

Freightliner because: (1) Freightliner dealers are sophisticated business persons; (2) prospective dealers and their advisors have more than adequate time to review the dealer agreement and other information before executing a dealer contract; (3) given their levels of experience and sophistication, prospective dealers will be well-acquainted with the truck industry and all relevant facts about the dealership; and (4) automobile dealer associations have supported, or not opposed, previous exemption petitions.

In August 1979, the staff of the Commission issued an "informal staff advisory opinion" under Section 1.1(b) of its Rules of Practice, 16 C.F.R. § 1.1(b), stating the staff's conclusion that "in accordance with the facts represented by Freightliner in its request for an advisory opinion," "dealerships sold by Freightliner \* \* \* would be exempt from the rule for lack of the required payment mandated by Section 436.2(a)(2) of the Franchise Rule, 16 CFR § 436.2(a)(2)." <sup>1</sup> A staff advisory opinion is not binding on the Commission, but a decision to grant the Petitioner's current request effectively would continue to excuse Freightliner from compliance with the Franchise Rule, albeit by exemption rather than by a determination that the Rule by its terms does not apply.

Freightliner now requests an exemption from the Rule. It argues that recent changes in its business practices, in particular, its current requirement that dealers purchase for operation of their businesses certain computerized software priced over \$500.00, have brought the company within the scope of the Rule. See Letter to Donald S. Clark, Secretary of the Commission, dated January 18, 1996, from William L. Monts III, counsel to Petitioner. A complete presentation of the arguments submitted by Petitioner appears in the petition as supplemented by the letter to Mr. Clark from Mr. Monts. Both the petition and the supplemental letter may be obtained from the FTC Public Reference Branch, Room 130, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580, during regular business hours.

In assessing the present exemption request, the Commission solicits comments on all issues germane to the proceeding, including the following: (1) Is there any evidence indicating that Petitioner may engage in unfair or

deceptive acts or practices in the offer and sale of truck franchises? (2) If not, is it in the public interest to exempt it from coverage under the Franchise Rule?

Interested parties may submit written data, views or arguments on any issues of fact, law or policy that may bear on the requested exemption, whether or not these issues have been raised by the petition or this notice. Comments may be submitted within sixty days of the date of this notice and should be addressed to the Secretary of the Commission, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580. Comments should be marked "Freightliner Franchise Rule Exemption Comment," and two copies should be submitted.

By direction of the Commission.  
Donald S. Clark,  
Secretary.  
[FR Doc. 96-9275 Filed 4-12-96; 8:45 am]  
BILLING CODE 6750-01-M

**[Docket No. C-3634]**

**Phillips Petroleum Company, 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 acts and practices and unfair methods of competition, this consent order requires, among other things, Phillips Petroleum Company, an Oklahoma-based corporation, to modify the acquisition agreement so that 830 specified miles of pipe and related gas gathering assets within the Panhandle counties are not included in the sale of Enron assets to Phillips. The consent order also requires Phillips, for 10 years, to notify the Commission before it acquires more than five miles of gas gathering pipeline located within the Panhandle counties from any one person during any 18-month period; and requires Enron, for 10 years, to notify the Commission before it can sell any of the 830 miles of pipeline assets excluded from the challenged deal to Phillips or to Maxus Energy Corporation.

**DATES:** Complaint and Order issued December 28, 1995.<sup>1</sup>  
**FOR FURTHER INFORMATION CONTACT:** Ronald Rowe, FTC/S-2602, Washington, DC 20580, (202) 326-2105.

<sup>1</sup> 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.

**SUPPLEMENTARY INFORMATION:** On Tuesday, September 12, 1995, there was published in the Federal Register, 60 FR 47376, a proposed consent agreement with analysis in the Matter of Phillips Petroleum Company, 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.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered a slightly modified order 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; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) Donald S. Clark,  
Secretary.

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BILLING CODE 6750-01-M

**[Dkt. C-3625]**

**Port Washington Real Estate Board, Inc.; 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 acts and practices and unfair methods of competition, this consent order prohibits, among other things, a New York brokerage service from restricting the use of exclusive agency listings, fixing commission splits between listing and selling brokers, restricting or prohibiting members from holding open houses or using "For Sale" signs, restricting brokers from advertising free services to property owners, and excluding from membership brokers who do not operate a full-time office in the territory served by the Board's multiple listing service.

**DATES:** Complaint and Order issued November 6, 1995.<sup>1</sup>  
**FOR FURTHER INFORMATION CONTACT:** Michael Bloom or Alan Loughnan, New York Regional Office, Federal Trade Commission, 150 William St., 13th Floor, New York, N.Y. 10038. (212) 264-1207.

**SUPPLEMENTARY INFORMATION:** On Wednesday, July 12, 1995, there was published in the Federal Register, 60 FR 35907, a proposed consent agreement

<sup>1</sup> 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.

<sup>1</sup> Bus. Fran. Guide (CCH) ¶ 6389 at 9561 (Aug. 27, 1979). See also 16 CFR § 436.2(a)(3)(iii), exempting from consideration as "required payments" payments under § 436.2(a)(2) within the first six months after the commencement of operation of the franchisee's business totalling less than \$500.00.

with analysis in the Matter of Port Washington Real Estate Board, 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.

A comment was filed and considered by the Commission. 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. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Donald S. Clark,  
*Secretary.*

[FR Doc. 96-9277 Filed 4-12-96; 8:45 am]

BILLING CODE 6750-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Submission for OMB Review; Comment Request**

*Title:* Title IV-B Five Year Plan, Annual Progress and Services Report and CFS-101.

OMB No: 0980-0047.

*Description:* Under title IV-B, subparts 1 and 2, States and Indian Tribes are to submit a five year plan, an annual progress and services report, and an annual budget request and estimated expenditure report, (CFS-101). The plan is used by States and Indian Tribes to develop and implement services and describe coordination efforts with other federal, state and local programs. The Annual Progress and Services Report is used to provide updates and will be submitted annually with the Annual Progress and Services Report to apply for appropriated funds for the next fiscal year.

*Respondents:* State governments.

*Annual Burden Estimates:*

| Instrument    | Number of respondents | Number of responses per respondent | Average burden hours per response | Total burden hours |
|---------------|-----------------------|------------------------------------|-----------------------------------|--------------------|
| APSR .....    | 114                   | 1                                  | 120                               | 13,680             |
| CFS-101 ..... | 114                   | 1                                  | 5                                 | 570                |
| CFSP .....    | 25                    | 1                                  | 500                               | 12,500             |

Estimated Total Annual Burden Hours: 26,750.

Additional Information: Copies of the proposed collection may be obtained by writing to The Administration for Children and Families, Office of Information Services, Division of Information Resource Management Services, 370 L'Enfant Promenade, S.W., Washington, D.C. 20447, Attn: ACF Reports Clearance Officer.

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the Federal Register. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, 725 17th Street, N.W., Washington, D.C. 20503, Attn: Ms. Wendy Taylor.

Dated: March 28, 1996.

Roberta Katson,

*Director, Office of Information Resource Management Services.*

[FR Doc. 96-9239 Filed 4-12-96; 8:45 am]

BILLING CODE 4184-01-M

**Health Resources and Services Administration**

**Availability of Funds for Community and Migrant Health Center Activities, for the Provision of Technical and Other Non-Financial Assistance to Community and Migrant Health Centers, and for Cooperative Agreements To Support Community and Migrant Health Centers**

**AGENCY:** Health Resources and Services Administration, HHS.

**ACTION:** Notice of Availability of Funds.

**SUMMARY:** The Health Resources and Services Administration (HRSA) announces that applications will be accepted for fiscal year (FY) 1996 Community and Migrant Health Center (C/MHC) activities. The activities supported include: the operation of C/MHCs (including enhanced perinatal services), capital improvements, cooperative agreements to support C/MHCs and other community-based providers of primary care, and awards for the provision of technical and other non-financial assistance to C/MHCs and other community-based providers of primary care. It is anticipated that grants will be awarded under sections 329 and 330 of the Public Health Service (PHS) Act, 42 U.S.C. 254b and 254c, respectively. Technical assistance is awarded under sections 329(g)(1),

330(f)(1), and 333(d) of the PHS Act, 42 U.S.C., 254b(g)(1), 254c(f)(1) and 254f(d), respectively.

This program announcement is subject to the final action on the appropriation of funds. At this time, given the continuing resolutions and the absence of a final FY 1996 appropriation, the specific amount available for these grant programs is not known.

The PHS is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS led national activity for setting priority areas. The health center program directly addresses the Healthy People 2000 objectives by improving access to preventive and primary care services for underserved populations, especially minority and other disadvantaged populations. Potential applicants may obtain a copy of Healthy People 2000 (Full Report; Stock No. 017-001-00474-01) or Healthy People 2000 (Summary Report; Stock No. 017-001-00473-01) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402-9325 (Telephone 202-783-3238).

The PHS strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103-227, the Pro-Children Act of