

**ONTARIO INTERNATIONAL AIRPORT
AUTHORITY
COMMISSION AGENDA
SPECIAL MEETING**

JULY 5, 2017 AT 10:00 A.M.

**Ontario International Airport Administration Offices
1923 E. Avion Street, Room 100, Ontario, CA 91761**

<p>Alan D. Wapner President</p>	<p>Teleconference Location available at: 506 Golden Creek Road Mammoth Lakes, CA 93546</p>	<p>Kelly J. Fredericks Chief Executive Officer</p>
<p>Ronald O. Loveridge Vice President</p>		<p>Lori D. Ballance General Counsel</p>
<p>Jim W. Bowman Commissioner</p>		<p>Jeff P. Reynolds Treasurer</p>
<p>Curt Hagman Commissioner</p>		
<p>Vacant Secretary</p>		

Welcome to the Special Meeting of the Ontario International Airport Authority.

- All documents for public review are on file at the Ontario International Airport Administration Offices located at 1923 E. Avion Street, Ontario, CA 91761.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Secretary/Assistant Secretary will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1-minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within the Authority's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak, including Commissioners and Staff, need to be recognized by the Authority President before speaking.

ORDER OF BUSINESS The Authority meeting begins with Closed Session and Closed Session comment at 10:00 a.m.

(EQUIPMENT FOR THE HEARING IMPAIRED IS AVAILABLE UPON REQUEST AT THE REGULAR MEETING.)

CALL TO ORDER (*OPEN SESSION*)

10:00 a.m.

ROLL CALL

Loveridge, Bowman, Hagman, President Wapner

PLEDGE OF ALLEGIANCE

CLOSED SESSION PUBLIC COMMENT: The Closed Session Public Comment portion of the Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Chief Executive Officer
- GC 54956.9(d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:
Three (3) cases.

In attendance: Loveridge, Bowman, Hagman, President Wapner

REPORT ON CLOSED SESSION

General Legal Counsel

PUBLIC COMMENTS

10:15 a.m.

The Public Comment portion of the Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Commission, fill out one of the blue slips at the rear of the chambers and give it to the Secretary/Assistant Secretary.

AGENDA REVIEW/ANNOUNCEMENTS The Chief Executive Officer will go over all updated materials and correspondence received after the Agenda was distributed to ensure Commissioners have received them.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

I. A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE NON-EXCLUSIVE TRANSPORTATION NETWORK COMPANY OPERATING PERMIT(S) TO PROVIDE GROUND TRANSPORTATION SERVICES TO AND FROM ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority adopt Resolution No. ____ approving the terms and conditions of non-exclusive Transportation Network Company Operating Permit(s) to provide ground transportation services to and from Ontario International Airport, and authorize the Chief Executive Officer, or his designee, to execute said Permit(s).

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE NON-EXCLUSIVE TRANSPORTATION NETWORK COMPANY OPERATING PERMIT(S) WITH TRANSPORTATION NETWORK COMPANIES TO PROVIDE GROUND TRANSPORTATION SERVICES AT ONTARIO INTERNATIONAL AIRPORT

2. AUTHORIZE APPROVAL FOR THE CEO TO EXECUTE A PURCHASE ORDER CONTRACT WITH DIRECT AV TO UPGRADE THE EXISTING SECURITY VIDEO MANAGEMENT SYSTEM HARDWARE AT THE AIRPORT.

That the Ontario International Airport Authority authorize the Chief Executive Officer to purchase BCD Video Server Hardware from Direct AV of Hawthorne, California. New servers are needed to support a software upgrade for the 380 existing airport security cameras at Ontario International Airport (ONT) from an analog to a digital system. This software upgrade is also necessary prior to the transition of responsibility for public safety dispatch services from Los Angeles World Airports (LAWA) to the Ontario International Airport (ONT) and the City of Ontario (the City). The cost of these new servers will not exceed \$146,227.80.

COMMISSION MATTERS

President Wapner
Vice President Loveridge
Commissioner Bowman
Commissioner Hagman

ADJOURNMENT

BACKGROUND

The existing ground transportation permit program at the Airport regulates the activities of commercial operators, including metered taxis, limousines, town cars, shared-ride vans, buses, and courtesy shuttles (hotel, private parking, door to door, and rental car). The City of Ontario Municipal Code (Ord. 3018, effective June 19, 2015) requires that taxis obtain a taxi permit prior to carrying passengers for hire within the City Limits of Ontario, including at the Airport. In addition, all ground transportation companies that operate at the Airport are required to obtain an airport-issued ground transportation permit.

In recent years, a new form of ground transportation provider has arisen. These providers were initially referred to as “ridesharing” companies, but have since become known as Transportation Network Companies (TNCs). The California Public Utilities Commission (CPUC) has defined a TNC as a company and/or organization that “provide prearranged transportation services for compensation using an online-enabled application or platform (such as smart phone apps) to connect drivers using their personal vehicles with passengers.”

On September 19, 2013, the California Public Utilities Commission (CPUC) ruled that TNCs fall under the broad grant of authority of the CPUC pursuant to Article XII of the California Constitution and, further, determined that TNCs are charter-party passenger carriers under the passenger charter-party carriers’ act. The CPUC also adopted rules and regulations for TNCs including, but not limited to, insurance requirements, criminal background checks, zero tolerance substance abuse policies, driver age and training requirements, and vehicle inspections. In addition, the regulations state that TNCs may not conduct any operations on the property of or into any airport unless such operations are authorized by the airport authority involved. On September 17, 2014, Assembly Bill 2293, which codified specific TNC insurance requirements in California, was chaptered. To date, the CPUC has issued permits to six (6) TNCs authorizing their operation in California.

The Airport’s existing ground transportation permits neither anticipated nor were structured to accommodate the TNC operational model. Therefore, it was necessary to create a new ground transportation permit specifically for TNCs operating at the Airport. The Airport has prepared a proposed non-exclusive TNC Ground Transportation Operating Permit that requires all TNC operations at the Airport to be operated: (1) in compliance with California Law and CPUC rules and regulations; (2) consistent with Airport Authority Rules and Regulations; and (3) in a manner that protects, to the extent possible, the safety and security of airport passengers and the Airport Authority as the owner and operator of ONT. The proposed TNC Ground Transportation Operating Permit incorporates a proposed fee structure of three dollars (\$3.00) per trip for both pick-up and drop-off.

Throughout preparation of the proposed TNC Operating Permit, the Airport coordinated with and solicited input and comment from TNC operators, including Lyft and Uber (the two largest TNCs in the state), as well as discussed the initiation of TNC service at the Airport with existing ground transportation services currently operating at the Airport, including taxi companies, shared-ride vans and limousine operators. The Airport also discussed these issues with staff at the City of Ontario.

Many passengers and guests at the Airport use private vehicles for pick up and drop off, which contributes to traffic and congestion during peak operating times. Permitting TNCs to operate at the Airport will

provide guests with additional transportation choices that may provide viable and effective alternatives for some private vehicle users, which would increase use of commercial vehicle alternatives and improve the efficient use of Airport facilities.

The proposed terms and conditions of the Non-Exclusive TNC Operating Permit(s) include, but are not limited to the following:

- 1) CPUC Permit: TNCs shall have certification and an active and valid permit to operate issued by the CPUC.
- 2) Insurance: TNCs shall have the CPUC required minimum liability coverage and insurance coverage required by the OIAA at all times while operating on Airport property.
- 3) Driver Background Checks: TNCs shall comply with state law effective January 2, 2017, and as amended, requiring TNCs to conduct stricter background checks on drivers or face a fine of up to five thousand dollars (\$5,000) per violation. Law prohibits TNCs from employing drivers who are registered sex offenders, convicted of terrorism-related or violent felonies, or have been convicted of assault or battery, domestic violence or driving under the influence (DUI) in the past seven (7) years.
- 4) Vehicle Inspections: TNCs shall comply with state law effective June 27, 2016, and as amended, requiring all Charter Party Carrier and TNC vehicles to be inspected by a facility licensed by the California Bureau of Automotive Repair before the vehicle is first introduced into service and every twelve (12) months or fifty-thousand (50,000) miles thereafter, whichever occurs first.
- 5) Pick up and drop off: TNCs shall pick up and drop off customers only at designated locations, as specified by the OIAA CEO, or designee.
- 6) Geo-Fence: The established boundary defined by Geographic Information System coordinates, passage through which by a TNC vehicle engaged in a mobile app transaction to or from ONT, shall constitute a trip.
- 7) Designated TNC Staging Area: All TNCs shall wait in the OIAA-designated area(s) for an Airport passenger assignment.
- 9) Trade Dress: Each TNC vehicle within the Geo-Fence, and Designated TNC Staging Area shall, at all times, have the Trade Dress (i.e. company logo/identifier) properly displayed and distinguishable within fifty (50) feet of the vehicle.
- 10) Fee: TNCs shall pay a three dollar (\$3.00) per trip fee, applied to both pick up and drop off trips, when crossing the Geo-Fence, or such fee as set and as amended from time to time by the OIAA Commission.
- 11) Training: TNCs shall demonstrate to the satisfaction of the OIAA CEO that each TNC Driver operating at ONT has been instructed on the terms of the OIAA operating permit, including compliance with ONT Rules and Regulations. |

Approval and implementation of the proposed terms and conditions and fee structure for TNCs at ONT will allow ONT to remain competitive with peer airports in the region. A survey conducted by Staff in April 2017 found that TNCs at Los Angeles International Airport pay four dollars (\$4.00) per trip for drop off and pick up; at Burbank Hollywood Airport, TNC drivers must wait for customers in BUR parking garage and pay a short-term parking fee that is a minimum of three dollars (\$3.00); at John Wayne Airport, Orange County, TNCs pay a trip fee of two dollars twenty-five cents (\$2.25) per trip; at Long Beach Airport, TNCs pay three dollars (\$3.00) per trip under a six-month pilot program which was initiated on April 5, 2017, and at San Diego International Airport, TNCs pay a trip fee of \$3.86.

The current rate structure at the Airport for passenger pick-up and drop-off by taxis and/or taxi cab companies are regulated by, and consistent with, the requirements of the City of Ontario Municipal Code (Section 1, Title 4, Section 5), which requires an annual payment by taxi cab companies to the Airport of the greater of twelve hundred dollars (\$1,200) per taxi per year or an annual fee of fifty-six thousand three hundred dollars (\$56,300). Super Shuttle passenger pick-ups and drop-offs, which are regulated by the CPUC, are required to make an annual payment to OIAA of forty-two thousand five hundred dollars (\$42,500). Limousines, town cars, and charter buses, also regulated by CPUC, are required to make an annual payment to the Airport of five hundred and forty-three dollars (\$543) or twelve dollars (\$12) per vehicle, per trip. With the exception of the per-trip fee option for limousines, town cars and charter buses, which are currently collected via an honor system, the fees charged to other existing ground transportation companies are not per-trip based because the Airport has not had the technology to count their activity on the Airport. These fees have instead been derived from historic fees charged by the Airport, escalated for inflation. The Airport is exploring, and intends to implement, License Plate Recognition (LPR) technology in 2018 that will allow conversion of taxis, share-ride vans and limousines to a per-trip fee structure. In the meantime, taxis, share-ride vans, limousines and charter buses will have their current annual agreements to serve ONT extended until the LPR technology can be implemented and a new proposed fee structure adopted, subject to OIAA Commission approval.

CEQA COMPLIANCE: The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301 because it consists of issuance of an operating permit for ground transportation services similar to existing services already provided at the Airport and is therefore not subject to review under CEQA.

STAFFING IMPACT (# OF POSITIONS):

N/A

IMPACT ON OPERATIONS:

Signage designating pick up and drop off points for passengers will be posted in front of the passenger terminals prior to initiation of TNC service at the Airport.

SCHEDULE

Upon adoption of Resolution ___, and execution of the Operating Permit(s), Staff will notify TNC companies and provide a Checklist for initiation of service at ONT. Upon completion of the Checklist items, TNCs will be authorized to immediately begin serving ONT consistent with the terms and conditions of the Operating Permit(s).

EXHIBITS & ATTACHMENTS:

Attachment A: Proposed standard Non-Exclusive TNC Operating Permit

Attachment B: Proposed Resolution No. _____

The Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday

This Agenda Report has been reviewed by OIAA General Counsel.

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE NON-EXCLUSIVE TRANSPORTATION NETWORK COMPANY OPERATING PERMIT(S) WITH TRANSPORTATION NETWORK COMPANIES TO PROVIDE GROUND TRANSPORTATION SERVICES AT ONTARIO INTERNATIONAL AIRPORT.

WHEREAS, passengers and guests at Ontario International Airport (ONT or Airport) access the Airport by various modes of ground transportation, including taxis, limousines, shared-ride vans, scheduled service buses, and courtesy shuttles (hotel, private parking, and rental car); and

WHEREAS, the existing ground transportation permit program at the Airport regulates the activities of commercial operators, including metered taxis, limousines, town cars, shared-ride vans, buses, and courtesy shuttles (hotel, private parking, door to door, and rental car); and

WHEREAS, in recent years a new form of ground transportation providers has been initiated throughout the state and is referred to as Transportation Network Companies (TNCs); and

WHEREAS, TNCs are regulated by the California Public Utilities Commission (CPUC) as charter-party passenger carriers and are subject to rules and regulations including, but not limited to, insurance requirements, criminal background checks, zero tolerance substance abuse policies, driver age and training requirements, and vehicle inspections; and

WHEREAS, the CPUC further mandates that TNCs may not conduct any operations on the property of or into any airport unless such operations are authorized by the airport authority; and

WHEREAS, the Airport's existing ground transportation permits neither anticipated nor have been structured to accommodate the TNC operational model; and

WHEREAS, the Airport has prepared a new non-exclusive Ground Transportation Network Company Operating Permit specifically for TNC operations at the Airport; and

WHEREAS, the proposed non-exclusive TNC Operating Permit requires all TNC operations at the Airport to be operated: (i) in compliance with CPUC rules and regulations; (ii) consistent with Airport Authority rules and regulations, including insurance requirements; and (iii) in a manner that protects, to the extent possible, the safety and security of airport passengers and the Airport Authority as the owner and operator of the Airport; and

WHEREAS, throughout preparation of the proposed TNC Operating Permit, the Airport has coordinated with, and solicited input and comment from, TNC operators, including Lyft and Uber, as well as discussed the initiation of TNC service at the Airport with existing ground transportation services currently operating at the Airport, including taxi companies, shared-ride vans and limousine operators; and

WHEREAS, the Airport has further coordinated with the City of Ontario regarding ground transportation services at the Airport; and

WHEREAS, Airport staff has finalized preparation of the proposed TNC Operating Permit consistent with these coordination efforts and discussions.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby approves the terms and conditions and authorizes the Chief Executive Officer to execute Non-Exclusive Transportation Network Company Operating Permits with Transportation Network Companies to provide ground transportation services to and from Ontario International Airport consistent with the TNC Operating Permit as shown and reflected in Attachment 1 to this Resolution.

BE IT FURTHER RESOLVED that upon verification of all TNC Operating Permit requirements, Airport may issue the TNC Operating Permit to interested TNCs.

BE IT FURTHER RESOLVED that the CEO may make minor amendments to the TNC Operating Permit, as necessary, to address evolving operational and regulatory issues associated with the initiation of TNC Services at Ontario International Airport.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting this 5th day of July, 2017.

RONALD O. LOVERIDGE,
OIAA VICE PRESIDENT

ATTEST:

COMMISSION CLERK/ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE
GENERAL COUNSEL

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Claudia Y. Isbell, Commission Clerk/Assistant Secretary of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held July 5, 2017 by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

COMMISSION CLERK/ ASSISTANT SECRETARY

(SEAL)

The foregoing is the original of Resolution No. _____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their Regular Meeting held July 5, 2017.

COMMISSION CLERK/ ASSISTANT SECRETARY

(SEAL)

**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**

Agenda Report

| July 5, 2017 |

**SECTION:
ADMINISTRATIVE
REPORTS/DISCUSSION/ACTION**

SUBJECT: AUTHORIZE APPROVAL FOR THE CEO TO EXECUTE A PURCHASE ORDER CONTRACT WITH DIRECT AV TO UPGRADE THE EXISTING SECURITY VIDEO MANAGEMENT SYSTEM HARDWARE AT THE AIRPORT.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer (CEO) to purchase BCD Video Server Hardware from Direct AV of Hawthorne, California. New servers are needed to support a software upgrade for the 380 existing airport security cameras at Ontario International Airport (ONT) from an analog to a digital system. This upgrade is also necessary prior to the transition of responsibility for public safety dispatch services from Los Angeles World Airports (LAWA) to the Ontario International Airport (ONT) and the City of Ontario (the City). The cost of these new servers will not exceed \$146,227.80.

FISCAL IMPACT SUMMARY: The total cost for the acquisition of servers shall not exceed \$146,227.80, including sales tax. This cost will include the acquisition of servers, with a 5-year warranty for each server. Licenses for use of the Genetec Security Software Center software supported by these servers will be procured separately, via an annual subscription, which is expected to cost approximately \$75,000.00 per annum. Approval of this recommendation will require use of additional funds in the 2017/18 OIAA budget, or any other budget adopted, continued, or approved by the OIAA Commission.

BACKGROUND:

While the 380 security cameras that comprise the existing security video monitoring system at ONT function sufficiently well to secure the airport adequately, there are four reasons why the software and server hardware that support the system need to be upgraded from an analog to a digital visual monitoring system.

First, the servers and the software have exceeded their period of useful life, and the vendor will no longer support the server hardware or software. Therefore, new servers are necessary to ensure the continued reliability of the security video monitoring system at ONT.

STAFF MEMBER PRESENTING: Bruce Atlas, Chief Operating Officer

Prepared by: Bruce Atlas
Department: _____

Submitted to OIAA: July 5, 2017

General Counsel

Review: June 9, 2017

Approved: _____

Continued to: _____

Denied: _____

Chief Executive
Officer Approval:

Mark A. Thayer

*SIGNED ON BEHALF OF
KELLY FREDERICKS*

Item No. 02

In addition, this server upgrade will allow the OIAA to initiate the process of transitioning responsibility for public safety and airport operations dispatch services from LAWA to the OIAA and the City. The City of Ontario Police Department (OPD), which currently provides police services for the OIAA, will assume primary responsibility for dispatch services, under its existing contract. The OPD currently uses Genetec Security Software Center software, so the OIAA's acquisition of this same system will allow for system compatibility and provide first responders with a common operational view and help them quickly identify and mitigate security events as they might arise.

Third, digital-based video monitoring system will better meet the recommended standards of both the United States Transportation Security Administration (USTSA) and the United States Customs and Border Protection (USCBP).

Finally, the cost of the system upgrade proposed by this action will be recovered within months of the transition of public safety and airport operations dispatch services from LAWA to the City and OPD. LAWA has historically had to provide sufficient staffing to support dispatch services at ONT independent from the other airports within its system. The City and OPD can assume the existing and future dispatch services workload at ONT in a more efficient and less costly manner, because supervisory and management staff specific to ONT dispatch services will no longer be needed; current dispatch leadership at the City can oversee and manage any additional dispatchers hired and assigned to cover ONT.

PROCUREMENT:

On April 6, 2017, OIAA and City of Ontario IT staff solicited bid number 170001 on Planet Bids for upgraded Video System Hardware and Software. Planet Bids was used to solicit competitive bids. Three firms responded to this solicitation: Direct AV, from Hawthorne, California; The Kepler Group, from Honolulu, Hawaii; and American Threat Assessment Consulting, Inc., from Rancho Cucamonga, California.

OIAA and City of Ontario IT staff reviewed the bids determined that the bid submitted by Direct AV to be the lowest responsive bid to acquire the server equipment needed to support the analog-to-digital system upgrade. The other bid responses were deemed incomplete and/or proposed higher costs.

The City of Ontario IT staff, in concurrence with OIAA staff, subsequently determined that the OIAA could procure Genetec Security Software Center software less expensively through an annual subscription, rather than a one-time acquisition. As a result, the software upgrade will be executed, from a procurement perspective, in a two-step process: the acquisition of the required server hardware for \$146,227.80, with approval of this action; and an annual subscription for the Genetec Security Software Center software.

FISCAL IMPACT AND SOURCE OF FUNDS:

Approval of this recommended expenditure of up to \$146,227.80 will require the use of additional funds in the 2017/18 OIAA budget, or any other budget adopted, continued, or approved by the OIAA Commission. The authorized funds will be used to purchase the camera equipment, and video storage server hardware required to complete the airport security camera system upgrade from analog to digital within 60 days.

CEQA COMPLIANCE: The proposed project is Categorically Exempt (Class 1) from the provisions of CEQA pursuant to Section 15301, because it provides for the exemption of existing facilities. Operations, repair, maintenance, or minor alteration of existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination are exempt.

STAFFING IMPACT (# OF POSITIONS): N/A

IMPACT ON OPERATIONS: The purchase of this software and hardware will ensure that airport activities will continue to be monitored in compliance with the ONT Airport Security Program. This purchase will improve the reliability of the current airport security system so that airport security staff can continue to be proactive; identify areas of vulnerability, reduce false claims against the airport, and reduce risk to the airport from false claims of injuries and damages. Security personnel at the airport have assured staff that this upgrade process, which will be carried out in a phased fashion, will not diminish the level of security monitoring at the airport, with minimal impact on airport operations.

SCHEDULE: Procurement and installation will begin immediately upon approval by the Commission.

This Agenda Report has been reviewed by General Counsel.] |