Sec. 4(b), Pub. L. 101–432, 104 Stat. 963; Sec. 102, Sec. 106, Pub. L. 103–202, 107 Stat. 2344 (15 U.S.C. 78o-5(a), (b)(1)(B), (b)(4)).

§ 449.5 [Amended]

2. Amend Form G-405, referenced in § 449.5, in Schedule I to add instruction 15 a, b and c to the General Instructions, to redesignate Questions 15–18 as Questions 16–19, and add new Question 15 to read as follows:

Note: The text of Form G-405 does not appear in the Code of Federal Regulations.

Form G–405, Report on Finances and Operations of Government Securities Brokers and Dealers, Schedule I:

General Instructions

* * * * *

15 a, b & c—Report whether respondent directly or indirectly controls, is controlled by, or is under common control with, a U.S. bank. If the answer is "yes," provide the name of the affiliated bank and/or bank holding company, and describe the type of institution. The term "bank" is defined in section 3(a)(6) of the Securities Exchange Act of 1934.

15. (a) Respondent directly or indirectly controls, is controlled by, or is under common control with, a U.S. bank. (Enter applicable code: 1=Yes 2=No)

- (b) Name of parent or affiliate
- (c) Type of institution _____

Dated: January 19, 1995.

Frank N. Newman,

Deputy Secretary.

[FR Doc. 95–2135 Filed 1–27–95; 8:45 am] BILLING CODE 4810–39–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 778

Availability of Decision; Minimum Requirements for Legal, Financial, Compliance and Related Information

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior. **ACTION:** Notice of decision on petition for rulemaking.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is making available to the public its final decision on a petition for rulemaking from Mr. James Kringlen, Attorney at Law, Appalachian Research and Defense Fund, Inc., Charleston, West Virginia. The petitioner requested that "* * * a new regulation be issued by the Office of Surface Mining or the Department of the Interior, as appropriate, which would require all permit applications

for surface mining include documentation with public records identifying the surface owners of the property they propose to mine as well as the property contiguous to the proposed mining property." OSM is denying the petition for reasons outlined in this document.

ADDRESSES: Copies of the petition, and other relevant materials comprising the Administrative Record of this petition are available for public review and copying at Office of Surface Mining Reclamation and Enforcement, Room 660, 800 North Capitol Street NW., Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Scott Boyce, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue NW., Washington, DC 20240; Telephone: 202–343–3839.

SUPPLEMENTARY INFORMATION:

I. Petition for Rulemaking Process. II. The Kringlen Petition.

I. Petition for Rulemaking Process

Pursuant to section 201(g) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), any person may petition the Director of OSM for a change in OSM's regulations. The regulations governing the handling of rulemaking petitions are found at 30 CFR 700.12. Under the rules, the Director may publish a notice in the Federal Register seeking comments on the petition and hold a public hearing, conduct an investigation, or take other action to determine whether the petition should be granted. If the petition is granted, the Director initiates a rulemaking proceeding. If the petition is denied, the Director notifies the petitioner in writing setting forth the reasons for denial. Under 30 CFR 700.12 the Director's decision constitutes the final decision for the Department of the Interior.

II. The Kringlen Petition

The Department of the Interior received a letter dated January 31, 1994, from James Kringlen, Attorney at Law, Appalachian Research and Defense Fund, Inc., Charleston, West Virginia, as a petition for rulemaking. The petitioner requested that "* * * a new regulation be issued by the Office of Surface Mining or the Department of the Interior, as appropriate, which would require all permit applications for surface mining include documentation with public records identifying the surface owners of the property they propose to mine as well as the property

⁶ Pub. L. No. 103-202, 107 Stat. 2344 (1993).