

**PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS**

**Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission**

■ 1. The authority citation for subpart M continues to read as follows:

**Authority:** 15 U.S.C. 77s, 78w, 79t, 77sss, 80a–37, 80b–11; E.O. 11222, 3 CFR, 1964–1965 Comp.; 5 CFR 735.104 unless otherwise noted.

■ 2. Section 200.735–5 is amended by:

- a. Revising footnote 17 appearing in paragraph (b)(1)(ii);
- b. Adding at the end of paragraph (b)(1)(iv) the word “or”;
- c. Removing paragraph (b)(1)(v);
- d. Redesignating paragraph (b)(1)(vi) as paragraph (b)(1)(v);
- e. Revising newly redesignated paragraph (b)(1)(v); and
- f. Revising paragraph (m)(3).

The revisions read as follows.

**§ 200.735–5 Securities transactions.**

\* \* \* \* \*

(b)(1) \* \* \*

(ii) \* \* \*

<sup>17</sup> For purposes of this section a *money market fund* is defined as a registered open-end fund that complies with § 270.2a–7 of this chapter.

\* \* \* \* \*

(v) The transferring of funds that have been held as shares in a registered investment company for a minimum of 30 days to another registered investment company within the same *family* of registered investment companies. This 30-day holding period does not apply to money market fund shares, which are exempted from the six-month holding period by paragraph (b)(1)(ii) of this section.

\* \* \* \* \*

(m)(1) \* \* \*

(3) Members and employees shall report only the initial purchase and final sale of shares in a money market fund.

\* \* \* \* \*

Dated: April 14, 2004.  
By the Commission.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 04–8890 Filed 4–19–04; 8:45 am]

**BILLING CODE 8010–01–P**

**COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA**

**28 CFR Part 803**

[CSOSA–0007–F]

RIN 3225–AA05

**Agency Seal**

**AGENCY:** Court Services and Offender Supervision Agency for the District of Columbia.

**ACTION:** Final rule.

**SUMMARY:** The Court Services and Offender Supervision Agency for the District of Columbia (CSOSA or Agency) is adopting regulations on the use of its official seal and the official seal for the District of Columbia Pretrial Services Agency (PSA or Agency), an independent entity within CSOSA. Use by any person or organization may be made only with CSOSA’s or PSA’s prior written approval. Wrongful use of an official seal is subject to administrative action and/or criminal penalty.

**EFFECTIVE DATE:** May 20, 2004.

**ADDRESSES:** Office of the General Counsel, CSOSA, Room 1253, 633 Indiana Avenue, NW., Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Roy Nanovic, Records Manager (telephone: (202) 220–5359; e-mail: roy.nanovic@csosa.gov.

**SUPPLEMENTARY INFORMATION:** CSOSA is adopting regulations (28 CFR 803) on the use of its official seal and the official seal for PSA, an independent entity within CSOSA.

CSOSA and PSA have each developed a seal which signifies the authoritativeness of the item or document to which it is affixed as an official endorsement of the Agency. The seals are to be used for official Agency business or as approved under CSOSA’s regulations.

**Matters of Regulatory Procedure**

*Administrative Procedure Act*

A proposed rule on this subject was published in the **Federal Register** on April 22, 2003 (68 FR 19770). The Agency received no comment on this proposed rule. Accordingly, the Agency is adopting the proposed rule as final without change.

Any interested person, however, who wishes to submit further comments on the rule may do so by writing or e-mailing the agency at the addresses given above in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** captions. These comments will be considered but

will not necessarily receive a response in the **Federal Register**.

*Executive Order 12866*

This rule has been determined to be significant under Executive Order 12866 and has been reviewed by the Office of Management and Budget.

*Executive Order 13132*

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, the Director of CSOSA had determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

*Regulatory Flexibility Act*

The Director of CSOSA, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule and by approving it certifies that this rule will not have a significant economic impact upon a substantial number of small entities. This rule pertains to agency management, and its economic impact is limited to the agency’s appropriated funds.

*Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, the Director of CSOSA has determined that no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

*Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$1000,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

*Plain Language Instructions*

We want to make CSOSA’s documents easy to read and understand. If you have suggestions on how to

improve the clarity of these regulations, write, e-mail, or call Roy Nanovic at the address or telephone number given above in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** captions.

#### List of Subjects in CFR Part 803

Probation and parole, Seals and insignia.

**Paul A. Quander, Jr.**

*Director.*

■ Accordingly, we amend chapter VIII, Title 28 of the Code of Federal Regulations by adding part 803 as set forth below.

#### PART 803—AGENCY SEAL

Sec.

803.1 Description.

803.2 Authority to affix seal.

803.3 Use of the seal.

**Authority:** 5 U.S.C. 301; Pub. L. 105–33, 111 Stat. 251, 712 (D.C. Code 24–1232, 24–1233).

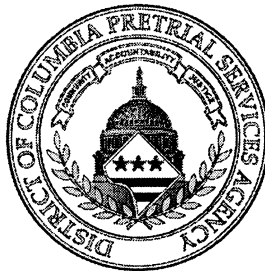
##### § 803.1 Description.

(a) The Agency seal of the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA or Agency) is described as follows: General George Washington's coat of arms in red and white bounded by an outline of the District of Columbia and superimposed upon a blue field together with the dome of the United States Capitol building in gold; encircled by a banner with the words "Community, Accountability, and Justice" and gold laurel branches, with gold edges bearing the inscription "COURT SERVICES AND OFFENDER SUPERVISION AGENCY" above three stars at either side of the words "DISTRICT OF COLUMBIA" in smaller letters in the base; letters and stars in gold. A reproduction of the Agency seal in black and white appears as follows.



(b) The Agency seal of the District of Columbia Pretrial Services Agency (PSA or Agency) is described as follows: General George Washington's coat of arms in red and white bounded by an outline of the District of Columbia and superimposed upon a blue field together with the dome of the United States Capitol building in gold; encircled by a

Accountability, and Justice" and gold laurel branches, with gold edges bearing the inscription "DISTRICT OF COLUMBIA PRETRIAL SERVICES AGENCY"; letters in gold. A reproduction of the Agency seal in black and white appears as follows.



##### § 803.2 Authority to affix seal.

The Director of CSOSA or PSA (as appropriate) and the Director's designees are authorized to affix the Agency seal (including replicas and reproductions) to appropriate documents, certifications, and other materials of all purposes authorized by this part.

##### § 803.3 Use of the seal.

(a) The Agency seal is used by Agency staff for official agency business as approved by the appropriate Director or designee.

(b) Use of the Agency seal by any person or organization outside of the Agency may be made only with the appropriate prior written approval.

(1) Any request for such use must be made in writing to the Office of the General Counsel, Court Services and Offender Supervision Agency for the District of Columbia, 633 Indiana Avenue, NW., Washington, DC 20004, and must specify, in detail, the exact use to be made. Any permission granted by the appropriate Director or designee applies only to the specific use for which it was granted and is not to be construed as permission for any other use.

(2) The decision whether to grant such a request is made on a case-by-case basis, with consideration of all relevant factors, which may include: the benefit or cost to the government of granting the request; the unintended appearance of endorsement or authentication by the Agency; the potential for misuse; the effect upon Agency security; the reputability of the use; the extent of the control by the Agency over the ultimate use; and the extent of control by the Agency over distribution of any products or publications bearing the Agency seal.

(c) Falsely making, forging, counterfeiting, mutilating, or altering the Agency seal or reproduction, or

knowingly using or possessing with fraudulent intent an altered Agency seal or reproduction is punishable under 28 U.S.C. 506.

(d) Any person using the Agency seal or reproduction in a manner inconsistent with the provisions of this part is subject to the provisions of 18 U.S.C. 1017, which states penalties for the wrongful use of an Agency seal, and other provisions of law as applicable.

[FR Doc. 04–8914 Filed 4–19–04; 8:45 am]

BILLING CODE 3129–01–M

#### COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

##### 28 CFR Part 804

[CSOSA–0008–F]

RIN 3225–AA06

##### Acceptance of Gifts

**AGENCY:** Court Services and Offender Supervision Agency for the District of Columbia.

**ACTION:** Final rule.

**SUMMARY:** The Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) is adopting regulations on the acceptance or use of gifts by itself and by the District of Columbia Pretrial Services Agency (PSA), an independent entity within CSOSA. In accordance with specific statutory authority, CSOSA and PSA may accept and use gifts in the form of in-kind contributions of space and hospitality for the purpose of supporting offender and defendant programs and of equipment and vocational training services to educate and train offenders and defendants. These regulations delegate authority to the Director of PSA with respect to gifts supporting defendant programs and vocational training services, establish procedures for the public to follow when offering a gift, establish criteria for accepting and using gifts, and establish procedures for audit and public inspection of records pertaining to the acceptance and use of gifts. These regulations are intended to enhance CSOSA's and PSA's ability to provide appropriate treatment and support services that can assist defendants and offenders in reintegrating into the community.

**DATES:** *Effective Date:* May 20, 2004.

**ADDRESSES:** Office of the General Counsel, CSOSA, Room 1253, 633 Indiana Avenue, NW., Washington, DC 20004.