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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

LIBRARY OF CONGRESS

36 CFR Part 701

[Docket No. LOC 00–2]

Acquisition of Library Materials by Non-Purchase Means and Disposition of Surplus Library Materials

AGENCY: Library of Congress.

ACTION: Final regulation.

SUMMARY: The Library of Congress issues this final regulation to reflect the revision of Library of Congress Regulations 317–1, 317–2, and 515. This revision of the above mentioned regulation clarifies the responsibilities and policies by which the Library of Congress conducts acquisition of materials by non-purchase means and disposes of surplus library materials.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Pugh, General Counsel, Office of the General Counsel, Library of Congress, Washington, DC 20540–1050. Telephone No. (202) 707–6316.

SUPPLEMENTARY INFORMATION: The purpose of this regulation (36 CFR 701.33) is to identify who at the Library of Congress or outside entities (1) may request and/or approve gifts, deposits, exchanges or transfers of library materials; (2) may receive surplus library materials.

List of Subjects in 36 CFR Part 701

Libraries, Seals and insignia.

In consideration of the foregoing the Library of Congress amends 36 CFR part 701 as follows:

PART 701—PROCEDURES AND SERVICES

1. The authority citation for part 701 continues to read as follows:

Authority: 2 U.S.C. 136; 18 U.S.C. 1017.

2. Section 701.33 is revised to read as follows:

§ 701.33 Acquisition of library materials by non-purchase means and disposition of surplus library materials.

(a) *Gifts.* It is the policy of the Library of Congress to foster the enrichment of its collections through gifts of materials within the terms of the Library's acquisitions policies. In implementing this policy, division chiefs and other authorized officers of the Library may undertake, as representatives of the Library, preliminary negotiations for gifts to the Library. However, responsibility for formal acceptance of gifts of material and for approval of conditions of such gifts rests with The Librarian of Congress or his designee. The Chief, African/Asian Acquisitions and Overseas Operations Division, Chief, Anglo-American Acquisitions Division, and Chief, European and Latin American Acquisitions Division are responsible for routine gifts in the geographic areas covered by their divisions.

(b) *Deposits.* (1) The Anglo-American Acquisitions Division is the only division in the Library authorized to make technical arrangements, formally negotiate for the transportation of materials and conditions of use at the Library, and prepare written Agreements of Deposit to formalize these negotiations. The term ''deposit'' is used to mean materials which are placed in the custody of the Library for general use on its premises, but which remain the property of their owners during the time of deposit and until such time as title in them may pass to the Library of Congress. A deposit becomes the permanent property of the Library when title to it is conveyed by gift or bequest. A deposit may be withdrawn by the owner rather than conveyed to the Library. A deposit shall be accompanied by a signed Agreement of Deposit.

(2) It is the policy of the Library of Congress to accept certain individual items or special collections as deposits when: permanent acquisition of such materials cannot be effected immediately; the depositors give reasonable assurance of their intention to donate the materials deposited to the United States of America for the benefit of the Library of Congress; the Library of Congress determines that such ultimate transfer of title will enrich its collections; and the depositors agree that the materials so deposited may be available for unrestricted use or use in the Library under reasonable restrictions.

(c) *Methods of disposition of surplus and/or duplicate materials*—(1) *Exchange.* All libraries may make selections on an exchange basis from the materials available in the ''Exchange/Transfer'' category. The policy governing these selections is that exchange be made only when materials of approximately equal value are expected to be furnished in return within a reasonable period. Dealers also may negotiate exchanges of this type for items selected from available exchange materials, but surplus copyright deposit copies of works published after 1977 shall not knowingly be exchanged with dealers. Offers of exchange submitted by libraries shall be submitted to the Chief of the African/Asian Acquisitions and Overseas Operations Division, Anglo-American Acquisitions Division, or European/Latin American Acquisitions Division, or their designees, as appropriate, who shall establish the value of the material concerned. Offers from dealers shall be referred to the Chief of the Anglo-American Acquisitions Division. Exchange offers involving materials valued at $1,000 or more must be approved by the Acquisitions Division Chief; offers of $10,000 or more must be approved by the Director for Acquisitions and Support Services; and offers of $50,000 or more must be approved by the Associate Librarian for Library Services. The Library also explicitly reserves the right to suspend, for any period of time it deems appropriate, the selection privileges of any book dealer who fails to comply fully with any rules prescribed for the disposal of library materials under this section or any other pertinent regulations or statutes.

(2) *Transfer of materials to Government Agencies.* Library materials no longer needed by the Library of Congress, including the exchange use mentioned above, shall be available for transfer to Federal agency libraries or to the District of Columbia Public Library, upon the request of appropriate officers of such entities, and may be selected from both the ''Exchange/Transfer'' and ''Donation'' categories. Existing arrangements for the transfer of materials, such as the automatic transfer of certain classes of books, etc., to specified Government libraries, shall be

continued unless modified by the Library.

(3) *Donations of Library materials to educational institutions, public bodies, and nonprofit tax-exempt organizations in the United States.* It is the Library's policy, in keeping with the Federal Property and Administrative Services Act of 1949, 40 U.S.C. 471 *et seq.*, which does not cover the Library of Congress, to use materials no longer needed for any of the purposes mentioned above to strengthen the educational resources of the Nation by enriching the book collections of educational institutions (full-time, tax-supported or nonprofit schools, school systems, colleges, universities, museums, and public libraries), public bodies (agencies of local, state, or Federal Government), and nonprofit tax-exempt organizations (section 501 of the Internal Revenue Code of 1954, 26 U.S.C. 501, (see 41 CFR 101–44.207 (a)(17)) by authorizing the Anglo-American Acquisitions Division to donate to such groups in the United States any materials selected by their representatives. Eligibility to participate in the donation program shall be limited as defined by procedures established by the Anglo-American Acquisitions Division.

(4) *Disposition of residue.* Library materials not needed for the collections of the Library, for its exchange and transfer programs, for sale, or for donation, and which, in the opinion of the Chief, Anglo-American Acquisitions Division, have no commercial value, may be turned over to the General Services Administration (GSA) to be disposed of in accordance with standard Government practice.

Dated: February 25, 2000.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 00–5113 Filed 3–3–00; 8:45 am]

BILLING CODE 1410–04–P

LIBRARY OF CONGRESS

36 CFR Part 701

[Docket No. LOC 00–1]

Information About the Library

AGENCY: Library of Congress.

ACTION: Final regulation.

SUMMARY: The Library of Congress issues this final regulation to revise Library of Congress Regulation 1210 on information about the Library. The revised regulation will now refer interested parties to the Public Affairs Office instead of the Information Office. This revision also clarifies the procedures with regard to relations with representatives of the press, radio, television, and other public-information media.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Pugh, General Counsel, Office of the General Counsel, Library of Congress, Washington, DC 20540–1050. Telephone No. (202) 707–6316.

SUPPLEMENTARY INFORMATION: The purpose of this regulation (36 CFR 701.4) is to identify who at the Library of Congress (1) is the principal contact for representatives of the media; (2) gives advice to Library officers and staff members on public-relations and public-information matters; keeps the Librarian and other officers informed of developments in this field; and (4) promotes the resources and activities of the Library.

List of Subjects in 36 CFR Part 701

Libraries, Seals and insignia.

In consideration of the foregoing the Library of Congress amends 36 CFR part 701 as follows:

PART 701—PROCEDURES AND SERVICES

1. The authority citation for part 701 continues to read as follows:

Authority: 2 U.S.C. 136; 18 U.S.C. 1017.

2. Section 701.4 is revised to read as follows:

§ 701.4 Information about the Library.

(a) *Information about the Library.* It is the Library's policy to furnish freely information about the Library to the media. All requests from the media, for other than generally published information and Library records, should be referred to the Public Affairs Office.

(b) *Public Affairs Office.* The Public Affairs Office shall have the principal responsibility for responding to requests for information about the Library from representatives of the media; giving advice to Library officers and staff members on public-relations and public-information matters; keeping the Librarian and other officers informed of important developments in this field; and promoting the resources and activities of the Library.

(1) During regular office hours (8:30 a.m. to 5 p.m.) telephone operators shall refer requests for information, from the media only, about the Library to the Public Affairs Office. All other requests for information shall be referred to the National Reference Service or other appropriate offices of the Library.

(2) All other Library offices and staff members who receive inquiries directly from representatives of the media for information about the Library, other than generally published information, shall refer such inquiries to the Public Affairs Office.

(3) The Public Affairs Office shall respond directly to inquiries concerning the Library, calling upon other offices to supply information to it as necessary, or shall arrange for other offices or staff members, as appropriate, to supply such information directly and report back to Public Affairs after the contact has been made. Requests for Library of Congress records, however, shall be made in accordance with 36 CFR Part 703.

(4) When the Public Affairs Office is closed (evenings, Saturdays, Sundays, and holidays), requests from the media for information about the Library shall be referred to the Public Affairs Officer at his/her home. In the event that person is not available, inquiries shall be referred to the Acting Public Affairs Officer, or, in turn, a designated public affairs specialist.

(c) Other Library Units and Staff Members. All Other Library Units and Staff Members shall be responsible for keeping the Public Affairs Office fully and promptly informed of contacts with the press, except in those instances of routine reference inquiries; supplying the Public Affairs Office with any data it requires in order to respond to inquiries from representatives of the media; and reporting promptly to the Public Affairs Office substantive contacts with media representatives about the Library and its policies or activities.

Dated: February 25, 2000.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 00–5112 Filed 3–3–00; 8:45 am]

BILLING CODE 1410–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP–300942; FRL–6389–8]

RIN 2070–AB78

Polyvinyl Acetate, Carboxyl Modified Sodium Salt; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of polyvinyl acetate, copolymer with maleic

anhydride, partially hydrolyzed, sodium salt when used as an inert ingredient (component of water soluble films) in or on growing crops when applied to raw agricultural commodities or after harvest. Kuraray America, Inc. submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996 requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of polyvinyl acetate, copolymer with maleic anhydride, partially hydrolyzed, sodium salt.

DATES: This regulation is effective March 6, 2000. Objections and requests for hearings, identified by docket control number OPP–300942, must be received by EPA on or before May 5, 2000.

ADDRESSES: Written objections and hearing requests may be submitted by mail, in person, or by courier. Please follow the detailed instructions for each method as provided in Unit VIII. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, your objections and hearing requests must identify docket control number OPP–300942 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Amelia M. Acierto, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (703) 308–8377 and e-mail address: acierto.amelia@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS codes	Examples of Potentially Affected Entities
Industry	111	Crop production
	112	Animal production
	311	Food manufacturing
	32532	Pesticide manufacturing

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically*. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at http://www.epa.gov/. To access this document, on the Home Page select ''Laws and Regulations'' and then look up the entry for this document under the ''**Federal Register**—Environmental Documents.'' You can also go directly to the **Federal Register** listings at http://www.epa.gov/fedrgstr/.

2. *In person*. The Agency has established an official record for this action under docket control number OPP–300942. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

II. Background and Statutory Findings

In the **Federal Register** of January 20, 1999 (64 FR 3096) (FRL–6038–2), EPA issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, as amended by the Food Quality Protection Act (FQPA) (Public Law 104–170) announcing the filing of a pesticide tolerance petition (PP 8E4944) by Kuraray America, Inc., 200 Park Avenue, New York, NY 10166–3098. This notice included a summary of the petition prepared by the petitioner. There were no comments received in response to the notice of filing.

The petition requested that 40 CFR 180.1001(c) be amended by establishing an exemption from the requirement of a tolerance for residues of polyvinyl acetate, copolymer with maleic anhydride, partially hydrolyzed, sodium salt.

Section 408(c)(2)(A)(i) of the FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(c)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption from the requirement of a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue...'' and specifies factors EPA is to consider in establishing an exemption.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term ''inert'' is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Risk Assessment and Statutory Findings

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with section 408(b)(2)(D) of FFDCA, EPA has reviewed the available scientific data and other relevant information in support of this action and considered its validity, completeness and reliability and the relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. In the case of certain chemical substances that are defined as polymers, the Agency has established a set of criteria to identify categories of polymers that should present minimal or no risk. The definition of a polymer is given in 40 CFR 723.250(b). The following exclusion criteria for identifying these low risk polymers are described in 40 CFR 723.250(d).

1. The polymer, polyvinyl acetate, carboxyl modified sodium salt, is not a cationic polymer nor is it reasonably anticipated to become a cationic polymer in a natural aquatic environment.

2. The polymer does contain as an integral part of its composition the atomic elements carbon, hydrogen, and oxygen.

3. The polymer does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(ii).

4. The polymer is neither designed nor can it be reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. The polymer is not manufactured or imported from monomers and/or reactants that are already included on the TSCA Chemical Substance Inventory or manufactured under an applicable TSCA section 5 exemption.

6. The polymer is not a water absorbing polymer with a number average molecular weight (MW) greater than or equal to 10,000 daltons.

Additionally, the polymer, polyvinyl acetate, carboxyl modified sodium salt, also meets as required the following exemption criteria specified in 40 CFR 723.250(e).

7. The polymer's minimum number average MW of 53,000 is greater than 10,000 daltons. The polymer contains less than 2% oligomeric material below MW 500 and less than 5% oligomeric material below MW 1,000, and the polymer does not contain any reactive functional groups.

Thus, polyvinyl acetate, carboxyl modified sodium salt meets all the criteria for a polymer to be considered low risk under 40 CFR 723.250. Based on its conformance to the above criteria, no mammalian toxicity is anticipated from dietary, inhalation, or dermal exposure to polyvinyl acetate, carboxyl modified sodium salt.

V. Aggregate Exposures

For the purposes of assessing potential exposure under this exemption, EPA considered that polyvinyl acetate, carboxyl modified sodium salt could be present in all raw and processed agricultural commodities and drinking water, and that non-occupational non-dietary exposure was possible. The minimum number average MW of polyvinyl acetate, carboxyl modified sodium salt is 53,000 daltons. Generally, a polymer of this size would be poorly absorbed through the intact gastrointestinal tract or through intact human skin. Since polyvinyl acetate, carboxyl modified sodium salt conforms to the criteria that identify a low risk polymer, there are no concerns for risks associated with any potential exposure scenarios that are reasonably foreseeable. Since the Agency has determined that there is a reasonable certainty that no harm will result from aggregate exposure to polyvinyl acetate, carboxyl modified sodium salt, a tolerance is not necessary.

VI. Cumulative Effects

Section 408 (b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance or tolerance exemption, the Agency consider ''available information'' concerning the cumulative effects of a particular chemical's residues and ''other substances that have a common mechanism of toxicity.'' The Agency has not made any conclusions as to whether or not polyvinyl acetate, carboxyl modified sodium salt share a common mechanism of toxicity with any other chemicals. However, polyvinyl acetate, carboxyl modified sodium salt conforms to the criteria that identify a low risk polymer. Due to the expected lack of toxicity based on the above conformance, the Agency has determined that a cumulative risk assessment is not necessary.

VII. Determination of Safety for U.S. Population

Based on the conformance to the criteria used to identify a low risk polymer, EPA concludes that there is a reasonable certainty of no harm to the U.S. population from aggregate exposure to residues of polyvinyl acetate, carboxyl modified sodium salt.

VIII. Determination of Safety for Infants and Children

FFDCA section 408 provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin safety will be safe for infants and children. Due to the expected low toxicity of polyvinyl acetate, carboxyl modified sodium salt, EPA has not used a safety factor analysis to assess the risk. For the same reasons the additional tenfold safety factor is unnecessary.

IX. Other Considerations

A. Endocrine Disruptors

There is no available evidence that polyvinyl acetate, carboxyl modified sodium salt is an endocrine disruptor.

B. Existing Exemptions from a Tolerance

There are no known exemptions from a tolerance for polyvinyl acetate, carboxyl modified sodium salt.

C. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

D. International Tolerances

The Agency is not aware of any country requiring a tolerance for polyvinyl acetate, carboxyl modified sodium salt nor have any CODEX Maximum Residue Levels been established for any food crops at this time.

X. Conclusion

Accordingly, EPA finds that exempting polyvinyl acetate, copolymer with maleic anhydride, partially hydrolyzed, sodium salt from the requirement of a tolerance will be safe.

XI. Objections and Hearing Requests

Under section 408(g) of the FFDCA, as amended by the FQPA, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. The EPA procedural regulations which govern the submission of objections and requests for hearings appear in 40 CFR part 178. Although the procedures in those regulations require some modification to reflect the amendments made to the FFDCA by the FQPA of 1996, EPA will continue to use those procedures, with appropriate adjustments, until the necessary modifications can be made. The new section 408(g) provides essentially the same process for persons to ''object'' to a regulation for an exemption from the requirement of a tolerance issued by EPA under new section 408(d), as was provided in the old FFDCA sections 408 and 409. However, the period for filing objections is now 60 days, rather than 30 days.

A. What Do I Need to Do to File an Objection or Request a Hearing?

You must file your objection or request a hearing on this regulation in accordance with the instructions provided in this unit and in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket control number OPP–300942 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk on or before May 5, 2000.

1. *Filing the request*. Your objection must specify the specific provisions in the regulation that you object to, and the grounds for the objections (40 CFR 178.25). If a hearing is requested, the objections must include a statement of the factual issues(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

Mail your written request to: Office of the Hearing Clerk (1900), Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC 20460. You may also deliver your request to the Office of the Hearing Clerk in Rm. C400, Waterside Mall, 401 M St., SW., Washington, DC 20460. The Office of the Hearing Clerk is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Office of the Hearing Clerk is (202) 260–4865.

2. *Tolerance fee payment*. If you file an objection or request a hearing, you must also pay the fee prescribed by 40 CFR 180.33(i) or request a waiver of that fee pursuant to 40 CFR 180.33(m). You must mail the fee to: EPA Headquarters Accounting Operations Branch, Office of Pesticide Programs, P.O. Box 360277M, Pittsburgh, PA 15251. Please identify the fee submission by labeling it ''Tolerance Petition Fees.''

EPA is authorized to waive any fee requirement ''when in the judgement of the Administrator such a waiver or refund is equitable and not contrary to the purpose of this subsection.'' For additional information regarding the waiver of these fees, you may contact James Tompkins by phone at (703) 305–5697, by e-mail at *tompkins.jim@epa.gov*, or by mailing a request for information to Mr. Tompkins at Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

If you would like to request a waiver of the tolerance objection fees, you must mail your request for such a waiver to: James Hollins, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Avenue NW., Washington, DC 20460.

3. *Copies for the Docket*. In addition to filing an objection or hearing request with the Hearing Clerk as described in Unit VIII.A., you should also send a copy of your request to the PIRIB for its inclusion in the official record that is described in Unit I.B.2. Mail your copies, identified by docket control number OPP–300942, to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, Ariel Rios Bldg., 1200 Pennsylvania Avenue, DC 20460. In person or by courier, bring a copy to the location of the PIRIB described in Unit I.B.2. You may also send an electronic copy of your request via e-mail to: *opp-docket@epa.gov*. Please use an ASCII file format and avoid the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 6.1/8.0 file format or ASCII file format. Do not include any CBI in your electronic copy. You may also submit an electronic copy of your request at many Federal Depository Libraries.

B. When Will the Agency Grant a Request for a Hearing?

A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issues(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

XII. Regulatory Assessment Requirements

This final rule establishes an exemption from the tolerance requirement under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104–4). Nor does it require any prior consultation as specified by Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998); special considerations as required by Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or require OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require

Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the exemption in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4).

XIII. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 22, 2000.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346(a) and 371.

2. In § 180.1001 the table in paragraph (c) is amended by adding alphabetically the following inert ingredient to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert ingredients	Limits	Uses
* * * * * * *		
Polyvinyl acetate, copolymer with maleic anhydride, partially hydrolyzed, sodium salt, minimum number average MW (in amu), 53,000.	.....	Component of water soluble films
* * * * * * *		

* * * * *

[FR Doc. 00–5390 Filed 3–3–00; 8:45 am]

BILLING CODE 6560–50–F

NATIONAL SCIENCE FOUNDATION

45 CFR Parts 612 and 613

RIN 3145–AA31 and –AA32

Revision of Freedom of Information Act and Privacy Act Regulations and Implementation of Electronic Freedom of Information Act Amendments of 1996

AGENCY: National Science Foundation.

ACTION: Final rule.

SUMMARY: This document sets forth revisions of the Foundation's regulations under the Freedom of Information Act (FOIA) and Privacy Act. The new FOIA provisions implement the Electronic Freedom of Information Act Amendments of 1996, including revised time limit on response, negotiating with the requester, and expedited processing procedures. They make no changes in the figures currently used for calculating and charging fees under the FOIA. The Privacy Act regulations have been restructured for ease of use and outdated information eliminated.

EFFECTIVE DATE: April 5, 2000.

FOR FURTHER INFORMATION CONTACT: D. Matthew Powell (703) 306–1060.

SUPPLEMENTARY INFORMATION: On November 24, 1999 the National Science Foundation published a proposed rule that revised its existing regulations under the FOIA and Privacy Act and added new provisions implementing the Electronic FOIA Amendments (published at 64 FR 66146). Interested persons were invited to submit written comments on the proposed rule. The Foundation received one set of comments on the proposed FOIA regulations, and none on the Privacy Act regulations. After due consideration of the comments, NSF has adopted several of the modifications to the FOIA regulations suggested by the commenter and has made other minor revisions to its proposed rule for clarity.

The commenter objected to the referral procedures proposed by the Foundation, primarily because of the potential for delay in responding to requests. These procedures are in accordance with the guidance and the regulations of the Department of Justice, and thus are retained as appropriate and in keeping with the FOIA.

The commenter also objected to the statement in the proposed regulation

that ''the Foundation will make reasonable effort to act on a request within 20 days.'' The commenter suggested this may be read to create an additional basis for extending response time, inconsistent with the ''unusual circumstances'' provisions for extending time limits. This colloquial language was not so intended. To avoid any such confusion, the Foundation has reverted to the language used in its previously published regulation.

The commenter questioned the absence of the proposed rule of a verbatim restatement of the definition of ''unusual circumstances.'' Such restatements of statutory language are not necessary to the regulation. However, the phrase ''as defined in the FOIA,'' has been added for clarity.

The commenter raised a concern regarding the statutory requirement to provide certification to support expedited requests, stating that requesters may not be sufficiently familiar with the Act to know that such certification is necessary and that the need to provide such certification may prove burdensome and time-consuming. The implementation of the statutory requirement for certification is identical to that of other agencies, and the Foundation does not anticipate that this requirement will materially delay processing of requests. It is retained as proposed.

Comments were also made on several examples given in § 612.7, Exemptions. Changes have been made where appropriate.

Regulatory Flexibility Act, Unfunded Mandates Reform Act, Executive Order 12866, and Paperwork Reduction Act

For purposes of the Regulatory Flexibility Act (5 U.S.C. 601), the rule will not have a significant economic effect on a substantial number of small entities; the rule addresses the procedures to be followed when submitting or responding to requests for information under the Freedom of Information Act and Privacy Act. For purposes of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) the rule would not significantly or uniquely affect small governments and would not result in increased expenditures by State, local, and tribal governments, or by the private sector, of $100 million or more. For purposes of Executive Order 12866, the rule is not a significant regulatory action requiring review by the Office of Management and Budget. For the purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 35) it has been determined that this rulemaking does not impose any reporting or recordkeeping requirement on the public.

List of Subjects

45 CFR Part 612

Administrative practice and procedure; Freedom of information.

45 CFR Part 613

Administrative practice and procedure; Privacy.

For the reasons stated in the preamble, the National Science Foundation amends 45 CFR Chapter VI, as follows:

1. By revising parts 612 and 613 to read as follows:

PART 612—AVAILABILITY OF RECORDS AND INFORMATION

Sec.

612.1 General provisions.
612.2 Public reading room.
612.3 Requirements for making requests.
612.4 Processing requests.
612.5 Timing of responses to requests.
612.6 Responses to requests.
612.7 Exemptions.
612.8 Business information.
612.9 Appeals.
612.10 Fees.
612.11 Other rights and services.

Authority: 5 U.S.C. 552, as amended.

§ 612.1 General provisions.

This part contains the rules that the National Science Foundation follows in processing requests for records under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Information routinely made available to the public as part of a regular Foundation activity (for example, program announcements and solicitations, summary of awarded proposals, statistical reports on U.S. science, news releases) may be provided to the public without reliance on this part. As a matter of policy, the Foundation also makes discretionary disclosures of records or information otherwise exempt under the FOIA whenever disclosure would not foreseeably harm an interest protected by a FOIA exemption. This policy, however, does not create any right enforceable in court. When individuals seek records about themselves under the Privacy Act of 1974, 5 U.S.C. 552a, NSF processes those requests under both NSF's Privacy regulations at part 613 of this chapter, and this part.

§ 612.2 Public reading room.

(a) The Foundation maintains a public reading room located in the NSF Library at 4201 Wilson Boulevard, Suite 225, Arlington, Virginia, open during regular working hours Monday through Friday. It contains the records that the FOIA requires to be made regularly available for public inspection and copying and has computers and printers available for public use in accessing records. Also available for public inspection and copying are current subject matter indexes of reading room records.

(b) Information about FOIA and Privacy at NSF and copies of frequently requested FOIA releases are available online at <www.nsf.gov/pubinfo/foia.html>. Most NSF policy documents, staff instructions, manuals, and other publications that affect a member of the public, are available in electronic form through the ''Documents'' option on the tool bar on NSF's Home Page on the World Wide Web at <www.nsf.gov>.

§ 612.3 Requirements for making requests.

(a) *Where to send a request.* You may make a FOIA request for records of the National Science Foundation by writing directly to the FOIA Officer, Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, VA 22230. For records maintained by the NSF Office of the Inspector General (OIG), you may write directly to the Office of Inspector General, National Science Foundation, 4201 Wilson Boulevard, Suite 1135, Arlington, VA 22230. The FOIA Officer will also forward requests for OIG records to that Office. Requests may also be sent by facsimile to (703) 306–0149 or by e-mail to foia@nsf.gov.

(b) *Form of request.* A FOIA request need not be in any particular format, but it must be in writing, include the requester's name and mailing address, and be clearly identified both on the envelope and in the letter, or in a facsimile or electronic mail message as a Freedom of Information Act or ''FOIA'' request. It must describe the records sought with sufficient specificity to permit identification, and include agreement to pay applicable fees as described in § 612.10. NSF is not obligated to act upon a request until it meets these procedural requirements.

(c)(1) If you are making a request for records about yourself and the records are not contained in a Privacy Act system of records, your request will be processed only under the FOIA, since the Privacy Act does not apply. If the records about you are contained in a Privacy Act system of records, NSF will respond with information on how to make a Privacy Act request (see NSF Privacy Act regulations at 45 CFR 613.2).

(2) If you are making a request for personal information about another individual, either a written authorization signed by that individual in accordance with § 613.2(f) of this

chapter permitting disclosure of those records to you, or proof that that individual is deceased (for example, a copy of a death certificate or a published obituary) will help the agency process your request.

(d) *Description of records sought.* Your request must describe the records that you seek in enough detail to enable NSF personnel to locate them with a reasonable amount of effort. A record must have been created or obtained by NSF and under the control of NSF at the time of the request to be subject to the FOIA. NSF has no obligation under the FOIA to create, compile or obtain a record to satisfy a FOIA request. Whenever possible, your request should include specific descriptive information about each record sought, such as the date, title or name, author, recipient, and subject matter of the record. As a general rule, the more specific you are about the records or type of records that you want, the more likely the Foundation will be able to locate those records in response to your request, and the more likely fees will be reduced or eliminated. If NSF determines that your request does not reasonably describe records, you will be advised what additional information is needed to perfect your request or why your request is otherwise insufficient.

(e) *Agreement to pay fees.* Your request must state that you will promptly pay the total fees chargeable under this regulation or set a maximum amount you are willing to pay. NSF does not charge if fees total less than $25.00. If you seek a waiver of fees, please see § 612.10(k) for a discussion of the factors you must address. If you place an inadequate limit on the amount you will pay, or have failed to make payments for previous requests, NSF may require advance payment (see § 612.10(i)).

(f) *Receipt date.* A request that meets the requirements of this section will be considered received on the date it is received by the Office of the General Counsel or the Office of the Inspector General. In determining which records are responsive to a FOIA request, the Foundation will include only records in its possession as of the close of business (5:00pm) on the date of receipt.

(g) *Publications excluded.* For the purpose of public requests for records the term ''record'' does not include publications which are available to the public in the **Federal Register**, or by sale or free distribution. Such publications may be obtained from the Government Printing Office, the National Technical Information Service, the NSF Publications Clearinghouse PO Box 218, Jessup, MD 20794–0218, or through NSF's Home Page on the World Wide Web at <www.nsf.gov> ''Documents.'' Requests for such publications will be referred to or the requester informed of the appropriate source.

§ 612.4 Processing requests.

(a) *Monitoring of requests.* The NSF Office of the General Counsel (OGC), or such other office as may be designated by the Director, will serve as the central office for administering these regulations. For records maintained by the Office of Inspector General, that Office will control incoming requests made directly or referred to it, dispatch response letters, and maintain administrative records. For all other records maintained by NSF, OGC (or such other office as may be designated by the Director) will control incoming requests, assign them to appropriate action offices, monitor compliance, consult with action offices on disclosure, approve necessary extensions, dispatch denial and other letters, and maintain administrative records.

(b) *Consultations and referrals.* When the Foundation receives a request for a record in its possession that originated with another agency or in which another agency has a substantial interest, it may decide that the other agency of the Federal Government is better able to determine whether the record should or should not be released under the FOIA.

(1) If the Foundation determines that it is the agency best able to process the record in response to the request, then it will do so, after consultation with the other interested agencies where appropriate.

(2) If it determines that it is not the agency best able to process the record, then it will refer the request regarding that record (or portion of the record) to the agency that originated or has a substantial interest in the record in question (but only if that agency is subject to the FOIA). Ordinarily, the agency that originated a record will be presumed to be best able to determine whether to disclose it.

(3) Where the Foundation reasonably believes that multiple requests submitted by a requester, or by a group of requesters acting in concert, constitute a single request that would otherwise involve unusual circumstances, and the requests involve clearly related matters, they may be aggregated. Multiple requests involving unrelated matters will not be aggregated.

(c) *Notice of referral.* Whenever the Foundation refers all or any part of the responsibility for responding to a request to another agency, it ordinarily will notify the requester of the referral and inform the requester of the name of each agency to which the request has been referred and of the part of the request that has been referred, unless such notification would disclose information otherwise exempt.

§ 612.5 Timing of responses to requests.

(a) *In general.* NSF ordinarily will initiate processing of requests according to their order of receipt.

(b) *Time for response.* The Foundation will seek to take appropriate agency action within 20 days of when a request is received or is perfected (excluding the date of receipt, weekends, and legal holidays), whichever is later. A request which otherwise meets the requirements of § 612.3 is perfected when you have reasonably described the records sought under § 612.3(d), and agreed to pay fees under § 612.3(c), or otherwise met the fee requirements under § 612.10.

(c) *Unusual circumstances.* (1) Where the time limits for processing a request cannot be met because of unusual circumstances, as defined in the FOIA, the FOIA Officer will notify the requester as soon as practicable in writing of the unusual circumstances and may extend the response period for up to ten working days.

(2) Where the extension is for more than ten working days, the FOIA Officer will provide the requester with an opportunity either to modify the request so that it may be processed within the ten day extension period or to arrange an agreed upon alternative time period with the FOIA Officer for processing the request or a modified request.

(d) *Expedited processing.* (1) If you want to receive expedited processing you must submit a statement, certified to be true and correct to the best of your knowledge and belief, explaining in detail the basis for requesting expedited processing.

(2)(i) Requests and appeals will be given expedited treatment whenever it is determined that a requester has demonstrated compelling need by presenting:

(A) Circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or

(B) An urgency to inform the public about an actual or alleged Federal government activity, if made by a person primarily engaged in disseminating information.

(ii) For example, a requester who is not a full-time member of the news media must establish that he or she is

a person whose main professional activity or occupation is information dissemination, though it need not be his or her sole occupation. Such requester also must establish a particular urgency to inform the public about the government activity involved in the request, beyond the public's right to know about government activity generally, and that the information sought has particular value that would be lost if not disseminated quickly.

(3) Within ten calendar days of receipt of a request for expedited processing, the FOIA Officer or OIG will decide whether to grant it, and will notify the requester of the decision orally or in writing. If a request for expedited treatment is granted, the request will be processed as soon as practicable. If a request for expedited processing is denied, any appeal of that decision will be acted on expeditiously.

§ 612.6 Responses to requests.

(a) *Acknowledgment of requests.* The FOIA Officer will ordinarily send an acknowledgment of a FOIA request only if it is anticipated that a determination on release will not be possible within 20 working days.

(b) *Grants of requests.* Once the Foundation makes a determination to grant a request in whole or in part, it will notify the requester in writing. The Foundation will inform the requester in the notice of any applicable fee and will disclose records to the requester promptly on payment of applicable fees. Records disclosed in part will be marked or annotated to show both the amount and the location of the information deleted where practicable.

(c) *Denials of requests.* (1) Denials of FOIA requests will be made by the Office of the General Counsel, the Office of the Inspector General, or such other office as may be designated by the Director. The response letter will briefly set forth the reasons for the denial, including any FOIA exemption(s) applied by the Foundation in denying the request. It will also provide the name and title or position of the person responsible for the denial, will inform the requester of the right to appeal, and will, where appropriate, include an estimate of the volume of any requested materials withheld. An estimate need not be provided when the volume is otherwise indicated through deletions on records disclosed in part, or if providing an estimate would harm an interest protected by an applicable exemption.

(2) Requesters can appeal an agency determination to withhold all or part of any requested record; a determination that a requested record does not exist or cannot be located; a determination that what has been requested is not a record subject to the Act; a disapproval of a fee category claim by a requester; denial of a fee waiver or reduction; or a denial of a request for expedited treatment (see § 612.9).

§ 612.7 Exemptions.

(a) *Exemptions from disclosure.* The following types of records or information may be withholdable as exempt in full or in part from mandatory public disclosure:

(1) *Exemption 1—5 U.S.C. 552(b)(1).* Records specifically authorized and properly classified pursuant to Executive Order to be kept secret in the interest of national defense or foreign policy. NSF does not have classifying authority and normally does not deal with classified materials.

(2) *Exemption 2—5 U.S.C. 552(b)(2).* Records related solely to the internal personnel rules and practices of NSF. This exemption primarily protects information that if released would allow the recipient to circumvent a statute or agency regulation. Administrative information such as rules relating to the work hours, leave, and working conditions of NSF personnel, or similar matters, can be disclosed to the extent that no harm would be caused to the functions to which the information pertains. Examples of records normally exempt from disclosure include, but are not limited to:

(i) Operating rules, guidelines, manuals on internal procedure, schedules and methods utilized by NSF investigators, inspectors, auditors and examiners.

(ii) Negotiating positions or limits at least until the execution of a contract (including a grant or cooperative agreement) or the completion of the action to which the negotiating positions were applicable. They may also be exempt pursuant to other provisions of this section.

(iii) Information relating to position management and manpower utilization, such as internal staffing plans, authorizations or controls, or involved in determination of the qualifications of candidates for employment, advancement, or promotion including examination questions and answers.

(iv) Computer software, the release of which would allow circumvention of a statute or NSF rules, regulations, orders, manuals, directives, instructions, or procedures; or the integrity and security of data systems.

(3) *Exemption 3—5 U.S.C. 552(b)(3).* Records specifically exempted from disclosure by another statute that either requires that the information be withheld in a such way that the agency has no discretion in the matter; or establishes particular criteria for withholding or refers to particular types of information to be withheld. Examples of records exempt from disclosure include, but are not limited to:

(i) Records that disclose any invention in which the Federal Government owns or may own a right, title, or interest (including a nonexclusive license), 35 U.S.C. 205;

(ii) Contractor proposals not specifically set forth or incorporated by reference into a contract, 41 U.S.C. 253b(m);

(iii) Information protected by the Procurement Integrity Act, 41 U.S.C. 423.

(4) *Exemption 4—5 U.S.C. 552(b)(4).* Trade secrets and commercial or financial information obtained from a person, and privileged or confidential. Information subject to this exemption is that customarily held in confidence by the originator(s), including nonprofit organizations and their employees. Release of such information is likely to cause substantial harm to the competitive position of the originator or submitter, or impair the Foundation's ability to obtain such information in the future. NSF will process information potentially exempted from disclosure by Exemption 4 under § 612.8. Examples of records or information normally exempt from disclosure include, but are not limited to:

(i) Information received in confidence, such as grant applications, fellowship applications, and research proposals prior to award;

(ii) Confidential scientific and manufacturing processes or developments, and technical, scientific, statistical data or other information developed by a grantee.

(iii) Technical, scientific, or statistical data, and commercial or financial information privileged or received in confidence from an existing or potential contractor or subcontractor, in connection with bids, proposals, or contracts, concerning contract performance, income, profits, losses, and expenditures, as well as trade secrets, inventions, discoveries, or other proprietary data. When the provisions of 41 U.S.C. 253b(m) or 41 U.S.C. 423 are met, certain proprietary and source selection information may also be withheld under Exemption 3.

(iv) Confidential proprietary information submitted on a voluntary basis.

(v) Statements or information collected in the course of inspections, investigations, or audits, when such statements are received in confidence

from the individual and retained in confidence because they reveal trade secrets or commercial or financial information normally considered confidential or privileged.

(5) *Exemption 5—5 U.S.C. 552(b)(5).* Inter-agency or intra-agency memoranda or letters which would not be available by law to a private party in litigation with NSF. Factual material contained in such records will be considered for release if it can be reasonably segregated and is not otherwise exempt. Examples of records exempt from disclosure include, but are not limited to:

(i) Those portions of reports, memoranda, correspondence, workpapers, minutes of meetings, and staff papers, containing evaluations, advice, opinions, suggestions, or other deliberative material that are prepared for use within NSF or within the Executive Branch of the Government by agency personnel and others acting in a consultant or advisory capacity;

(ii) Advance information on proposed NSF plans to procure, lease, or otherwise acquire, or dispose of materials, real estate, facilities, services or functions, when such information would provide undue or unfair competitive advantage to private interests or impede legitimate government functions;

(iii) Trade secret or other confidential research development, or commercial information owned by the Government, where premature release is likely to affect the Government's negotiating position or other commercial interest;

(iv) Records prepared for use in proceedings before any Federal or State court or administrative body;

(v) Evaluations of and comments on specific grant applications, research projects or proposals, or potential contractors and their products, whether made by NSF personnel or by external reviewers acting either individually or in panels, committees or similar groups;

(vi) Preliminary, draft or unapproved documents, such as opinions, recommendations, evaluations, decisions, or studies conducted or supported by NSF;

(vii) Proposed budget requests, and supporting projections used or arising in the preparation and/or execution of a budget; proposed annual and multi-year policy, priorities, program and financial plan and supporting papers;

(viii) Those portions of official reports of inspection, reports of the Inspector General, audits, investigations, or surveys pertaining to safety, security, or the internal management, administration, or operation of NSF, when these records have traditionally been treated by the courts as privileged against disclosure in litigation.

(6) *Exemption 6—5 U.S.C. 552(b)(6).* Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The exemption may apply to protect the privacy of living persons and of living close survivors of a deceased person identified in a record. Information in such files which is not otherwise exempt from disclosure pursuant to other provisions of this section will be released to the subject or to his designated legal representative, and may be disclosed to others with the subject's written consent. Examples of records exempt from disclosure include, but are not limited to:

(i) Reports, records, and other materials pertaining to individual cases in which disciplinary or other administrative action has been or may be taken. Opinions and orders resulting from those administrative or disciplinary proceedings shall be disclosed without identifying details if used, cited, or relied upon as precedent.

(ii) Records compiled to evaluate or adjudicate the suitability of candidates for employment, and the eligibility of individuals (civilian or contractor employees) for security clearances, or for access to classified information.

(iii) Reports and evaluations which reflect upon the qualifications or competence of individuals.

(iv) Personal information such as home addresses and telephone and facsimiles numbers, private e-mail addresses, social security numbers, dates of birth, marital status and the like.

(iv) The exemption also applies when the fact of the existence or nonexistence of a responsive record would itself reveal personally private information, and the public interest in disclosure is not sufficient to outweigh the privacy interest.

(7) *Exemption 7—5 U.S.C. 552(b)(7).* Records or information compiled for civil or criminal law enforcement purposes, including the implementation of Executive Orders or regulations issued pursuant to law. This exemption may exempt from mandatory disclosure records not originally created, but later gathered, for law enforcement purposes.

(i) This exemption applies only to the extent that the production of such law enforcement records or information:

(A) Could reasonably be expected to interfere with enforcement proceedings;

(B) Would deprive a person of the right to a fair trial or an impartial adjudication;

(C) Could reasonably be expected to constitute an unwarranted invasion of personal privacy of a living person, or living close survivors of a deceased person identified in a record;

(D) Could reasonably be expected to disclose the identity of a confidential source, including a source within the Federal Government, or a State, local, or foreign agency or authority, or any private institution, that furnished information on a confidential basis; and information furnished by a confidential source and obtained by a criminal law enforcement authority in a criminal investigation;

(E) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or

(F) Could reasonably be expected to endanger the life or physical safety of any individual.

(ii) Examples of records normally exempt from disclosure include, but are not limited to:

(A) The identity and statements of complainants or witnesses, or other material developed during the course of an investigation and all materials prepared in connection with related government litigation or adjudicative proceedings;

(B) The identity of firms or individuals investigated for alleged irregularities involving NSF grants, contracts or other matters when no indictment has been obtained, no civil action has been filed against them by the United States, or no government-wide public suspension or debarment has occurred.

(C) Information obtained in confidence, expressed or implied, in the course of a criminal investigation by the NSF Officer of the Inspector General.

(iii) The exclusions contained in 5 U.S.C. 552(c)(1) and (2) may also apply to these records.

(8) *Exemption 8—5 U.S.C. 552(b)(8).* Records contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

(9) *Exemption 9—5 U.S.C. 552(b)(9).* Records containing geological and geophysical information and data, including maps, concerning wells.

(b) *Deletion of exempt portions and identifying details.* Any reasonably segregable portion of a record will be provided to requesters after deletion of the portions which are exempt. Whenever any final opinion, order, or

other materials required to be made available relates to a private party or parties and the release of the name(s) or other identifying details will constitute a clearly unwarranted invasion of personal privacy, the record shall be published or made available with such identifying details left blank, or shall be published or made available with obviously fictitious substitutes and with a notification such as the following: Names of parties and certain other identifying details have been removed (and fictitious names substituted) in order to prevent a clearly unwarranted invasion of the personal privacy of the individuals involved.

§ 612.8 Business Information

(a) *In general.* Business information obtained by the Foundation from a submitter of that information will be disclosed under the FOIA only under this section's procedures.

(b) *Definitions.* For purposes of this section:

(1) *Business Information* means commercial or financial information obtained by the Foundation from a submitter that may be protected from disclosure under Exemption 4 of the FOIA and § 612.7(a)(4).

(2) *Submitter* means any person or entity from whom the Foundation obtains business information, directly or indirectly. The term includes corporations; state, local, and tribal governments; and foreign governments.

(c) *Designation of business information.* A submitter of business information must use good faith efforts to designate, by appropriate markings, either at the time of submission or at a reasonable time thereafter, any portions of its submission that it considers to be protected from disclosure under Exemption 4. These designations will expire ten years after the date of the submission unless the submitter requests, and provides justification for, a longer designation period.

(d) *Notice to submitters.* The Foundation will provide a submitter with prompt written notice of a FOIA request or administrative appeal that seeks its business information wherever required under this section, in order to give the submitter an opportunity to object to disclosure of any specified portion of that information under paragraph (f) of this section. The notice shall either describe the business information requested or include copies of the requested records or record portions containing the information.

(e) *Where notice is required.* Notice will be given to a submitter wherever:

(1) The information has been designated in good faith by the submitter as information considered protected from disclosure under Exemption 4; or

(2) The Foundation has reason to believe that the information may be protected from disclosure under Exemption 4.

(f) *Opportunity to object to disclosure.* NSF will allow a submitter a reasonable time, consistent with statutory requirements, to respond to the notice described in paragraph (d) of this section. If a submitter has any objection to disclosure, it must submit a detailed written statement. The statement must specify all grounds for withholding any portion of the information under any exemption of the FOIA and, in the case of Exemption 4, must show why the information is a trade secret, or commercial or financial information that is privileged or confidential. In the event that a submitter fails to respond within the time specified in the notice, the submitter will be considered to have no objection to disclosure of the information. Information provided by a submitter under this paragraph may itself be a record subject to disclosure under the FOIA.

(g) *Notice of intent to disclose.* The Foundation will consider a submitter's objections and specific grounds for nondisclosure in deciding whether to disclose business information. Whenever it decides to disclose business information over the objection of a submitter, the Foundation will give the submitter written notice, which will include:

(1) A statement of the reason(s) why the submitter's disclosure objections were not sustained;

(2) A description of the business information to be disclosed; and

(3) A specified disclosure date, which will be a reasonable time subsequent to the notice.

(h) *Exceptions to notice requirements.* The notice requirements of paragraphs (d) and (g) of this section will not apply if:

(1) The Foundation determines that the information should not be disclosed (the Foundation protects from disclosure to third parties information about specific unfunded applications, including pending, withdrawn, or declined proposals);

(2) The information lawfully has been published or has been officially made available to the public;

(3) Disclosure of the information is required by statute (other than the FOIA) or by a regulation issued in accordance with the requirements of Executive Order 12600 (3 CFR, 1988 Comp., p. 235); or

(4) The designation made by the submitter under paragraph (c) of this section appears obviously frivolous, in which case the Foundation will, within a reasonable time prior to a specified disclosure date, give the submitter written notice of any final decision to disclose the information.

(i) *Notice of FOIA lawsuit.* Whenever a requester files a lawsuit seeking to compel the disclosure of business information, the Foundation will promptly notify the submitter(s). Whenever a submitter files a lawsuit seeking to prevent the disclosure of business information, the Foundation will notify the requester(s).

§ 612.9 Appeals.

(a) *Appeals of denials.* You may appeal a denial of your request to the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, VA 22230. You must make your appeal in writing and it must be received by the Office of the General Counsel within ten days of the receipt of the denial (weekends, legal holidays, and the date of receipt excluded). Clearly mark your appeal letter and the envelope ''Freedom of Information Act Appeal.'' Your appeal letter must include a copy of your written request and the denial together with any written argument you wish to submit.

(b) *Responses to appeals.* A written decision on your appeal will be made by the General Counsel. A decision affirming an adverse determination in whole or in part will contain a statement of the reason(s) for the affirmance, including any FOIA exemption(s) applied, and will inform you of the FOIA provisions for court review of the decision. If the adverse determination is reversed or modified on appeal, in whole or in part, you will be notified in a written decision and your request will be reprocessed in accordance with that appeal decision.

(c) *When appeal is required.* If you wish to seek review by a court of any denial, you must first appeal it under this section.

§ 612.10 Fees

(a) *In general.* NSF will charge for processing requests under the FOIA in accordance with paragraph (c) of this section, except where fees are limited under paragraph (d) of this section or where a waiver or reduction of fees is granted under paragraph (k) of this section. If fees are applicable, NSF will itemize the amounts charged. NSF may collect all applicable fees before sending copies of requested records to a requester. Requesters must pay fees by

check or money order made payable to the Treasury of the United States.

(b) *Definitions.* For purposes of this section:

(1) *Commercial use request* means a request from or on behalf of a person who seeks information for a use or purpose that furthers his or her commercial, trade, or profit interests, which can include furthering those interests through litigation. When it appears that the requester will put the records to a commercial use, either because of the nature of the request itself or because NSF has reasonable cause to doubt a requester's stated use, NSF will provide the requester a reasonable opportunity to submit further clarification.

(2) *Direct costs* means those expenses that an agency actually incurs in searching for and duplicating (and, in the case of commercial use requests, reviewing) records to respond to a FOIA request. Direct costs include, for example, the salary of the employee performing the work (the basic rate of pay for the employee, plus 16 percent of that rate to cover benefits) and the cost of operating duplication machinery. Not included in direct costs are overhead expenses such as the costs of space and heating or lighting of the facility in which the records are kept.

(3) *Duplication* means the making of a copy of a record, or of the information contained in it, necessary to respond to a FOIA request. Copies can take the form of paper, microform, audiovisual materials, or electronic records (for example, magnetic tape or disk) among others. NSF will honor a requester's specified preference of form or format of disclosure if the record is readily reproducible by NSF, with reasonable effort, in the requested form or format.

(4) *Educational institution* means a preschool, a public or private elementary or secondary school, an institution of undergraduate higher education, an institution of graduate higher education, an institution of professional education, or an institution of vocational education, that operates a program of scholarly research. To be in this category, a requester must show that the request is authorized by and made under the auspices of a qualifying institution and that the records are not sought for a commercial use, but are sought to further scholarly research.

(5) *Noncommercial scientific institution* means an institution that is not operated on a ''commercial'' basis, as that term is defined in paragraph (b)(1) of this section, and that is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry. To be in this category, a requester must show that the request is authorized by and made under the auspices of a qualifying institution and that the records are not sought for a commercial use or to promote any particular product or industry, but are sought to further scientific research.

(6) *Representative of the news media or news media requester* means any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. The term *news* means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations broadcasting to the public at large and publishers of periodicals (but only in those instances where they can qualify as disseminators of ''news'') who make their products available for purchase or subscription by the general public. For ''freelance'' journalists to be regarded as working for a news organization, they must demonstrate a solid basis for expecting publication through that organization. A publication contract would be the clearest proof, but NSF will also look to the past publication record of a requester in making this determination. To be in this category, a requester must not be seeking the requested records for a commercial use. However, a request for records supporting the news dissemination function of the requester will not be considered to be for a commercial use.

(7) *Review* means the examination of a record located in response to a request in order to determine whether any portion of it is exempt from disclosure. It also includes processing any record for disclosure, for example, doing all that is necessary to redact it and prepare it for disclosure. Review costs are recoverable even if a record ultimately is not disclosed. Review time includes time spent considering any formal objection to disclosure made by a business submitter under § 612.8, but does not include time spent resolving general legal or policy issues regarding the application of exemptions.

(8) *Search* means the process of looking for and retrieving records or information responsive to a request. It includes page by page or line by line identification of information within records and also includes reasonable efforts to locate and retrieve information from records maintained in electronic form or format. NSF will ensure that searches are done in the most efficient and least expensive manner reasonably possible. For example, NSF will not search line by line where duplicating an entire document would be quicker and less expensive.

(c) *Fees.* In responding to FOIA requests, NSF will charge the following fees unless a waiver or reduction of fees has been granted under paragraph (k) of this section:

(1) *Search.* (i) Search fees will be charged for all requests-other than requests made by educational institutions, noncommercial scientific institutions, or representatives of the news media-subject to the limitations of paragraph (d) of this section. NSF may charge for time spent searching even if responsive records are not located or are withheld entirely as exempt from disclosure.

(ii) *Manual searches for records.* Whenever feasible, NSF will charge at the salary rate(s) (*i.e.,* basic pay plus 16 percent) of the employee(s) conducting the search. Where a homogeneous class of personnel is used exclusively (*e.g.,* all administrative/clerical or all professional/executive), NSF has established an average rate for the range of grades typically involved. Routine search for records by clerical personnel are charged at $2.50 for each quarter hour. When a non-routine, non-clerical search by professional personnel is conducted (for example, where the task of determining which records fall within a request requires professional time) the charge is $7.50 for each quarter hour.

(iii) *Computer searches of records.* NSF will charge at the actual direct cost of conducting the search. This will include the cost of operating the central processing unit (CPU) for that portion of operating time that is directly attributable to searching for records responsive to a FOIA request and operator/programmer salary (*i.e.,* basic pay plus 16 percent) apportionable to the search. When NSF can establish a reasonable agency-wide average rate for CPU operating costs and operator/programmer salaries involved in FOIA searches, the Foundation will do so and charge accordingly.

(2) *Duplication.* Duplication fees will be charged to all requesters, subject to the limitations of paragraph (d) of this section. For a paper photocopy of a record (no more than one copy of which need be supplied), the fee will be 25 cents per page. For copies produced by computer, such as tapes or printouts, NSF will charge the direct costs, including operator time, of producing the copy. For other forms of duplication, NSF will charge the direct costs of that duplication.

(3) *Review.* Review fees will be charged to requesters who make a commercial use request. Review fees

will be charged only for the initial record review-in other words, the review done when NSF determines whether an exemption applies to a particular record or record portion at the initial request level. NSF may charge for review even if a record ultimately is not disclosed. No charge will be made for review at the administrative appeal level for an exemption already applied. However, records or record portions withheld under an exemption that is subsequently determined not to apply may be reviewed again to determine whether any other exemption not previously considered applies; the costs of that review are chargeable where it is made necessary by a change of circumstances. Review fees will be charged at the salary rate (basic pay plus 16%) of the employee(s) performing the review.

(d) *Limitations on charging fees.* (1) No search fee will be charged for requests by educational institutions, noncommercial scientific institutions, or representatives of the news media.

(2) Except for requesters seeking records for a commercial use, NSF will provide without charge:

(i) The first 100 pages of duplication (or the cost equivalent); and

(ii) The first two hours of search (or the cost equivalent).

(3) Whenever a total fee calculated under paragraph (c) of this section is $25.00 or less for any request, no fee will be charged.

(4) The provisions of paragraphs (d)(2) and (3) of this section work together. This means that noncommercial requesters will be charged no fees unless the cost of search in excess of two hours plus the cost of duplication in excess of 100 pages totals more than $25.00. Commercial requesters will not be charged unless the costs of search, review, and duplication total more than $25.00.

(e) *Notice of anticipated fees in excess of $25.00.* When NSF determines or estimates that the fees to be charged under this section will exceed $25.00, it will notify the requester of the actual or estimated amount of the fees, unless the requester has indicated a willingness to pay fees as high as those anticipated. If only a portion of the fee can be estimated readily, NSF will advise the requester that the estimated fee may be only a portion of the total fee. In cases in which a requester has been notified that actual or estimated fees exceed $25.00, the request will not be considered perfected and further work will not be done until the requester agrees to pay the anticipated total fee. Any such agreement should be memorialized in writing. A notice under this paragraph will offer the requester an opportunity to discuss the matter with Foundation personnel in order to reformulate the request to meet the requester's needs at a lower cost, if possible. If a requester fails to respond within 60 days of notice of actual or estimated fees with an agreement to pay those fees, NSF may administratively close the request.

(f) *Charges for other services.* Apart from the other provisions of this section, when NSF chooses as a matter of administrative discretion to provide a requested special service-such as certifying that records are true copies or sending them by other than ordinary mail-the direct costs of providing the service will be charged to the requester.

(g) *Charging interest.* NSF may charge interest on any unpaid bill starting on the 31st day following the date of billing the requester. Interest charges will be assessed at the rate provided in 31 U.S.C. 3717 and will accrue from the date of the billing until payment is received by NSF. NSF will follow the provisions of the Debt Collection Act of 1982 (Pub. L. 97–365, 96 Stat. 1749), as amended, and its administrative procedures, including the use of consumer reporting agencies, collection agencies, and offset.

(h) *Aggregating requests.* Where NSF reasonably believes that a requester or a group of requesters acting together is attempting to divide a request into a series of requests for the purpose of avoiding fees, the agency may aggregate those requests and charge accordingly. NSF may presume that multiple requests of this type made within a 30-day period have been made in order to avoid fees. Where requests are separated by a longer period, NSF will aggregate them only where there exists a solid basis for determining that aggregation is warranted under all the circumstances involved. Multiple requests involving unrelated matters will not be aggregated.

(i) *Advance payments.* (1) For requests other than those described in paragraphs (i) (2) and (3) of this section, NSF will not require the requester to make an advance payment-in other words, a payment made before work is begun or continued on a request. Payment owed for work already completed (*i.e.*, a prepayment before copies are sent to a requester) is not an advance payment.

(2) Where NSF determines or estimates that a total fee to be charged under this section will be more than $250.00, it may require the requester to make an advance payment of an amount up to the amount of the entire anticipated fee before beginning to process the request, except where it receives a satisfactory assurance of full payment from a requester that has a history of prompt payment.

(3) Where a requester has previously failed to pay a properly charged fee to any agency within 30 days of the date of billing, NSF may require the requester to pay the full amount due, plus any applicable interest, and to make an advance payment of the full amount of any anticipated fee, before NSF begins to process a new request or continues to process a pending request from that requester.

(4) In cases in which NSF requires advance payment or payment due under paragraph (i)(2) or (3) of this section, the request will not be considered perfected and further work will not be done on it until the required payment is received.

(j) *Other statutes specifically providing for fees.* The fee schedule of this section does not apply to fees charged under any statute that specifically requires an agency to set and collect fees for particular types of records. Where records responsive to requests are maintained for distribution by agencies operating such statutorily based fee schedule programs, NSF will inform requesters of the steps for obtaining records from those sources so that they may do so most economically.

(k) *Waiver or reduction of fees.* (1) Records responsive to a request will be furnished without charge or at a charge reduced below that established under paragraph (c) of this section where NSF determines, based on all available information, that disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

(2) To determine whether the first fee waiver requirement is met, NSF will consider the following factors:

(i) The subject of the request: Whether the subject of the requested records concerns ''the operations or activities of the government.'' The subject of the requested records must concern identifiable operations or activities of the federal government, with a connection that is direct and clear, not remote or attenuated.

(ii) The informative value of the information to be disclosed: Whether disclosure is ''likely to contribute'' to an understanding of government operations or activities. The disclosable portions of the requested records must be meaningfully informative about government operations or activities in order to be ''likely to contribute'' to an increased public understanding of those operations or activities. Disclosure of

information already in the public domain, in either duplicative or substantially identical form, is unlikely to contribute to such understanding where nothing new would be added to the public's understanding.

(iii) The contribution to an understanding of the subject by the public likely to result from disclosure: Whether disclosure of the requested information will contribute to ''public understanding.'' The disclosure must contribute to the understanding of a reasonably broad audience of persons interested in the subject as opposed to the individual understanding of the requester. A requester's expertise in the subject area and ability and intention to effectively convey information to the public will be considered. A representative of the news media as defined in paragraph (b)(6) of this section will normally be presumed satisfy this consideration.

(iv) The significance of the contribution to public understanding: Whether disclosure is likely to contribute ''significantly'' to public understanding of government operations or activities. The public's understanding of the subject in question must be enhanced by the disclosure to a significant extent as compared to the level of public understanding existing prior to the disclosure. NSF will make no value judgments about whether information that would contribute significantly to public understanding of the operations or activities of the government is ''important'' enough to be made public.

(3) To determine whether the second fee waiver requirement is met, NSF will consider the following factors:

(i) The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure. NSF will consider any commercial interest of the requester (with reference to the definition of ''commercial use'' in paragraph (b)(1) of this section), or of any person on whose behalf the requester may be acting, that would be furthered by the requested disclosure. Requesters will be given an opportunity in the administrative process to provide explanatory information regarding this consideration.

(ii) The primary interest in disclosure: Whether any identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is ''primarily in the commercial interest of the requester.'' A fee waiver or reduction is justified where the public interest standard is satisfied and that public interest is greater in magnitude than that of any identified commercial interest in disclosure. NSF ordinarily will presume that where a news media requester has satisfied the public interest standard, the public interest will be the interest primarily served by disclosure to that requester. Disclosure to data brokers or others who merely compile and market government information for direct economic return will not be presumed to primarily serve the public interest.

(4) Where only some of the requested records satisfy the requirements for a waiver of fees, a waiver will be granted for those records.

(5) Requests for the waiver or reduction of fees should address the factors listed in paragraphs (k) (2) and (3) of this section, insofar as they apply to each request.

§ 612.11 Other rights and services.

Nothing in this part will be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under the FOIA.

PART 613—PRIVACY ACT REGULATIONS

Sec.

613.1 General provisions.
613.2 Requesting access to records.
613.3 Responding to requests for access to records.
613.4 Amendment of records.
613.5 Exemptions.
613.6 Other rights and services.

Authority: 5 U.S.C. 552a.

§ 613.1 General Provisions

This part sets forth the National Science Foundation procedures under the Privacy Act of 1974. The rules in this part apply to all records in systems of records maintained by NSF that are retrieved by an individual's name or personal identifier. They describe the procedures by which individuals may request access to records about themselves and request amendment or correction of those records. All Privacy Act requests for access to records are also processed under the Freedom of Information Act, 5 U.S.C. 552 (as provided in part 612 of this chapter), which gives requesters the benefit of both statutes. Notice of systems of records maintained by the National Science Foundation are published in the **Federal Register**.

§ 613.2 Requesting access to records.

(a) *Where to make a request.* You may make a request for access to NSF records about yourself by appearing in person at the National Science Foundation or by making a written request. If you choose to visit the Foundation, you must contact the NSF Security Desk and ask to speak with the Foundation's Privacy Act Officer in the Office of the General Counsel. Written requests should be sent to the NSF Privacy Act Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, VA 22230. Written requests are recommended, since in many cases it may take several days to determine whether a record exists, and additional time may be required for record(s) retrieval and processing.

(b) *Description of requested records.* You must describe the records that you seek in enough detail to enable NSF personnel to locate the system of records containing them with a reasonable amount of effort. Providing information about the purpose for which the information was collected, applicable time periods, and name or identifying number of each system of records in which you think records about you may be kept, will help speed the processing of your request. NSF publishes notices in the **Federal Register** that describe the systems of records maintained by the Foundation. The Office of the **Federal Register** publishes a biennial ''Privacy Act Compilation'' that includes NSF system notices. This compilation is available in many large reference and university libraries, and can be accessed electronically at the Government Printing Office's web site at <www.access.gpo.gov/su__docs/ aces/ PrivacyAct.shtml>.

(c) *Verification of identity.* When requesting access to records about yourself, NSF requires that you verify your identity in an appropriate fashion. Individuals appearing in person should be prepared to show reasonable picture identification such as driver's license, government or other employment identification card, or passport. Written requests must state your full name and current address. You must sign your request and your signature must either be notarized, or submitted by you under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, you may obtain information about these required elements for requests from the NSF Privacy Act Officer, Suite 1265, 4201 Wilson Blvd, Arlington, VA 22230, or from the NSF Home Page under ''Public & Media Information—FOIA and Privacy Act'' at <http://www.nsf.gov/home/pubinfo/foia.htm>. In order to help agency personnel in locating and identifying requested records, you may also, at your option,

include your social security number, and/or date and place of birth. An individual reviewing his or her record(s) in person may be accompanied by an individual of his or her choice after signing a written statement authorizing that individual's presence. Individuals requesting or authorizing the disclosure of records to a third party must verify their identity and specifically name the third party and identify the information to be disclosed.

(d) *Verification of guardianship.* When making a request as the parent or guardian of a minor or as the guardian of someone determined by a court of competent jurisdiction to be incompetent, for access to records about that individual, you must establish:

(1) The identity of the record subject, by stating individual's name and current address and, at your option, the social security number and/or date and place of birth of the individual;

(2) Your own identity, as required in paragraph (c) of this section;

(3) That you are the parent or guardian of that individual, which you may prove by providing a copy of the individual's birth certificate showing your parentage or by providing a court order establishing your guardianship; and

(4) That you are acting on behalf of that individual in making the request.

(e) *Application of procedures.* The procedures of paragraphs (a) through (d) of this section shall apply to requests made pursuant to 5 U.S.C. 552a(c)(3) and (d)(1).

§ 613.3 Responding to requests for access to records.

(a) *Timing of responses to requests.* The Foundation will make reasonable effort to act on a request for access to records within 20 days of its receipt by the Privacy Act Officer (excluding date of receipt, weekends, and legal holidays) or from the time any required identification is received by the Privacy Act Officer, whichever is later. In determining which records are responsive to a request, the Foundation will include only records in its possession as of the date of receipt. When the agency cannot complete processing of a request within 20 working days, the Foundation will send a letter explaining the delay and notifying the requester of the date by which processing is expected to be completed.

(b) *Authority to grant or deny requests.* The Privacy Act Officer, or his or her designee in the office with responsibility for the requested records, is authorized to grant or deny access to a Foundation record.

(c) *Granting access to records.* When a determination is made to grant a request for access in whole or part, the requester will be notified as soon as possible of the Foundation's decision. Where a requester has previously failed to pay a properly charged fee to any agency within 30 days of the date of billing, NSF may require the requester to pay the full amount due, plus any applicable interest, and to make an advance payment of the full amount of any anticipated fee, before NSF begins to process a new request or continues to process a pending request from that requester.

(1) *Requests made in person.* When a request is made in person, if the records can be found, and reviewed for access without unreasonable disruption of agency operations, the Foundation may disclose the records to the requester directly upon payment of any applicable fee. A written record should be made documenting the granting of the request. If a requester is accompanied by another person, the requester shall be required to authorize in writing any discussion of the records in the presence of the other person.

(2) *Requests made in writing.* The Foundation will send the records to the requester promptly upon payment of any applicable fee.

(d) *Denying access to records.* The requester will be notified in writing of any determination to deny a request for access to records. The notification letter will be signed by the Privacy Act Officer, or his or her designee, as the individual responsible for the denial and will include a brief statement of the reason(s) for the denial, including any Privacy Act exemption(s) applied in denying the request.

(e) *Fees.* The Foundation will charge for duplication of records requested under the Privacy Act in the same way it charges for duplication under the Freedom of Information Act (see 45 C.F.R. 612.10). No search or review fee may be charged for the record unless the record has been exempted from access under Exemptions (j)(2) or (k)(2) of the Privacy Act.

§ 613.4 Amendment of records.

(a) *Where to make a request.* An individual may request amendment of records pertaining to him or her that are maintained in an NSF Privacy Act system of records, except that certain records described in subparagraph (h) of this section are exempt from amendment. Request for amendment of records must be made in writing to the NSF Privacy Act Officer, National Science Foundation, Suite 1265, 4201 Wilson Boulevard, Arlington, VA 22230.

(b) *How to make a request.* Your request should identify each particular record in question, state the amendment you want to take place, and specify why you believe that the record is not accurate, relevant, timely, or complete. You may submit any documentation that you think would be helpful. Providing an edited copy of the record(s) showing the desired change will assist the agency in making a determination about your request. If you believe that the same information is maintained in more than one NSF system of records you should include that information in your request. You must sign your request and provide verification of your identity as specified in § 613.2(c).

(c) *Timing of responses to requests.* The Privacy Act Officer, or his or her designee, will acknowledge receipt of request for amendment within 10 working days of receipt. Upon receipt of a proper request the Privacy Act Officer will promptly confer with the NSF Directorate or Office with responsibility for the record to determine if the request should be granted in whole or part.

(d) *Granting request for amendment.* When a determination is made to grant a request for amendment in whole or part, notification to the requester will be made as soon as possible, normally within 30 working days of the Privacy Act Officer receiving the request, describing the amendment made and including a copy of the amended record, in disclosable form.

(e) *Denying request for amendment.* When a determination is made that amendment, in whole or part, is unwarranted, the matter shall be brought to the attention of the Inspector General, if it pertains to records maintained by the Office of the Inspector General, or to the attention of the General Counsel, if it pertains to other NSF records. If the General Counsel or Inspector General or their designee agrees with the determination that amendment is not warranted, the Privacy Act Officer will notify the requester in writing, normally within 30 working days of the Privacy Act Officer receiving the request. The notification letter will be signed by the Privacy Act Officer or his or her designee, and will include a statement of the reason(s) for the denial and how to appeal the decision.

(f) *Appealing a denial.* You may appeal a denial of a request to amend records to the General Counsel, National Science Foundation, 4201 Wilson Blvd, Suite 1265, Arlington, VA 22230. You must make your appeal in writing and it must be received by the Office of the General Counsel within ten days of the

receipt of the denial (weekends, legal holidays, and the date of receipt excluded). Clearly mark your appeal letter and envelope ''Privacy Act Appeal.'' Your appeal letter must include a copy of your original request for amendment and the denial letter, along with any additional documentation or argument you wish to submit in favor of amending the records. It must be signed by you or your officially designated representative.

(g) *Responses to appeals.* The General Counsel, or his or her designee, will normally render a decision on the appeal within thirty working days after proper receipt of the written appeal by the General Counsel. If additional time to make a determination is necessary you will be advised in writing of the need for an extension.

(1) *Amendment appeal granted.* If on appeal the General Counsel, or his or her designee, determines that amendment of the record should take place, you will be notified as soon as possible of the Foundation's decision. The notification will describe the amendment made and include a copy of the amended record, in disclosable form.

(2) *Amendment appeal denied—Statement of disagreement.* If on appeal the General Counsel, or his or her designee, upholds a denial of a request for amendment of records, you will be notified in writing of the reasons why the appeal was denied and advised of your right to seek judicial review of the decision. The letter will also notify you of your right to file with the Foundation a concise statement setting forth the reasons for your disagreement with the refusal of the Foundation to amend the record. The statement should be sent to the Privacy Act Officer, who will ensure that a copy of the statement is placed with the disputed record. A copy of the statement will be included with any subsequent disclosure of the record.

(h) *Records not subject to amendment.* The following records are not subject to amendment:

(1) Transcripts of testimony given under oath or written statements made under oath;

(2) Transcripts of grand jury proceedings, judicial proceedings, or quasi-judicial proceedings, which are the official record of those proceedings;

(3) Pre-sentence records that originated with the courts; and

(4) Records in systems of records that have been exempted from amendment under Privacy Act, 5 U.S.C. 552a(j) or (k) by notice published in the **Federal Register**.

§ 613.5 Exemptions.

(a) *Fellowships and other support.* Pursuant to 5 U.S.C. 552a(k)(5), the Foundation hereby exempts from the application of 5 U.S.C. 552a(c)(3) and (d) any materials which would reveal the identity of references of fellowship or other award applicants or nominees, or reviewers of applicants for Federal contracts (including grants and cooperative agreements) contained in any of the following systems of records:

(1) ''Fellowships and Other Awards,''

(2) ''Principal Investigator/Proposal File and Associated Records,''

(3) ''Reviewer/ Proposal File and Associated Records,'' and

(4) ''Reviewer/Fellowship and Other Awards File and Associated Records.''

(b) *OIG Files Compiled for the Purpose of a Criminal Investigation and for Related Purposes.* Pursuant to 5 U.S.C. 552a(j)(2), the Foundation hereby exempts the system of records entitled ''Office of Inspector General Investigative Files,'' insofar as it consists of information compiled for the purpose of a criminal investigation or for other purposes within the scope of 5 U.S.C. 552a(j)(2), from the application of 5 U.S.C. 552a, except for subsections (b), (c)(1) and (2), (e)(4) (A) through (F), (e)(6), (7), (9), (10) and (11), and (i).

(c) *OIG and ACA Files Compiled for Other Law Enforcement Purposes.* Pursuant to 5 U.S.C. 552a(k)(2), the Foundation hereby exempts the systems of records entitled ''Office of Inspector General Investigative Files'' and ''Antarctic Conservation Act Files'' insofar as they consist of information compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2), from the application of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f).

(d) *Investigations of Scientific Misconduct.* Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), the Foundation hereby exempts from the application of 5 U.S.C. 552a(c)(3) and (d) any materials which would reveal the identity of confidential sources of information contained in the following system of records: ''Debarment/Scientific Misconduct Files.''

(e) *Personnel Security Clearances.* Pursuant to 5 U.S.C. 552a(k)(5), the Foundation hereby exempts from the application of 5 U.S.C. 552a(c)(3) and (d) any materials which would reveal the identity of confidential sources of information contained in the following system of records: ''Personnel Security.''

(f) *Applicants for Employment.* Records on applicants for employment at NSF are covered by the Office of Personnel Management (OPM) government-wide system notice ''Recruiting, Examining and Placement Records.'' These records are exempted as claimed in 5 CFR 297.501(b)(7).

(g) *Other records.* The Foundation may also assert exemptions for records received from another agency that could properly be claimed by that agency in responding to a request.

§ 613.6 Other rights and services.

Nothing in this subpart shall be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under the Privacy Act.

Lawrence Rudolph,

General Counsel.

[FR Doc. 00–5268 Filed 3–3–00; 8:45 am]

BILLING CODE 7555–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA No. 00–373, MM Docket No. 99–36; RM–9372]

Radio Broadcasting Services; Kaukauna and Denmark, WI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 285C3 for Channel 285A at Kaukauna, Wisconsin, reallots Channel 285C3 to Denmark, Wisconsin, and modifies the license for Station WPCK to specify operation on Channel 285C3 at Denmark in response to a petition filed by Midwest Dimensions, Inc. *See* 64 FR 7843. February 17, 1999. The coordinates for Channel 285C3 at Denmark are 44–24–38 and 87–34–20. With this action, this proceeding is terminated.

EFFECTIVE DATE: April 14, 2000.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 99–36, adopted February 16, 2000, and released February 29, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857–3800, facsimile (202) 857–3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by removing Channel 285A at Kaukauna and adding Denmark, Channel 285C3.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00–5144 Filed 3–3–00; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2000–6994]

RIN 2127–AH84

Federal Motor Vehicle Safety Standards; School Bus Body Joint Strength

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule; technical amendment; response to petition to delay effective date.

SUMMARY: On November 5, 1998, NHTSA published a final rule that amended Federal Motor Vehicle Safety Standard No. 221, *School Bus Body Joint Strength* (49 CFR 571.221), and announced an effective date of May 5, 2000 for those amendments. This document delays the effective date of that final rule until May 5, 2001. This document also makes a technical amendment by correcting a technical error in that final rule.

DATES: This rule is effective April 5, 2000. Any petitions for reconsideration of this final rule must be received by NHTSA no later than April 20, 2000. The effective day of May 5, 2000 for the final rule published at 63 FR 59732, Nov. 5, 1998 amending § 571.221 is delayed until May 5, 2001.

ADDRESSES: Petitions for reconsideration should refer to the docket number for this action and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For technical issues you may call: Mr. Charles Hott, Office of Crashworthiness Standards, at (202) 366–0247. Mr. Hott's FAX number is: (202) 493–2739.

For legal issues, you may call Ms. Dorothy Nakama, Office of the Chief Counsel, at (202) 366–2992. Her FAX number is: (202) 366–3820.

You may send mail to both of these officials at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: The purpose of Federal Motor Vehicle Safety Standard No. 221, *School Bus Body Joint Strength,* (49 CFR 571.221) (Standard No. 221), is to reduce deaths and injuries resulting from the structural collapse of school bus bodies during crashes. Standard No. 221 establishes requirements for the strength of the ''body panel joints'' in school bus bodies.

Final Rule of November 5, 1998

In a final rule published on November 5, 1998 (63 FR 59732), NHTSA enhanced the applicability of Standard No. 221 and made a number of other changes. At present, Standard No. 221 applies only to school buses with a gross vehicle weight rating (GVWR) more than 4536 kg (10,000 pounds). The standard also specifies strength requirements for each ''body panel joint,'' currently defined as the area of contact or close proximity between the edges of a body panel and another body component, excluding spaces designed for ventilation or another functional purpose, and excluding doors, windows, and maintenance access panels (MAPs).

The November 5, 1998 final rule extended the applicability of Standard No. 221 to school buses with a GVWR of 4536 kg (10,000 pounds) or less [1] and narrowed the exclusion of MAPs from the joint strength requirements. Except as noted below, the final rule also required panels to be attached at least at every 203 millimeters (8 inches) and required body panel joints to withstand a tensile strength of 60 percent of the tensile strength of the weakest joined body panel. The final rule excluded two groups of MAPs from these requirements: MAPs outside of the passenger area; and MAPs smaller than a specified size inside the passenger area. The final rule also excluded certain joints from the standard's tensile strength requirements, *i.e.,* joints from which a test sample cannot be obtained because of the joint's size or the curvature of the panels comprising the joint.

The final rule also simplified the definition of ''maintenance access panel'' and adopted a definition of ''passenger compartment'' based on the definition in Standard No. 217, *Bus Emergency Exits and Window Retention and Release* (49 CFR 571.217). In determining minimum allowable joint strength, the final rule (reversing a 1978 interpretation letter) included a new S6.2(c) specifying that the cross-sectional area of material removed to facilitate the installation of fasteners shall be considered in determining the tensile strength of the weakest joined body panel.

NHTSA specified that the final rule would take effect 18 months after **Federal Register** publication. The agency had proposed the 18 month lead time in the notice of proposed rulemaking (NPRM). No commenter addressed the lead time issue. In the final rule, NHTSA explained why 18 months was believed to provide sufficient lead time for manufacturers to accomplish any necessary redesign, retooling, testing, and marketing strategy to meet the requirements established in the final rule. NHTSA noted many manufacturers of small school buses already offer their customers the option of buying those buses with body panel joints that meet Standard No. 221. NHTSA stated its belief that at least some of the tooling needed to meet the changes mandated by the final rule were already in place but that some additional tooling may be required for all small school buses to be produced in compliance with Standard No. 221. The agency also stated that maintenance access panels in both large and small school buses might need to be redesigned and tested (that could be accomplished in 18 months) in order to meet the new requirements.

Petitions for Reconsideration

NHTSA received petitions for reconsideration of the final rule from AmTran Corporation, Blue Bird Body Company, and Thomas Built Buses. The petitioners asked for reconsideration of decisions regarding issues such as whether the standard would apply to joints from which a test sample cannot be made; the number of fasteners for curved and complex joints; whether the term ''automotive'' type joints should be defined; whether the term ''bus body'' should exclude structures forward of the

[1] Referred to below as small school buses.

passenger compartment; and the degrees of tolerance that should be permitted in a test machine's grip.

The manufacturers stated the greatest cost effect would result from the final rule's rescinding a November 28, 1978 interpretation letter that addressed the issue of how to compute the area of a sample of a body panel when testing for Standard No. 221 compliance. In the letter, NHTSA stated that in its compliance testing, it would determine the net cross-sectional area of a body panel sample by multiplying the width of the sample by its thickness and then subtracting the area of each ''discreet fastener hole.'' Rescinding the letter means that when testing for compliance with Standard No. 221, NHTSA would no longer subtract the area of each discreet fastener hole when determining the net cross-sectional area of the sample. The practical effect of that change is that school bus manufacturers would have to use more fasteners in order to meet the standard. The final rule included a new provision, S6.2(c), making it clear that the cross-sectional area of material removed to facilitate the installation of fasteners shall be considered in determining the tensile strength of the weakest joined body panel.

All three petitioners asked that S6.2(c) be removed, and the November 28, 1978 interpretation letter be reinstated. Blue Bird stated that the interpretation letter has been the basis for determining minimum allowable tensile strength for FMVSS certification and NHTSA compliance purposes since it was issued. Blue Bird informed the agency that approximately half of the joint designs used in manufacturing Blue Bird school buses use discrete fasteners, the majority of which will require redesign and retesting. Other school bus manufacturers may use non-discrete fasteners such as welds and adhesives, which may also have to be redesigned and retested. If the November 28, 1978 interpretation letter is not reinstated and if S6.2(c) takes effect, Blue Bird estimated that there will be an increase of 12 to 25 percent in the number of required fasteners. Blue Bird indicated that the new method of calculating joint strength would result in hard tooling (*i.e.,* dies, which are tools for manufacturing materials) with long lead times, and increased material and labor costs. Blue Bird did not provide dollar estimates of the increased costs.

Thomas Built stated that most of its cost increases would be incurred when providing the extra fasteners needed when the change in the joint strength calculation procedure (in S6.2(c)) becomes effective. Thomas estimated that the increase in costs for a school bus to meet the final rule's maintenance access panel changes only, (including labor, fasteners, tooling and fixtures), would be $157. The cost per school bus of meeting maintenance access panel changes and S6.2(c) would be $352. Thomas also estimated that the total cost to modify its plant (which would be necessary to meet the new final rule) would be $313,000 if the maintenance access panel changes only take effect and $1,388,000 if the maintenance access panel changes and S6.2(c) take effect.

Petition for Extension of Effective Date

In a letter dated September 28, 1999, Blue Bird asked that NHTSA extend the effective date of its November 5, 1998, final rule to ''a minimum of 18 months following publication of an amended final rule, or to May 5, 2002, whichever is later.'' Blue Bird cited the expense involved in pursuing redesign, testing, tooling and manufacturing changes that would result when the final rule takes effect. Blue Bird noted that these retooling and other changes would not be necessary if the changes requested by the petitioners are made to the November 5, 1998 final rule. Blue Bird asked that if granted, the petition for extension of the effective date be issued as soon as possible. Blue Bird said that it and other school bus manufacturers already have had to make preparations with tooling and die manufacturers to produce machining that would enable the production (in May 2000) of school buses that meet the November 5, 1998 final rule.

Agency Decision To Grant Petition for Extension

We are carefully reviewing the petitions for reconsideration of the November 1998 final rule. One possible outcome of that review would be a decision to grant the petitioners' request to remove S6.2(c) and reinstate the November 28, 1978, interpretation letter permitting subtraction of holes in calculating joint strength. If we were to remove S6.2(c) and reinstate the letter, the expensive die and tooling changes cited by school bus manufacturers in their petitions for reconsideration would be unnecessary. Therefore, while we are deciding whether to grant the petitions for reconsideration, we are preserving the status quo by extending the effective date for the November 1998 final rule until May 5, 2001. We expect to issue a new document addressing the issues raised in the petitions for reconsideration well before May 5, 2001. If additional time is needed, we will issue an additional extension.

Technical Amendment

This document also corrects an error in S5.2.1(a) of the November 5, 1998 final rule. The preamble of the final rule stated that the rule excluded certain maintenance access panels (MAPs) from the joint tensile strength requirements. Excluded were MAPs with openings of less than 305 mm. Specifically, we stated in the preamble:

> To be excluded, the MAP must either: (1) * * * ; or (2) be located within the passenger seating area but have an opening that does not exceed 305 mm (12 inches) when measured across any two points diametrically on opposite sides of the opening.

(See 63 FR 59732 at 59735)

The language quoted above makes explicit NHTSA's intent to exclude MAPs with openings of less than 305 mm from joint tensile strength requirements. However, as drafted, S5.2.1(a) of the final rule states that MAPs which *exceed* 305 mm are excluded. So that the regulatory language meets NHTSA's intent, we amend S5.2.1(a) to exclude from the joint tensile strength requirements any MAP with an opening that does not exceed 305 mm (12 inches) when measured across any two points diametrically on opposite sides of the opening.

A. Executive Order 12866, Regulatory Planning and Review, and DOT Regulatory Policies and Procedures

Executive Order 12866, ''Regulatory Planning and Review'' (58 FR 51735; October 4, 1993), provides for making determinations whether a regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and to the requirements of the Executive Order. The Order defines a ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or Tribal governments or communities:

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

We have considered the impact of this rulemaking action under Executive Order 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, ''Regulatory Planning and Review.'' Further, we have determined that this action is not ''significant'' within the meaning of the Department of Transportation's regulatory policies and procedures (44 FR 11034, February 26, 1979).

In its Final Regulatory Evaluation for the November 5, 1998 final rule, NHTSA estimated that the total cost for implementing the final rule would be approximately $8,500,000 per year. This rule delays the effective date of that final rule for one year, *i.e.,* to May 5, 2001. Thus, it delays the incurring of those costs. During that one-year period, manufacturers will continue to meet the same requirements (and incur the same costs) resulting from the existing rule.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996) provides that whenever an agency is required to publish a notice of rulemaking for any proposed or final rule it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (*i.e.,* small businesses, small organizations, and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant economic impact on a substantial number of small entities. SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities.

In the November 5, 1998 final rule, the agency certified that that rule would not have a significant economic impact on a substantial number of small entities. Accordingly, I certify that this final rule, which delays the implementation of that earlier final rule, will not have a significant economic impact on a substantial number of small entities.

As noted in the November 5, 1998 final rule, the SBA defines a motor vehicle retailer with less than $11,500,000 in annual receipts as a small business. There are approximately 465 school bus dealers and distributors in the United States. The average sales of school buses from 1995 to 1999 was about 40,000 per year, representing an average of less than 100 buses per dealer. In order to reach the threshold of $11,500,000 in annual sales receipts, the average dealer would have to sell a much larger number (270) of large school buses annually, assuming a cost of $45,280 per unit. Thus, most school bus dealers are probably small businesses. Because of the negligible cost impact on manufacturers, the agency also anticipates little measurable impact on retailers' revenue levels, profitability, or employment.

C. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), we note that there are no collection of information requirements associated with this final rule.

D. National Environmental Policy Act

We have analyzed this final rule for the purposes of the National Environmental Policy Act. We have determined that implementation of this action will not have any significant impact on the quality of the human environment.

E. Executive Order 13132, Federalism

Executive Order 13132 requires us to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' are defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under Executive Order 13132, we may not issue a regulation with Federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or unless we consult with State and local officials early in the process of developing the proposed regulation. We also may not issue a regulation with Federalism implications and that preempts State law unless we consult with State and local officials early in the process of developing the proposed regulation.

This final rule does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. The reason is that this final rule applies to manufacturers of school buses and to school buses, and not to the States or local governments. Thus, the requirements of Section 6 of the Executive Order do not apply to this rule.

F. Civil Justice Reform

This final rule does not have any retroactive effect. Under 49 U.S.C. 30103(b), whenever a Federal motor vehicle safety standard is in effect, a state or political subdivision may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle only if the standard is identical to the Federal standard. However, the United States Government, a state or political subdivision of a state may prescribe a standard for a motor vehicle or motor vehicle equipment obtained for its own use that imposes a higher performance requirement than that required by the Federal standard. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. A petition for reconsideration or other administrative proceedings is not required before parties may file suit in court.

G. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to prepare a written assessment of the costs, benefits and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local or tribal governments, in the aggregate, or by the private sector, of more than $100 million in any one year (adjusted for inflation with base year of 1995). Before promulgating a NHTSA rule for which a written statement is needed, section 205 of the UMRA generally requires us to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows us to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if we publish with the final rule an explanation why that alternative was not adopted.

This final rule will not result in costs of $100 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector. Thus, this final rule is not subject to the requirements of sections 202 and 205 of the UMRA.

H. Executive Order 13045

Executive Order 13045 (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be ''economically significant'' as defined under E.O. 12866, and (2) concerns an environmental, health or safety risk that NHTSA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, we must evaluate the environmental, health or safety effects of the rule on children, and explain why the regulation is preferable to other potentially effective and reasonably feasible alternatives considered by us.

This rule is not subject to the Executive Order because it is not economically significant as defined in E.O. 12866. It does not involve decisions based on health risks that disproportionately affect children.

List of Subjects in 49 CFR Part 571

Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

In consideration of the foregoing, 49 CFR 571.221 is amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for Part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegations of authority at 49 CFR 1.50.

2. Section 571.221 is amended by revising S5.2.1(a) to read as follows:

§ 571.221 Standard No. 221, School Bus Body Joint Strength.

* * * * *

S5.2.1 The requirements of S5.1.1 and S5.1.2 do not apply to—

(a) Any interior maintenance access panel which lies forward of the passenger compartment, or which is less than 305 mm when measured across any two points diametrically on opposite sides of the opening.

* * * * *

Issued on: February 29, 2000.

Rosalyn Millman,

Acting Administrator.

[FR Doc. 00–5354 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–59–P

Proposed Rules

Federal Register
Vol. 65, No. 44
Monday, March 6, 2000

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Parts 960 and 963

[Docket No. RW–RM–99–963]

RIN 1901–AA72

Office of Civilian Radioactive Waste Management; General Guidelines for the Recommendation of Sites for Nuclear Waste Repositories; Yucca Mountain Site Suitability Guidelines; Correction

AGENCY: Office of Civilian Radioactive Waste Management, Department of Energy (DOE).

ACTION: Supplemental notice of proposed rulemaking; Correction.

SUMMARY: On November 30, 1999, DOE published a supplemental notice of proposed rulemaking to amend the policies under the Nuclear Waste Policy Act of 1982 for evaluating the suitability of Yucca Mountain, Nevada, as a site for development of a nuclear waste repository. The deadline for submission of comments, originally set for February 14, 2000, was extended to February 28, 2000 in a notice published on January 14, 2000. In the November 30, 1999 supplemental notice of proposed rulemaking, DOE inadvertently included a mistaken post office box number in the address for submission of comments. Although DOE arranged with the U.S. Postal Service for forwarding of the comments upon receipt, the Postal Service mistakenly returned some of them to the original senders. To remedy this problem, DOE is posting a list of those persons, from whom comments have been received, on the web site given below, and announces that DOE will accept comments that were returned by the U.S. Postal Service as long as they are postmarked and sent to the address stated in the **ADDRESSES** section no later than 14 days from the date of this notice. This document corrects the address given for sending comments. For a list of persons who have already provided comments to DOE on the proposed rulemaking, visit the following world wide web location: *http://www.ymp.gov.*

DATES: Written comments must be postmarked by March 20, 2000. DOE requests one copy of the written comments.

ADDRESSES: See the ''Correction'' section of this document.

FOR FURTHER INFORMATION CONTACT: Dr. William J. Boyle or Dr. Jane Summerson, U.S. Department of Energy, Office of Civilian Radioactive Waste Management, Yucca Mountain Site Characterization Office, P.O. Box 30307, North Las Vegas, Nevada 89036–0307, (800) 967–3477.

Correction

In the **Federal Register** of November 30, 1999, in proposed rule FR Doc. 99-30668, on page 67054, in the first column, correct the **ADDRESSES** caption to read as follows:

ADDRESSES: Written comments should be addressed to Dr. WIlliam J. Boyle, U.S. Department of Energy, Yucca Mountain Site Characterization Office, P.O. Box 30307, North Las Vegas, Nevada 89036–0307, or provided by electronic mail to *10CFR963@notes.ymp.gov.*

Issued in Washington, D.C. on March 2, 2000.

Ivan Itkin,

Director, Office of Civilian Radioactive Waste Management

[FR Doc. 00–5478 Filed 3–3–00; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 438

[FRL–6547–2]

Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Metal Products and Machinery Point Source Category; Announcement of Meeting.

AGENCY: . Environmental Protection Agency (EPA).

ACTION: Announcement of Meeting.

SUMMARY: EPA will conduct a second public meeting on the upcoming Metal Products and Machinery proposed rulemaking on April 10, 2000, from 9:30 a.m. to 12:30 p.m. in Chicago, IL.

The Office of Science and Technology within EPA's Office of Water is holding a second public meeting in order to inform all interested parties of the current status of the Metal Products and Machinery (MP&M) effluent guideline. EPA intends to propose effluent limitations guidelines and standards for the MP&M industrial category in October 2000. The public meeting in Chicago will provide the same information as the March 3, 2000 public meeting in Washington, DC (see 65 FR 6950; February 11, 2000). The meeting is intended to be a forum in which EPA can report on the status of the rulemaking and interested parties can provide information and ideas to the Agency on key technical, economic, and implementation issues.

The meeting is open to the public, and limited seating for the public is available on a first-come, first-served basis. For information on the location and directions, see the **ADDRESSES** section below.

DATES: EPA will conduct its second public meeting on the upcoming Metal Products and Machinery proposed rulemaking on April 10, 2000, from 9:30 a.m. to 12:30 p.m.

ADDRESSES: The Metal Products and Machinery public meeting will be held at the EPA Region 5 building, 77 West Jackson Blvd., Lake Michigan Room, 12th Floor, Chicago, IL (312) 353–2000.

FOR FURTHER INFORMATION CONTACT: Shari Barash, Office of Water (4303), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; telephone (202) 260–7130; email: barash.shari@epa.gov.

SUPPLEMENTARY INFORMATION: EPA is developing proposed effluent limitations guidelines and standards for the MP&M Point Source Category under authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*). The MP&M effluent limitations guidelines and standards proposal will apply to facilities that manufacture, rebuild, or maintain finished metal parts, products, or machines. The 18 industrial sectors which are being examined for the MP&M regulation include the following: Aerospace; Aircraft; Bus & Truck; Electronic Equipment; Hardware; Household Equipment; Instruments; Metal Finishing and Electroplating Job Shops; Mobile Industrial Equipment; Motor Vehicles; Office Machines; Ordnance; Precious and Non-precious Metals; Railroad; Ships & Boats;

Stationary Industrial Equipment; Printed Circuit Boards; and Other Metal Products. The meeting will provide the same information as the March 3, 2000 public meeting (*i.e.*, an update on the development of the proposed rule). EPA will provide an overview of the development of the regulation including a discussion of the data collection efforts, the potential treatment technology options, the potential subcategorization of industry segments, and the schedule for the MP&M rulemaking. The meeting will not be recorded by a reporter or transcribed for inclusion in the record for the MP&M rulemaking.

Documents related to the topics mentioned above and a more detailed agenda will be available at the meeting. For those unable to attend the meeting, a document summary will be available following the meeting and can be obtained by an e-mail or telephone request to Shari Barash at the previously mentioned address.

Dated: February 28, 2000.

Geoffrey H. Grubbs,

Director, Office of Science and Technology.

[FR Doc. 00–5389 Filed 3–3–00; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 16

Injurious Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: The U.S. Fish and Wildlife Service is evaluating the ecological and economic impact of non-indigenous fish and wildlife for possible addition to the lists of injurious fish and wildlife contained in the Code of Federal Regulations. Adding any animals to these lists would prohibit their importation except in limited situations. By this advance notice, we are requesting comments on such non-native animals that you believe should be prohibited entry into the United States, its possessions, or territories. When submitting your suggestions, please include background and available documentation to support your contention that said animals should be determined to be ''injurious.'' However, if you do not submit comments by the date established in the **DATES** Section below, we will still accept future petitions and supporting documentation from you for injurious listings as new concerns and threats arise.

DATES: Please submit your comments to us so that we receive them by June 7, 2000.

ADDRESSES: You may submit comments in response to this advance notice in any of the following ways: (1) by mail to Jeff Horwath, Division of Fish and Wildlife Management Assistance, U.S. Fish and Wildlife Service, 1749 C Street, NW, ARLSQ-Room 840, Washington, DC 20240; (2) by FAX to 703/358–2044 (Att'n: Jeff Horwath); (3) by electronic mail to <jeffrey__horwath@fws.gov>; or (4) in person to 4401 N. Fairfax Drive, Room 840, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Jeff Horwath, Division of Fish and Wildlife Management Assistance, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 840, Arlington, VA 22203, Telephone: 703/358–1718.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Fish and Wildlife Service is responsible for implementing the ''injurious'' provisions of the Lacey Act (18 U.S.C. 42). Section 42 of this Act and our companion implementing regulations in 50 CFR Part 16 restrict importation into, or the transportation of live wildlife or eggs thereof between, the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States of any non-indigenous species of fish and wildlife determined to be injurious to certain interests including those of agriculture, horticulture, forestry, the health and welfare of human beings, and the welfare and survival of wildlife or wildlife resources of the United States. However, injurious fish and wildlife may be imported by permit for zoological, educational, medical, or scientific purposes, or without a permit by Federal agencies solely for their own use. Our implementing regulations include lists of fish and wildlife determined to be injurious to the interests of the United States as described above. We also implement Executive Order 13112 on invasive species.

To assist us in identifying non-indigenous fish and wildlife that warrant our consideration as injurious, we ask for your comments on non-native fish and wildlife that you believe should be added to the appropriate lists of animals in 50 CFR Part 16. In addition to identifying these animals, we ask that you also submit comments to support your assertion that such animals are, or would be, injurious to U.S. interests and should be added to our regulations.

We will accept and consider petitions after June 7, 2000 requesting that we list non-indigenous fish or wildlife that you believe to be injurious to U.S. interests, even if you are not presently aware of any such animals and you do not submit any comments in response to this Notice.

Dated: December 2, 1999.

Jamie Rappaport-Clark,

Director, Fish and Wildlife Service.

[FR Doc. 00–5293 Filed 3–3–00; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 991207325–9325–01; I.D. 100699A]

RIN 0648–AJ52

Fisheries of the Exclusive Economic Zone Off Alaska; A Cost Recovery Program for the Individual Fishing Quota Program; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) Commerce.

ACTION: Correction.

SUMMARY: NMFS is correcting the proposed rule for A Cost Recovery Program for the Individual Fishing Quota Program published December 27, 1999.

DATES: Effective December 27, 1999.

FOR FURTHER INFORMATION CONTACT: Jay Ginter, 907–586–7228.

SUPPLEMENTARY INFORMATION: Section 304(d) of the Magnuson-Stevens Fishery Conservation and Management Act requires the Secretary of Commerce to collect fees to recover actual costs incurred for Federal management of the Individual Fishing Quota Program for fixed gear Pacific halibut and sablefish fisheries in waters in and off of Alaska. NMFS proposed a cost recovery program to collect such fees.

In the proposed rule, published December 27, 1999 (64 FR 72302), make the following corrections:

1. On page 72307, in the 2nd column, § 679.4(d)(7), in the 6th line of that paragraph, remove ''679.(e)(7)(ii)'' and add ''679.(l)(7)(ii)'' in its place.

2. On page 72308, in the 3rd column, at § 679.45(a)(2), in the 20th line of that

paragraph, remove ''§ 675.5(1)(7)(ii)'', and add ''§ 675.5(l)(7(ii)'' in its place.

3. On page 72309, in the 2nd column, at § 679.45(d), in the first line of that paragraph, remove the paragraph designation ''(i)'' and add the paragraph designation ''(1)'' in its place.

4. On page 72309, in the 3rd column, at § 679.45(d)(3), in the first line of that paragraph, remove the paragraph designation ''(1)'', and add in its place the paragraph designation (i).

Dated: February 28, 2000.

Andrew A. Rosenberg,

Deputy Asst. Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 00–5221 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–22–F

Notices

Federal Register

Vol. 65, No. 44

Monday, March 6. 2000

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[TM–00–02]

Notice of Meeting of the National Organic Standards Board

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the Agricultural Marketing Service (AMS) announces a forthcoming meeting of the National Organic Standards Board (NOSB).

DATES: March 21, 2000, from 9 a.m. to 5 p.m. and March 22, 2000, from 9 a.m. to 5 p.m. (Pacific Standard Time each day).

PLACE: Embassy Suites Hotel, 7762 Beach Boulevard, Buena Park, California 90620, Phone (714) 739–5600.

FOR FURTHER INFORMATION CONTACT: Keith Jones, Program Manager, Room 2945 South Building, U.S. Department of Agriculture, AMS, Transportation and Marketing, National Organic Program, P.O. Box 96456, Washington, D.C. 20090–6456, Phone (202) 720–3252.

SUPPLEMENTARY INFORMATION: Section 2119 (7 U.S.C. 6518) of the Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. Section 6501 *et seq.*) requires the establishment of the NOSB. The purpose of the NOSB is to assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of OFPA. The NOSB met for the first time in Washington, D.C., in March 1992 and currently has six committees working on various aspects of the program. The committees are: Crops Standards; Processing; Labeling and Packaging; Livestock Standards; Accreditation; Materials; and, International Issues.

In August 1994, the NOSB provided its initial recommendations for the National Organic Program (NOP) to the Secretary of Agriculture. Since that time, the NOSB has submitted 30 addenda to its recommendations and reviewed more than 170 substances for inclusion on the National List of Allowed and Prohibited Substances. The last meeting of the NOSB was held on October 25–29, 1999, in Washington, D.C.

The U. S. Department of Agriculture (USDA) published its NOP proposed rule in the **Federal Register** on December 16, 1997 (62 FR 65849). A notice extending the comment period on the proposed rule was published in the **Federal Register** on February 9, 1998 (63 FR 6498–6499). The comment period was extended until April 30, 1998. On October 28, 1998, three issue papers for which public comment was requested by USDA were published in the **Federal Register** (63 FR 57624–57626). These papers addressed certain issues raised during the comment period. The issue papers were: Issue Paper 1—Livestock Confinement in Organic Production Systems; Issue Paper 2—The Use of Antibiotics and Parasiticides in Organic Livestock Production; and, Issue Paper 3—Termination of Certification by Private Certifiers. The comment period for the issue papers closed December 14, 1998.

Purpose and Agenda

The principal purposes of this meeting are to provide an opportunity for the NOSB to receive committee reports from its standing and ad hoc committees to review ethylene for possible inclusion on the National List for use to induce flowering in pineapples, and to receive briefings on the recently published re-proposed NOP regulation. Copies of the NOSB final meeting agenda can be requested from Mrs. Toni Strother, Room 2510 South Building, U.S. Department of Agriculture, AMS, Transportation and Marketing, NOP, P.O. Box 96456, Washington, D.C. 20090–6456, by phone at (202) 720–3252 or by accessing the NOP website at http://www.ams.usda.gov/nop after March 8, 2000.

Type of Meeting

All meetings will be open to the public. The NOSB has scheduled time for public input on Wednesday, March 22, 2000, from 1 p.m. until 5 p.m. at the Embassy Suites Hotel, 7762 Beach Boulevard, Buena Park, California 90620. Individuals and organizations wishing to make an oral presentation at the meeting should forward the request to Mrs. Strother at the above address or by FAX to (202) 205–7808 by close of business March 17, 2000. While persons wishing to make a presentation may sign up at the door, advance registration will ensure an opportunity to speak during the allotted time period and will help the NOSB to better manage the meeting and accomplish its agenda. Individuals or organizations will be given approximately 5 minutes to present their views. All persons making an oral presentation are requested to provide their comments in writing, if possible. Written submissions may supplement the oral presentation with additional material. Attendees who do not wish to make an oral presentation are invited to submit written comments to the NOSB at the meeting or to Mrs. Strother after the meeting at the above address. All persons submitting written comments should provide 25 copies.

Dated: February 28, 2000.

Eileen S. Stommes,

Deputy Administrator, Transportation and Marketing.

[FR Doc. 00–5273 Filed 3–3–00; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 99–036–1]

Monsanto Co.; Availability of Environmental Assessment for Extension of Determination of Nonregulated Status for Potato Genetically Engineered for Insect and Virus Resistance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment has been prepared for a proposed decision to extend to one additional potato line

our determination that certain potato lines developed by Monsanto Company, which have been genetically engineered for insect and virus resistance, are no longer considered regulated articles under our regulations governing the introduction of certain genetically engineered organisms. We are making this environmental assessment available to the public for review and comment.

DATES: We will consider all comments that we receive by April 5, 2000.

ADDRESSES: Please send your comment and three copies to: Docket No. 99–036–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Please state that your comment refers to Docket No. 99–036–1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at http://www.aphis.usda.gov/ppd/rad/webrepor.html.

FOR FURTHER INFORMATION CONTACT: Dr. James White, Biotechnology Assessments Section, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 734–5940. To obtain a copy of the extension request or the environmental assessment, contact Ms. Kay Peterson at (301) 734–4885; e-mail: kay.peterson@usda.gov.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Further, the regulations in § 340.6(e)(2) provide that a person may request that APHIS extend a determination of nonregulated status to other organisms. Such a request must include information to establish the similarity of the antecedent organism and the regulated article in question.

Background

On June 22, 1999, APHIS received a request for an extension of a determination of nonregulated status (APHIS No. 99–173–01p) from Monsanto Company (Monsanto) of St. Louis, MO, for a Russet Burbank potato line designated as NewLeaf® Plus Russet Burbank line RBMT22–82 (RBMT22–82), which has been genetically engineered for resistance to the Colorado potato beetle (CPB) and potato leaf roll virus (PLRV). The Monsanto request seeks an extension of a determination of nonregulated status issued for NewLeaf® Plus Russet Burbank potato lines RBMT21–129 and RBMT21–350 in response to APHIS petition number 97–204–01p (63 FR 69610–69611, December 17, 1998, Docket No. 97–094–2). Based on the similarity of RBMT22–82 to RBMT21–129, the antecedent organism, Monsanto requests a determination that CPB and PLRV resistant potato line RBMT22–82 does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

Analysis

Like the antecedent organism, RBMT22–82 contains the *cry3A* gene derived from *Bacillus thuringiensis* subsp. *tenebrionis* (*Btt*) and the *orf1/orf2* gene derived from PLRV. The *cry3A* gene encodes an insecticidal protein that is effective against CPB and the *orf1/orf2* gene imparts resistance to PLRV. Potato line RBMT22–82 also contains the *CP4 EPSPS* selectable marker gene, while the antecedent organism contained the *nptII* selectable marker gene. The subject potato line and the antecedent organism were developed through use of the *Agrobacterium tumefaciens* transformation system, and expression of the added genes in RBMT22–82 and the antecedent organism is controlled in part by gene sequences derived from the plant pathogens figwort mosaic virus and *A. tumefaciens*.

Potato line RBMT22–82 and the antecedent organism were genetically engineered using the same transformation method and with the same genes that make the plants insect and virus resistant. Accordingly, we have determined that potato line RBMT22–82 is similar to the antecedent organism RBMT21–129 in APHIS petition number 97–204–01p, and we are proposing that this line should no longer be regulated under the regulations in 7 CFR part 340.

The subject potato line has been considered a regulated article under APHIS' regulations in 7 CFR part 340 because it contains gene sequences derived from plant pathogens. However, evaluation of field data reports from field tests of RBMT22–82 conducted under APHIS permits and notifications since 1994 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of its environmental release.

Should APHIS approve Monsanto's request for an extension of a determination of nonregulated status, potato line RBMT22–82 would no longer be considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations would no longer apply to the field testing, importation, or interstate movement of the subject potato line or its progeny.

National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine any potential environmental impacts associated with this proposed extension of a determination of nonregulated status. The EA was prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372). Copies of Monsanto's extension request and the EA are available upon request from the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Done in Washington, DC, this 29th day of February 2000.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 00–5353 Filed 3–3–00; 8:45 am]

BILLING CODE 3410–34–U

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

TE 36 Thin-Mat Floating Marsh Enhancement Demonstration Project Terrebonne Parish, Louisiana

AGENCY: Natural Resources Conservation Service, Agriculture.

ACTION: Notice of Finding of No Significant Impact.

SUMMARY: Pursuant to Section 102 (2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Natural Resources Conservation Service Guidelines (7 CFR Part 650); the Natural Resources Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Thin-Mat Floating Marsh Demonstration Project, Terrebonne Parish, Louisiana.

FOR FURTHER INFORMATION CONTACT: Donald W. Gohmert, State Conservationist, Natural Resources Conservation Service, 3737 Government Street, Alexandria, Louisiana 71302; telephone (318) 473–7751.

SUPPLEMENTARY INFORMATION: The environmental assessment of the federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Donald W. Gohmert, State Conservationist, has determined that preparation and review of an environmental impact statement is not needed for this project.

The demonstration project will test the potential of restoring thin-mat floating marsh to thick-mat maidencane (Panicum hemitomon) floating marsh using three methods and all possible combinations thereof: (1) Transplanting maidencane into the thin-mat marsh, (2) inducing growth through fertilization, and (3) inducing growth through reduction of mammalian grazing. The project directly impacts less than 4 acres of fresh marsh within the northwestern part of the Penchant Basin in Terrebonne Parish. The potential benefits of developing management tools to restore a large area of existing thin-mat marsh exceed the risk of negatively impacting less than 4 acres.

The Notice of Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various federal, state, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data collected during the environmental assessment are on file and may be reviewed by contacting Donald W. Gohmert.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register.**

Donald W. Gohmert,

State Conservationist.

[FR Doc. 00–5269 Filed 3–3–00; 8:45 am]

BILLING CODE 3410–16–M

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Notice of Proposed Changes to Section IV of the Field Office Technical Guide (FOTG) of the Natural Resources Conservation Service in Indiana

AGENCY: Natural Resources Conservation Service (NRCS).

ACTION: Notice of availability of proposed changes in section IV of the FOTG of the NRCS in Indiana for review and comment.

SUMMARY: It is the intention of NRCS in Indiana to issue a revised conservation practice standard in Section IV of the FOTG. The revised standard is Filter Strip (Code 393). This practice may be used in conservation systems that treat highly erodible land.

DATES: Comments will be received on or before April 15, 2000.

ADDRESSES: Address all requests and comments to John C. Tippie, Acting State Conservationist, Natural Resources Conservation Service (NRCS), 6013 Lakeside Blvd., Indianapolis, Indiana 46278. Copies of this standard will be made available upon written request. You may submit electronic requests and comments to joe.gasperi@in.usda.gov

FOR FURTHER INFORMATION CONTACT: John C. Tippie, 317–290–3200.

SUPPLEMENTARY INFORMATION: Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law, to NRCS state technical guides used to carry out highly erodible land and wetland provisions of the law, shall be made available for public review and comment. For the next 30 days, the NRCS in Indiana will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Indiana regarding disposition of those comments and a final determination of changes will be made.

Dated: February 22, 2000.

John C. Tippie,

Acting State Conservationist, Indianapolis, Indiana.

[FR Doc. 00–5362 Filed 3–3–00; 8:45 am]

BILLING CODE 3410–16–P

DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Notice of Request for Revision of a Currently Approved Information Collection

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Proposed collection; comments request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces RBS' intention to request an extension of a currently approved information collection in support of the Intermediary Relending Program (IRP).

DATES: Comments on this notice must be received by May 5, 2000.

FOR FURTHER INFORMATION CONTACT: M. Wayne Stansbery, Loan Specialist, Rural Business-Cooperative Service, USDA, STOP 3225, Washington, DC 20250, Telephone: (202) 720–6819.

SUPPLEMENTARY INFORMATION:

Title: RBS/Intermediary Relending Program.

OMB Number: 0570–0021.

Expiration Date of Approval: April 30, 2000.

Type of Request: Revision of a currently approved information collection.

Abstract: The objective of the Intermediary Relending Program (IRP) is to improve community facilities and employment opportunities and increase economic activity in rural areas by financing business facilities and community development. This purpose is achieved through loans made by the Rural Business-Cooperative Service (RBS) to intermediaries that establish programs for the purpose of providing loans to ultimate recipients for business facilities and community development. The regulations contain various requirements for information from the intermediaries and some requirements may cause the intermediary to seek information from ultimate recipients. The information requested is necessary for RBS to be able to process applications in a responsible manner, make prudent credit and program decisions, and effectively monitor the

intermediaries' activities to protect the Government's financial interest and ensure that funds obtained from the Government are used appropriately. It includes information to identify the intermediary, describe the intermediary's experience and expertise, describe how the intermediary will operate its revolving loan fund, provide for debt instruments, loan agreements, and security, and other material necessary for prudent credit decisions and reasonable program monitoring.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 3.72 hours per response.

Respondents: Non-profit corporations, public agencies, and cooperatives.

Estimated number of Respondents: 160.

Estimated number of responses per respondent: 30.35.

Estimated total annual burden on respondents: 16,930 hours.

Copies of this information collection can be obtained from Cheryl Thompson, at (202) 692–0043.

Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Cheryl Thompson, Regulations and Paperwork Management Branch, U.S. Department of Agriculture, Rural Development, STOP 0742, Washington, DC 20250. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: February 25, 2000.

Dayton J. Watkins.

Administrator, Rural Business-Cooperative Service.

[FR Doc. 00–5272 Filed 3–3–00; 8:45 am]

BILLING CODE 3410–XY–U

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting

The Regulations and Procedures Technical Advisory Committee (RPTAC) will meet March 21, 2000, 9 a.m., Room 3884, in the Herbert C. Hoover Building, 14th Street between Constitution and Pennsylvania Avenues, NW, Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on implementation of the Export Administration Regulations (EAR) and provides for continuing review to update the EAR as needed.

Agenda

Public Session

1. Opening remarks by the Chairperson.
2. Presentation of papers or comments by the public.
3. Update on pending regulatory revisions.
4. Update on BXA policies under review.
5. Discussion of electronic submission of license applications and supporting documentation.
6. Discussion of BXA compliance initiatives.
7. Discussion of encryption regulations.

Closed Session

8. Discussion of matters properly classified under Executive Order 12958, dealing with the U.S. export control program and strategic criteria related thereto.

A limited number of seats will be available for the public session. Reservations are neither required nor accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to the following address: Ms. Lee Ann Carpenter, BXA—MS: 3876, 14th St. & Constitution Ave., NW, U.S. Department of Commerce, Washington, DC 20230.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on January 12, 1999, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended, that the series of meetings or portions of meetings of the Committee and of any Subcommittees thereof, dealing with the classified materials listed in 5 U.S.C. 552b(c)(1) shall be exempt from the provisions relating to public meetings found in section 10 (a)(1) and 10(a)(3) of the Federal Advisory Committee Act. The remaining series of meetings or portions thereof will be open to the public.

A copy of the Notice of Determination to close meetings or portions of meetings of the Committee is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, DC. For more information, call Lee Ann Carpenter at (202) 482–2583.

Dated: February 29, 2000.

Lee Ann Carpenter,

Committee Liaison Officer.

[FR Doc. 00–5366 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–33–M

DEPARTMENT OF COMMERCE

International Trade Administration

Extension of Time Limit for Final Results of Expedited Five-Year Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of extension of time limit for final results of expedited five-year (''Sunset'') reviews.

SUMMARY: The Department of Commerce (''the Department'') is extending the time limit for the final results of eight expedited sunset reviews initiated on November 2, 1999 (64 FR 59160) covering various antidumping duty orders. Based on adequate responses from domestic interested parties and inadequate responses from respondent interested parties, the Department is conducting expedited sunset reviews to determine whether revocation of the antidumping duty orders would be likely to lead to continuation of recurrence of dumping. As a result of these extensions, the Department intends to issue its final results not later than May 30, 2000.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Mark D. Young or Melissa G. Skinner, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington,

DC 20230; telephone: (202) 482–6397, or (202) 482–1560 respectively.

Extension of Final Results

In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended (''the Act''), the Department may treat a sunset review as extraordinarily complicated if it is a review of a transition order (*i.e.,* an order in effect on January 1, 1995). The reviews at issue concern transition orders within the meaning of section 751(c)(6)(C)(ii) of the Act. The Department has determined that the sunset reviews of the following antidumping duty orders are extraordinarily complicated:

A–570–806 Silicon Metal from the People's of China (''PRC'')
A–351–806 Silicon Metal from Brazil
A–357–804 Silicon Metal from Argentina
A–351–824 Silicomanganese from Brazil
A–570–828 Silicomanganese from the PRC
A–588–823 Electric Cutting Tools from Japan
A–583–820 Helical Spring Lock Washers from Taiwan
A–570–822 Helical Spring Lock Washers from the PRC

Therefore, the Department is extending the time limit for completion of the final results of these reviews until not later than May 30, 2000, in accordance with section 751(c)(5)(B) of the Act.

Dated: February 29, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–5372 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–808; A–583–810]

Chrome-Plated Lug Nuts From the People's Republic of China and Taiwan; Final Results of Antidumping Duty Sunset Reviews:

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty sunset reviews: chrome-plated lug nuts from the People's Republic of China and Taiwan.

SUMMARY: On August 2, 1999, the Department of Commerce (''the Department'') published the notice of initiation of sunset reviews of the antidumping duty orders on chrome-plated lug nuts (''lug nuts'') from the People's Republic of China (''China'') and Taiwan. The merchandise covered by these orders are one-piece and two-piece chrome-plated and nickel-plated lug nuts. On the basis of notices of intent to participate and adequate substantive comments filed on behalf of a domestic interested party and inadequate response (in these cases, no response) from respondent interested parties, we determined to conduct expedited reviews. Based on our analysis of the comments received, we find that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the levels listed below in the section entitled ''Final Results of Reviews.''

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Mark D. Young, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482–6397.

SUPPLEMENTARY INFORMATION:

Statute and Regulations

This review is being conducted pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (''the Act''). The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) (''Sunset Regulations'') and 19 CFR Part 351 (1999) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—Policies Regarding the Conduct of Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) (''Sunset Policy Bulletin'').

Background

On August 2, 1999, the Department published the notice of initiation of sunset reviews of the antidumping duty orders on lug nuts from China and Taiwan (64 FR 41915). The Department received Notices of Intent to Participate on behalf of Consolidated International Automotive, Inc. (''Consolidated'') on August 17, 1999, within the deadline specified in section 351.218(d)(1)(i) of the Sunset Regulations. Consolidated claimed interested party status under section 771(9)(C) of the Act, as U.S. manufacturers of lug nuts. We received a complete substantive response, in both the Chinese and Taiwanese reviews, from Consolidated on September 1, 1999, within the 30-day deadline specified in the Sunset Regulations under section 351.218(d)(3)(i). In its substantive responses, Consolidated stated that it was the petitioner in the original investigations of lug nuts from China and Taiwan. Furthermore, Consolidated stated that it had participated in all phases of the investigation and administrative reviews and in the scope proceedings of lug nuts from China and Taiwan. We did not receive a substantive response from any respondent interested party to these proceedings. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department determined to conduct expedited, 120-day, reviews of these orders.

In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.,* an order in effect on January 1, 1995). The reviews at issue concern transition orders within the meaning of section 751(c)(6)(C)(ii) of the Act. Therefore, the Department determined that the sunset reviews of the antidumping duty orders on lug nuts from China and Taiwan are extraordinarily complicated and extended the time limit for completion of the final results of these reviews until not later than February 28, 2000, in accordance with section 751(c)(5)(B) of the Act.[1]

Scope of Review

The products covered by these reviews are one-piece and two-piece chrome-plated and nickel-plated lug nuts from China and Taiwan. The subject merchandise includes chrome-plated and nickel-plated lug nuts, finished or unfinished, which are more than 11/16 inches (17.45 millimeters) in height and which have a hexagonal size of at least 3/4 inches (19.05 millimeters) but not over one inch (25.4 millimeters), plus or minus 1/16 of an inch (1.59 millimeters). The term ''unfinished'' refers to unplated and/or unassembled chrome-plated lug nuts. The subject merchandise is used for securing wheels to cars, vans, trucks, utility vehicles, and trailers. Excluded from the orders are zinc-plated lug nuts, finished or unfinished, stainless steel capped lug nuts, and chrome-plated lock nuts. The merchandise under review is currently classifiable under item 7318.16.00 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheading is provided for convenience and customs purposes, the

[1] See Extension of Time Limit for Final Results of Five-Year Reviews, 64 FR 62167 (November 16, 1999).

written description of the subject merchandise remains dispositive.

The Department has made several scope rulings on the subject merchandise from China and Taiwan. The following products were determined to be within the scope of the order:

Product within scope	Importer	Citation
Certain hex size nuts	Consolidated International	59 FR 54888.
Certain nickel-plated lug nuts	Consolidated International Automotive, Inc	62 FR 9176.
Imported zinc-plated lug nuts which are chrome-plated in the United States.	Wheel Plus, Inc	63 FR 59544.

These reviews cover all imports from all manufacturers and exporters of lug nuts from China and Taiwan.

Analysis of Comments Received

All issues raised in these cases by parties to these sunset reviews are addressed in the ''Issues and Decision Memorandum'' (''Decision Memo'') from Jeffrey A. May, Director, Office of Policy, Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated February 28, 2000 which is hereby adopted and incorporated by reference into this notice. The issues discussed in the attached Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the orders revoked. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum which is on file in B–099.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at www.ita.doc.gov/import__admin/records/frn/, under the heading ''China PRC'' and ''Taiwan.'' The paper copy and electronic version of the Decision Memorandum are identical in content.

Final Results of Reviews

We determine that revocation of the antidumping duty orders on lug nuts from China and Taiwan would be likely to lead to continuation or recurrence of dumping at the following percentage weighted-average margins:

	Margin (percent)
Chinese Manufacturers/Exporters:	
China National Machinery and Equipment Import and Export Corporation, Jiangsu Company Ltd	42.42
All Others	42.42
Taiwanese Manufacturers/Exporters:	
Gourmet Equipment (Taiwan) Corp	6.47
San Shing Hardware Works Co., Ltd	10.67
All Others	6.93

This notice also serves as the only reminder to parties subject to administrative protective orders (''APO'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections section 751(c), 752, and 777(i)(1) of the Act.

Dated: February 28, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–5368 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–803]

Light-Walled Welded Rectangular Carbon Steel Tubing From Taiwan; Corrected Final Results of Expedited Sunset Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of correction to final results of expedited sunset review: light-walled welded rectangular carbon steel tubing from Taiwan.

SUMMARY: On December 3, 1999, the Department of Commerce (''the Department'') published in the **Federal Register** the final results of the sunset review of the antidumping duty order on light-walled welded rectangular carbon steel tubing from Taiwan.[1] Subsequent to the publication of the final results, we identified an inadvertent error in the ''Scope'' section of the notice. Therefore, we are correcting and clarifying this inadvertent error.

The error lies in the first sentence of the scope section: ''The merchandise subject to this antidumping duty order is Taiwanese light-walled welded carbon steel tubing of rectangular (including square) cross-section, having a wall thickness of not less than 0.065 inches, and 0.375 inches or more, but not over 4.5 inches in outside diameter.'' This sentence should be replaced with: ''The merchandise covered by the antidumping duty order on Taiwan includes shipments of light-walled welded carbon steel pipes and tubes of rectangular (including square) cross-section having a wall thickness of less than 0.156 inch.''[2]

EFFECTIVE DATE: December 3, 1999.

FOR FURTHER INFORMATION CONTACT: Kathryn B. McCormick or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, D.C. 20230: telephone (202) 482–1930 and (202) 482–1560, respectively.

This correction is issued and published in accordance with sections 751(h) and 777(i) of the Act.

Dated: February 28, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–5371 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Final Results of Expedited Sunset Review: Light-Walled Welded Rectangular Carbon Steel Tubing from Taiwan,* 64 FR 67871 (December 3, 1999).

[2] *See Light-Walled Rectangular Carbon Steel Tubing from Taiwan; Final Results of Antidumping Duty Administrative Review,* 57 FR 24464 (June 9, 1992).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–810]

Mechanical Transfer Presses From Japan: Preliminary Results and Recission in Part of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of Preliminary Results and Recission in Part of Antidumping Duty Administrative Review: Mechanical Transfer Presses from Japan.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on mechanical transfer presses (MTPs) from Japan in response to a request by petitioner, Verson Division of Allied Products Corp. This review covers shipments of this merchandise to the United States during the period of February 1, 1998 through January 31, 1999.

We have preliminarily determined that sales have not been made below normal value (NV). If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service to liquidate entries without regard to antidumping duties.

Interested parties are invited to comment on these preliminary results. Parties who submit argument are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Michael Strollo or Maureen Flannery, Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482–5255 or (202) 482–3020, respectively.

Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the provisions codified at 19 CFR part 351 (1999).

Background

The Department published in the **Federal Register** an antidumping duty order on MTPs from Japan on February 16, 1990 (55 FR 5642). On February 26, 1999, the Department received a timely request from petitioner to conduct an administrative review pursuant to section 351.213(b) of the Department's regulations. We initiated an administrative review covering three exporters: Hitachi Zosen Corporation (Hitachi Zosen), Ishikawajima-Harima Heavy Industries, Ltd. (IHI), and Komatsu, Ltd (Komatsu). We published a notice of initiation of this antidumping duty administrative review on MTPs on March 29, 1999 (64 FR 14860).

Due to extraordinarily complicated issues in this case, the Department extended the deadline for completion of this antidumping duty administrative review on October 11, 1999. *See Mechanical Transfer Presses from Japan: Extension of Time Limits for the Preliminary Results of Antidumping Duty Administrative Review,* 64 FR 57862 (October 27, 1999).

Preliminary Recission in Part of Antidumping Administrative Review

On April 12, 1999, we received a letter from Hitachi Zosen indicating that there were no entries of subject merchandise during the period of review (POR). On June 28, 1999, the petitioner withdrew its request for an administrative review with respect to IHI. On August 25, 1999, we requested that the U.S. Customs Service (Customs) contact us if they were suspending liquidation of entries of the subject merchandise from Hitachi Zosen. We have received no such response. Therefore, we conclude that there have been no entries of subject merchandise made by Hitachi Zosen, and thus, are preliminarily rescinding the review with respect to Hitachi Zosen and IHI.

Scope of Review

Imports covered by this review include MTPs currently classfiable under Harmonized Tariff Schedule (HTS) item numbers 8462.99.0035 and 8466.94.5040. The HTS subheadings are provided for convenience and Customs purposes only. The written description of the scope of this order is dispositive.

The term ''mechanical transfer presses'' refers to automatic metal-forming machine tools with multiple die stations in which the work piece is moved from station to station by a transfer mechanism designed as an integral part of the press and synchronized with the press action, whether imported as machines or parts suitable for use solely or principally with these machines. These presses may be imported assembled or unassembled. This review does not cover certain parts and accessories, which were determined to be outside the scope of the order. (*See* ''Final Scope Ruling on Spare and Replacement Parts,'' U.S. Department of Commerce, March 20, 1992; and ''Final Scope Ruling on the Antidumping Duty Order on Mechanical Transfer Presses (MTPs) from Japan: Request by Komatsu, Ltd.,'' U.S. Department of Commerce, October 3, 1996.)

This review covers one manufacturer of MTPs, and the period February 1, 1998 through January 31, 1999.

Verification

As provided in section 782(i) of the Act, we verified information provided by Komatsu using standard verification procedures, including on-site inspection of the manufacturer's facilities and the examination of relevant sales and financial records. Our verification results are outlined in the public version of the verification reports.

Normal Value Comparisons

To determine whether respondent's sales of the subject merchandise to the United States were made at less than NV, we compared its United States price to NV, as described in the ''United States Price'' and ''Normal Value'' sections of this notice.

United States Price

For United States price, we calculated an export price (EP) in accordance with section 772(a) of the Act. However, because the subject merchandise was sold by Komatsu directly to unaffiliated purchasers in Japan prior to importation into the United States by Komatsu's wholly-owned subsidiary, we have used the price paid by the unaffiliated purchaser in Japan. Constructed export price was not otherwise warranted by facts on the record.

We calculated EP for Komatsu based on packed, prepaid or delivered prices to customers in the United States. We made deductions from the starting price for foreign inland freight and inland insurance, and, where appropriate, brokerage and handling, international freight, installation, supervision, and U.S. Customs duties in accordance with section 772(c)(2) of the Act.

Normal Value

We preliminarily determine that the use of constructed value (CV) is warranted to calculate NV for Komatsu, in accordance with section 773(a)(4) of the Act. While the home market is viable, sales made to the United States do not permit proper price-to-price comparisons with sales made in the home market.

Komatsu asserts that home, third country, and U.S. market products are distinguished by the many differences in specifications between the various presses, and that no merchandise sold in the home market or to a third country is identical or similar to the merchandise sold to the United States.

Petitioner argues that presses may be sufficiently similar to allow for price-to-price comparisons because they are all automotive metal-forming machine tools with multiple die stations.

On July 1, 1999, the Department requested additional cost information from Komatsu. In response to this request, Komatsu placed additional information on the record with respect to its variable cost of manufacturing (VCOM) for its home market sales. Based on the information provided in this response, we asked Komatsu to answer section B of the Department's questionnaire so that we might determine if any home market sales were within the 20 percent difference in merchandise (DIFMER) threshold that we use to determine whether sales might be compared.

Based on the information provided in Komatsu's section B and the revisions of Komatsu's variable cost of manufacturing presented to us at verification, we have concluded that a price-to-price comparison is not feasible. MTPs are made to each customer's specifications, resulting in significant differences among machines. In addition, for all the sales we found to be contemporaneous matches, we found the DIFMER's to be greater than the 20% allowable under *Policy Bulletin 92.2. See Memorandum from Mike Strollo to Edward Yang through Maureen Flannery: Decision Memorandum Regarding the Use of a Price-to-Price Comparison vs. Constructed Value in the 1998–1999 Administrative Review of Mechanical Transfer Presses (Decision Memorandum),* dated February 28, 2000. Therefore, we have resorted to the use of CV.

We note that, in past proceedings involving large, custom-built capital equipment, including prior reviews of this order, we have normally resorted to CV. (*See,* e.g., *Large Power Transformers from France: Final Result of Antidumping Administrative Review,* 61 FR 40403, dated August 2, 1996; *Notice of Final Determination of Sales at Less Than Fair Value: Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan,* 61 FR 38139, dated July 23, 1996; and *Mechanical Transfer Presses from Japan: Final Results of Antidumping Duty Administrative Review,* 63 FR 37331, dated July 10, 1998.)

CV consists of the costs of design and engineering, the cost of materials, direct labor cost, variable overhead, fixed overhead, direct selling expenses, indirect selling expenses, general and administrative expenses, including interest expense, and profit. We used packing costs for merchandise exported to the United States. We made a circumstance of sale adjustment by deducting from CV home market direct selling expenses (*i.e.,* warranties and credit) and adding to CV U.S. direct selling expenses (*i.e.,* warranties, credit, and commissions). In addition, we made a circumstance-of-sale adjustment by offsetting commission expense incurred on sales to the United States to the extent of indirect selling expenses incurred in the home market.

Preliminary Results of Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/ exporter	Time period	Margin (percent)
Komatsu, Ltd	02/01/98–01/31/99	0.00

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of publication in accordance with 19 CFR 351.310(c). Any hearing, if requested, will be held 37 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice in accordance with 19 CFR 351.309(c)(1)(ii). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, not later than 120 days after the date of publication of this notice.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit rate will be effective upon publication of the final results of this administrative review for all shipments of MTPs from Japan entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for Komatsu, the cash deposit rate will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be the rate established in the LTFV investigation, which is 14.51 percent. *See Notice of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Mechanical Transfer Presses from Japan,* dated September 15, 1997.

These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are issued in accordance with sections 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675(a)(1) and 19 U.S.C 1677f(i)(1)).

Dated: February 28, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–5369 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–816]

Notice of Postponement of Preliminary Results of Antidumping Duty Administrative Review: Certain Stainless Steel Butt-weld Pipe Fittings from Taiwan

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of postponement of preliminary results of antidumping duty administrative review.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Doreen Chen or Robert Bolling, Office IX, DAS Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone (202) 482–0408 and (202) 482–3434, respectively.

POSTPONEMENT OF PRELIMINARY DETERMINATION: The Department of Commerce (the Department) is postponing the preliminary results in the antidumping administrative review of Certain Stainless Steel Butt-weld Pipe Fittings (SSBWPF) from Taiwan. The deadline for issuing the preliminary results in this administrative review is now June 28, 2000.

On July 29, 1999, the Department initiated this administrative review, setting February 29, 1999 as the date for issuing the preliminary results of the review. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part,* 64 FR 41075 (July 29, 1999). On January 31, 2000 the Department issued a supplemental questionnaire to the respondent, Ta Chen Stainless Steel Pipe, Ltd. (Ta Chen). On February 2, 2000, Ta Chen requested an extension of time to respond to the Department's supplemental questionnaire from February 14, 2000 to March 15, 2000. On February 11, 2000, we granted Ta Chen an extension until March 3, 2000 to respond to our supplemental questionnaire. Further, for the reasons stated in the February 24, 2000 memorandum from Edward Yang to Joseph Spetrini: *Extension of Time Limit for the Administrative Review of Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan,* we determine that it is not practicable to complete the review within the normal time frame and are therefore extending the time limit for the preliminary results of the administrative review of SSBWPF from Taiwan by 120 days, in accordance with section 751(a)(3) of the Tariff Act of 1930, as amended.

The date for issuing the preliminary results is moved from February 29, 2000 to June 28, 2000.

Dated: February 23, 2000.

Joseph A. Spetrini,

Deputy Assistant Secretary, AD/CVD Enforcement Group III.

[FR Doc. 00–5370 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–702, A–580–813, and A–583–816]

Continuation of Antidumping Duty Orders: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings From Japan, South Korea, and Taiwan.

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of continuation of antidumping duty orders: certain stainless steel butt-weld pipe and tube fittings from Japan, South Korea, and Taiwan.

SUMMARY: On February 4, 1999, the Department of Commerce (''the Department''), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (''the Act''), determined that revocation of the antidumping duty orders on certain stainless steel butt-weld pipe and tube fittings (''pipe and tube fittings'') from Japan, South Korea (''Korea''), and Taiwan is likely to lead to continuation or recurrence of dumping (65 FR 5604). On February 24, 2000, the International Trade Commission (''the Commission''), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty orders on pipe and tube fittings from Japan, Korea, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (65 FR 9298). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty orders on pipe and tube fittings from Japan, Korea, and Taiwan.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Mark D. Young or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482–6397 or (202) 482–1560, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 1, 1999, the Department initiated, and the Commission instituted, sunset reviews of the antidumping duty orders on pipe and tube fittings from Japan, Korea, and Taiwan pursuant to section 751(c) of the Act (64 FR 35588 and 64 FR 35691, respectively). As a result of its reviews, the Department found that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margins likely to prevail were the orders to be revoked (See Final Results of Expedited Sunset Reviews: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings From Japan, South Korea, and Taiwan, 65 FR 5604 (February 4, 2000).

On February 24, 2000, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on pipe and tube fittings from Japan, Korea, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (See Certain Stainless Steel Butt-Weld Pipe and Tube Fittings From Japan, South Korea, and Taiwan, 65 FR 9298 (February 24, 2000) and USITC Pub. 3263, Investigations Nos. 731–TA–376, 563, and 564 (Review) (February 2000).

Scope

The products covered by these orders include certain stainless steel butt-weld pipe and tube fittings. These fittings are used in piping systems for chemical plants, pharmaceutical plants, food processing facilities, waste treatment facilities, semiconductor equipment applications, nuclear power plants and other areas. The subject merchandise are currently classifiable under the Harmonized Tariff Schedule of the United States (''HTSUS'') item number 7307.23.00.00. The HTSUS item number is provided for convenience and customs purposes. The written description remains dispositive.

With respect to the order on subject imports from Japan and Taiwan, the Department has made several scope rulings. The following products were determined to be within the scope of the orders:

Product within scope	Importer	Citation
Superclean or ultraclean pipe fittings from Japan	Benkan Corporation	56 FR 1801 (January 17, 1991).
A774 type stainless steel pipe fittings from Taiwan	Tachia Yung Ho	58 FR 28556 (May 14, 1993).
Cast butt-weld pipe fittings from Taiwan	Eckstrom Industries	*Eckstrom Ind.* v. *United States,* Court No. 97–10–01913, Slip. Op,. 99–99 (Ct. Int'l Trade Sept. 20, 1999).[1]

[1] The Court of International Trade affirmed Commerce decision that cast butt-weld pipe fittings are within the scope of the order. We note, however, that on November 18, 1999, Eckstrom appealed this decision to the Court of Appeals for the Federal Circuit, Case no. 00–1117. That appeal is currently pending.

The following products were determined to be outside the scope of the orders:

Product outside scope	Importer	Citation
Certain gasket raised face seal sleeves and certain stainless steel ''fine-fit'' tube fittings imported from Japan.	Fujikin of America, Inc	60 FR 54213 (October 20, 1995).
Stainless steel tube fittings with non-welded end connection, and other products from Taiwan.	Top Line Process Equipment Corporation.	60 FR 54213 (October 20, 1995).
Primet joint metal seal fittings and primet joint weld fittings from Japan.	Daido	61 FR 5533 (February 13, 1996).
Sleeves of clean vacuum couplings and super-clean microfittings from Japan.	Benkan	61 FR 5533 (February 13, 1996).
Superclean fittings from Japan	Benkan UCT Corporation	61 FR 40194 (August 1, 1996).

Determination

As a result of the determinations by the Department and the Commission that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on pipe and tube fittings from Japan, Korea, and Taiwan. The Department will instruct the U.S. Customs Service to continue to collect antidumping duty deposits at the rate in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to sections 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of these orders not later than February 2005.

Dated: February 29, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–5373 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–054, A–588–604]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Final Results of Antidumping Duty Administrative Reviews and Revocation in Part

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative reviews.

SUMMARY: On October 1, 1999, the Department of Commerce (the Department) published the preliminary results of the 1997–98 administrative reviews of the antidumping duty order on tapered roller bearings (TRBs) and parts thereof, finished and unfinished, from Japan (A–588–604), and the antidumping finding on TRBs, four inches or less in outside diameter, and components thereof, from Japan (A–588–054) (*see Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan; Preliminary Results of Antidumping Duty Administrative Reviews and Intent to Revoke in Part,* 64 FR 53323 (*Preliminary Results*). The review of the A–588–054 finding covers two manufacturers/exporters and one reseller/exporter of the subject merchandise to the United States and the period October 1, 1997, through September 30, 1998. The review of the A–588–604 order covers three manufacturers/exporters and the period October 1, 1997, through September 30, 1998. Based upon our analysis of the comments received, we have made changes in the margin calculations. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled ''Final Results of Reviews.''

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Stephanie Arthur (Koyo), Charles Ranado (NSK), Deborah Scott (NTN and Fuji), or Robert James, Office of AD/CVD Enforcement III, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482–6312, (202) 482–3518, or (202) 482–2657, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are in reference to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations

to the Department's regulations refer to 19 CFR part 351 (April 1, 1998).

Background

On October 1, 1999, we published in the **Federal Register** the preliminary results of the 1997–98 administrative reviews of the antidumping duty order and finding on TRBs from Japan (*see Preliminary Results* at 53323). We gave interested parties an opportunity to comment on the *Preliminary Results.* At the request of certain interested parties, we held a public hearing on November 16, 1999. The Department has now completed these reviews in accordance with section 751 of the Act.

Scope of the Reviews

Imports covered by the A–588–054 finding are sales or entries of TRBs, four inches or less in outside diameter when assembled, including inner race or cone assemblies and outer races or cups, sold either as a unit or separately. This merchandise is classified under Harmonized Tariff Schedule (HTS) item numbers 8482.20.00 and 8482.99.15.

Imports covered by the A–588–604 order include TRBs and parts thereof, finished and unfinished, which are flange, take-up cartridge, and hanger units incorporating TRBs, and roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. Products subject to the A–588–054 finding are not included within the scope of this order, except those manufactured by NTN. This merchandise is currently classifiable under HTS item numbers 8482.20.00, 8482.91.00, 8482.99.15, 8482.99.45, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30, and 8483.90.80. The HTS item numbers listed above for both the A–588–054 finding and the A–588–604 order are provided for convenience and Customs purposes. The written description remains dispositive.

The period for each 1997–98 review is October 1, 1997, through September 30, 1998. The review of the A–588–054 case covers TRB sales by two manufacturers/exporters (Koyo and NSK) and one reseller/exporter (Fuji). The review of the A–588–604 case covers TRBs sales by three manufacturers/exporters (Koyo, NTN, and NSK).

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the ''Issues and Decision Memorandum'' (Decision Memorandum) from Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration, to Robert S. LaRussa, Assistant Secretary for Import Administration, dated February 28, 2000, which is hereby adopted and incorporated by reference into this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room B–099 of the Main Department building (B–099).

In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at www.ita.doc.gov/import__admin/records/frn/. The paper copy and electronic version of the Decision Memorandum are identical in content.

Duty Absorption

We have determined that duty absorption has occurred with respect to the following firms and with respect to the following percentages of sales which these firms made through their U.S. affiliated parties:

	Percentage of U.S. affiliates' sales with dumping margins
For the A–588–054 case:	
Koyo	16.31
NSK	19.55
For the A–588–604 case:	
Koyo	98.08
NSK	24.86
NTN	29.77

For a discussion of our determination with respect to this matter, *see* the ''Duty Absorption'' section of the Decision Memorandum, accessible in B–099 and on the Web at www.ita.doc.gov/import__admin/records/frn/.

Use of Facts Available

For a discussion of comments on our application of facts available, see the ''Facts Available'' section of the Decision Memorandum, which is on file in B–099 and available on the Web at www.ita.doc.gov/import__admin/records/frn/. *See also Preliminary Results* at 53325.

Revocation

On October 1, 1999, we published in the *Preliminary Results* our notice of intent to revoke the A–588–054 antidumping finding in part with respect to Fuji. We gave interested parties an opportunity to comment on our intent to revoke in part. Fuji submitted comments with respect to revocation.

On October 30, 1998, Fuji submitted a request, in accordance with 19 CFR 351.222(e), that the Department revoke the finding covering TRBs from Japan with respect to its sales of this merchandise. In accordance with 19 CFR 351.222(e), this request was accompanied by certification from Fuji that it had sold the subject merchandise to the United States in commercial quantities at not less than normal value (NV) for a three-year period including the current review period,[1] and would not sell subject merchandise at less than NV in the future. Fuji also agreed to its immediate reinstatement in the relevant antidumping finding, as long as any firm is subject to the finding, if the Department concludes that, subsequent to revocation, it sold the subject merchandise at less than NV.

On the basis of Fuji's three consecutive years of exports to the United States of subject merchandise in commercial quantities with zero or *de minimis* margins and the lack of any indication that Fuji will sell TRBs at less than NV in the future, we have determined that Fuji is not likely to sell subject merchandise at less than NV in the future. Accordingly, we are revoking the A–588–054 finding on TRBs from Japan with respect to Fuji. *See also* Fuji's discussion of this issue and the Department's response under ''Revocation'' in the ''Discussion of the Issues'' section of the Decision Memorandum, accessible in B–099 and on the Web at www.ita.doc.gov/import__admin/records/frn/.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made certain changes in the margin calculations. We have also corrected certain programming and clerical errors in our preliminary results, where applicable. Any alleged programming or clerical errors with which we do not agree are discussed in the relevant sections of the Decision Memorandum, accessible in B–099 and on the Web at www.ita.doc.gov/import__admin/records/frn/.

[1] In addition, on March 22, 1999 Fuji provided information to the Department supporting its claim that it sold TRBs to the United States in commercial quantities during this three-year period. That submission included sales information for the 1996–97 POR, during which the Department did not conduct a review of Fuji (*see* footnote 2). The information provided therein is consistent with the information from both the 1995–96 and current POR, and there is no evidence on the record calling into question Fuji's 1996–97 estimated sales information. Additionally, no party has raised this issue during the current review.

Final Results of Reviews

We determine that the following percentage weighted-average margins exist for the period October 1, 1997 through September 30, 1998:

Manufacturer/exporter	Margin (percent)
For the A–588–054 case:	
Fuji	0.05
Koyo Seiko	10.50
NSK	4.07
For the A–588–604 case:	
Fuji [2]	
Koyo Seiko	23.36
NSK	1.80
NTN	17.58

[2] No review requested.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated exporter/importer-specific assessment rates. With respect to both export price and constructed export price sales, we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct Customs to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each of that importer's entries under the relevant proceeding during the review period.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of TRBs from Japan entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be the rates shown above except that, for firms whose weighted-average margins are less than 0.5 percent and, therefore, *de minimis*, the Department shall require no deposit of estimated antidumping duties; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in these or any previous reviews conducted by the Department, the cash deposit rate will be 18.07 percent for the A–588–054 case, and 36.52 percent for the A–588–604 case (*see Final Results of Antidumping Duty Administrative Reviews; Tapered Roller Bearings, Finished and Unfinished, and Parts Thereof, from Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan,* 58 FR 64720 (December 9, 1993).

The cash deposit rate has been determined on the basis of the selling price to the first unaffiliated U.S. customer. For appraisement purposes, where information is available, the Department will use the entered value of the merchandise to determine the assessment rate. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 771(i) of the Act and 19 CFR 351.213.

Dated: February 28, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

Appendix 1—Issues in Decision Memorandum

Comments and Responses

1. Duty Absorption
2. Facts Available/Further Manufacturing
3. Revocation
4. Adjustments to Normal Value
5. Adjustments to United States Price
6. Cost of Production and Constructed Value
7. Level of Trade
8. Arm's-length Test
9. Sample Sales/High Profit Sales
10. Model Match
11. Ministerial Errors

[FR Doc. 00–5367 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Extension of Time Period to Apply for Membership on the U.S.-Korea Committee on Business Cooperation

AGENCY: International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: On January 10, 2000, the Department of Commerce published a notice in the **Federal Register** (Vol. 65, No. 6, Monday, January 10, 2000, page 1357) seeking applications for membership on the U.S. side of the U.S.-Korea Committee on Business Cooperation (CBC). The purpose of the CBC is to make recommendations to the governments of the United States and South Korea on ways to facilitate stronger commercial ties between the U.S. and South Korea. This is accomplished by undertaking work programs, reporting on the results, and presenting written recommendations to the two governments. The CBC is co-chaired by the U.S. Secretary of Commerce and the South Korean Minister of Commerce, Industry and Energy. Its activities are undertaken by an equal number of private sector representatives from the United States and South Korea. This notice extends the time to apply for membership on the U.S. private sector side of the CBC until March 31, 2000.

Membership Opportunity: The CBC will expire January 1, 2001, but may be renewed upon the mutual agreement of the U.S. and Korea. Applications are now being sought for U.S. private sector members to serve beginning immediately and until January 1, 2001. Private sector members will serve at the discretion of the Secretary of Commerce. They are expected to participate fully in defining and implementing CBC work programs, reporting on the results, and presenting written recommendations to the two governments. It is expected that private sector individuals chosen for the CBC will attend at least 75% of CBC meetings, which are held alternately in the U.S. and South Korea. It is expected that the next meeting will take place in Washington, D.C.

It is further expected that the U.S. private sector members will provide a

secretariat to support the activities of the U.S. side of the CBC. The tasks of the Secretariat shall include, but not be limited to, the following:

A. Maintain the membership list;

B. Perform organizational matters in connection with the meetings of the CBC and its working groups, if such are formed, including but not limited to, logistics, agendas and reports;

C. Perform other administrative duties that might arise between meetings; and

D. Prepare the written report to the Co-Chairs making recommendations on ways to enhance bilateral commercial relations.

Private sector members are fully responsible for travel, living and personal expenses associated with their participation in the CBC, and may be responsible for a pro rata share of administrative and communications costs relating to the CBC, including, as appropriate, the costs of a secretariat to manage administrative and logistical matters relating to the operation of the CBC. The private sector members will serve in a representative capacity presenting the views and interests of the particular business sector in which they operate, not those of their individual firms. Private sector members are not special government employees.

Objectives: The objectives of the CBC are as follows:

A. Identifying commercial opportunities, impediments, and issues of concern to the business communities in the U.S. and Korea;

B. Improving the dissemination of appropriate commercial information on both markets; and

C. Adopting sectoral approaches to addressing specific problems, and making recommendations to decision-makers.

Membership Criteria: An applicant must be:

- A U.S. citizen residing in the United States; and
- Not a registered foreign agent under the Foreign Agents Registration Act of 1938 (FARA).

In reviewing eligible applicants, the Department of Commerce will consider:

- Experience in doing business in South Korea;
- Readiness to initiate and be responsible for activities in which the CBC will be active; and
- Contribution to CBC diversity (i.e. company size, type, location, demographics and/or traditional under-representation in business).

The Department of Commerce will also give preference to primary companies involved in manufacturing and services.

To be considered for membership, please provide the following: (1) Name and title of the individual requesting consideration; (2) name and address of the company or organization sponsoring each individual; (3) company's product or service line; (4) size of the company; (5) export experience and major markets; (6) a brief statement of why each candidate should be considered for membership on the CBC; (7) the particular segment of the business community each candidate would represent; (8) a personal resume; and (9) a statement signed by the applicant that he or she is a U.S. citizen residing in the United States and not a registered foreign agent under FARA. Up to two applicants from the same organization can be considered.

DEADLINE: The earlier notice provided that requests needed to be received by the Department of Commerce not later than February 18, 2000. This notice extends the period for the receipt of applications until March 31, 2000.

ADDRESSES: Please send your requests for consideration to Philip R. Agress, Director, Office of Korea and Southeast Asia, U.S. Department of Commerce, Room 2036, 14th St. and Constitution Ave., N.W., Washington, D.C. 20230, fax (202) 482–4760.

FOR FURTHER INFORMATION CONTACT: Linda Droker, Director, Korea and Taiwan Affairs, U.S. Department of Commerce, Room 2323, 14th St. and Constitution Ave., N.W., Washington, D.C. 20230, telephone (202) 482–3876, fax (202) 482–3316.

Authority: 15 U.S.C. 1512.

Dated: February 28, 2000.

Franklin J. Vargo,

Deputy Assistant Secretary for Asia and the Pacific.

[FR Doc. 00–5335 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–DA–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 030100A]

Southwest Region Family of Permit Forms; Proposed Information Collection; Request for Comments

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 5, 2000.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5027, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at LEngelme@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mr. Alvin Katekaru, NMFS Pacific Islands Area Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814, telephone 808–973–2937; or Jim Morgan, Long Beach Office, Southwest Region, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 908022, (562) 980–4036.

SUPPLEMENTARY INFORMATION:

I. Abstract

Federal permits are required for four fisheries (pelagics, crustaceans, bottomfish, and precious corals) in the western Pacific region and for the coastal pelagics species fisheries off the West Coast. All these fisheries are managed under the Magnuson-Stevens Fishery Conservation and Management Act. This information collection covers the information that must be provided to NMFS to obtain or renew a permit for any of those fisheries. Three types of permits are issued: open access, limited access, and experimental fishing. There are four limited entry fisheries: Northwestern Hawaiian Islands (NWHI) bottomfish (Hoomalu Zone and Mau Zone), NWHI crustaceans, and Hawaii longline. The open access fisheries for which NMFS permits are required are western Pacific longline other than Hawaii; crustacean fisheries off the main Hawaiian Islands, American Samoa, and Guam; and western Pacific precious corals fisheries. Experimental fishing permits may be issued in any fishery to allow the harvest of managed species that would otherwise be prohibited by Federal regulations.

The information from this collection generally serves to identify actual or potential participants in the fisheries, determine eligibility for limited access permits, and help measure the impacts of management controls on the participants in the fisheries.

II. Method of Collection

Typically, in the western Pacific, a permit applicant files an OMB-approved application form and, if applicable, a supplemental information sheet that collects basic information on the owner of the fishing vessel, the operator, and the vessel itself. Expiration of the permits is not uniform. Some permits expire annually, others are on a two-year cycle, and still others expire every 5 years. The crustacean limited entry permits have no expiration date and become invalid when they are transferred to another owner through established permit procedures.

The coastal pelagics fishery permit is a new requirement implemented in January 2000. Permits are valid indefinitely until either the holder transfers the permit or surrenders it.

III. Data

OMB Number: 0648–0204.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 230.

Estimated Time Per Response: In the coastal pelagic fishery, 30 minutes for a permit or permit transfer application, 1 hour for additional information that may be required to support a permit request, and 2 hours for an appeal of a permit denial; in the bottomfish fishery, 45 minutes for a Mau Zone limited access permit application, 2 hours for a Ho'omalu Zone limited access permit application, 1 hour for a Ho'omalu Zone limited access permit renewal application, 2 hours for an appeal of a permit denial, and 1 hour for a Mau Zone exemption request; in the longline fishery, 30 minutes for general permit applications or limited entry permit transfer requests, 2 hours for an appeal of a permit action, and 2 hours for a closed area exemption request; in the crustacean fishery, 30 minutes for any limited entry permit action; in the precious coral fishery, 30 minutes for a permit application; and 2 hours for any experimental fishing permit application.

Estimated Total Annual Burden Hours: 119.

Estimated Total Annual Cost to Public: $1,000.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and /or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 29, 2000.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 00–5363 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 030100B]

Submission for OMB Review; Proposed Information Collection; Comment Request

The Department of Commerce (DoC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Designation of Fishery Management Council Members and Application for Reinstatement of State Authority.

Agency Form Number(s): n/a

OMB Approval Number: 0648–0314

Type of Request: Reinstatement, without change, of a previously approved collection for which approval has expired.

Burden Hours: 4,695

Number of Respondents: 54

Avg. Hours Per Response: Ranges between 1 hour and 120 hours depending on the requirement.

Needs and Uses: The Magnuson-Stevens Fishery Conservation and Management Act, as amended in 1996, provides for the nomination for members of Fishery Management Councils by state governors and Indian treaty tribes, for the designation of a principle state fishery official for the purposes of the Act, and for a request by a state for reinstatement of state authority over a managed fishery. The information submitted with these actions will be used to ensure that the requirements of the Act are being met.

Frequency: On occasion.

Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker, (202) 395–3897.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482–3272, Department of Commerce, Room 5027, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at LEngelme@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, 725 17th Street, NW, Washington, DC 20503.

Dated February 28, 2000.

Linda Engelmeier,

Department Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 00–5364 Filed 3–3–00; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF ENERGY

Secretary of Energy Advisory Board; Notice of Open Meeting

AGENCY: Department of Energy.

SUMMARY: This notice announces an open meeting of the Secretary of Energy Advisory Board's Task Force on the Department of Energy's Nonproliferation Programs in the Former Soviet Union. The Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), requires that agencies publish these notices in the **Federal Register** to allow for public participation. The purpose of the meeting is to discuss the Task Force's review of the Department of Energy's programs in and with the Former Soviet Union (FSU).

NAME: Secretary of Energy Advisory Board—Task Force on the Department of Energy's Nonproliferation Programs in the Former Soviet Union.

DATES: Monday, March 13, 2000, 9:00 am–3:15 pm, Eastern Standard Time.

ADDRESSES: U.S. Department of Energy, Program Review Center (Room 8E–089), Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585.

Note: Members of the public are requested to contact the Office of the Secretary of Energy Advisory Board at (202) 586–7092 in advance of the meeting (if possible), to expedite their entry to the Forrestal Building

on the day of the meeting. Public participation is welcomed.

FOR FURTHER INFORMATION CONTACT: Betsy Mullins, Executive Director, or Richard Burrow, Deputy Director, Secretary of Energy Advisory Board (AB–1), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585, (202) 586–7092 or (202) 586–6279 (fax).

SUPPLEMENTARY INFORMATION: The purpose of the Task Force on the Department of Energy's Nonproliferation Programs in the Former Soviet Union is to provide independent external advice and recommendations to the Secretary of Energy Advisory Board on the policy priorities established by the Department of Energy to pursue nonproliferation and nuclear safety programs in the Former Soviet Union. Special emphasis will be placed on program areas that may not have been addressed in the past. The Task Force will focus on assessing the performance of DOE's programs in achieving national security and nonproliferation missions, as well as providing policy recommendations on how the Department can be most effective in supporting U.S. national security interests. The Task Force will investigate, but will not be limited to, the following programs: (1) Initiatives for Nonproliferation, (2) Nuclear Cities Initiative, (3) Material Protection Control and Accounting Program, (4) Second Line of Defense Program, (5) Highly Enriched Uranium (HEU) Purchase Agreement, (6) Plutonium Disposition Program, and (7) International Nuclear Safety Program.

Tentative Agenda

Monday, March 13, 2000

9:00 a.m.–9:45 a.m.—Opening Remarks, Introductions & Objectives
9:45 a.m.–10:15 a.m.—Overview of DOE programs with Russia and the Former Soviet Union
10:15 a.m.–10:30 a.m.—Break
10:30 p.m.–11:00 a.m.—Overview of DOE's Office of Nuclear Nonproliferation (NN) Programs
11:00 a.m.–12:00 p.m.—Briefings on Specific Issues—Initiatives for Proliferation Prevention, Nuclear Cities Initiative, Second Line of Defense
12:00 p.m.–1:00 p.m.—Lunch Break
1:15 p.m.–2:15 p.m.—Briefings on Specific Issues—Material Protection Control and Accounting, Plutonium Disposition
2:15 p.m.–3:00 p.m.—Briefings on Specific Issues—HEU Purchase Agreement, International Nuclear Safety
3:00 p.m.–3:15 p.m.—Public Comment Period

This tentative agenda is subject to change.

Public Participation

In keeping with procedures, members of the public are welcome to observe the business of the Task Force on the Department of Energy's Nonproliferation Programs in the Former Soviet Union and submit written comments or comment during the scheduled public comment period. The Chairman of the Task Force is empowered to conduct the meeting in a fashion that will, in the Chairman's judgment, facilitate the orderly conduct of business. During its open meeting, the Task Force welcomes public comment. Members of the public will be heard in the order in which they sign up at the beginning of the meeting. The Task Force will make every effort to hear the views of all interested parties. You may submit written comments to Betsy Mullins, Executive Director, Secretary of Energy Advisory Board, AB–1, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585. This notice is being published less than 15 days before the date of the meeting due to the late resolution of programmatic issues.

Minutes

A copy of the minutes and a transcript of the open meeting will be made available for public review and copying approximately 30 days following the meeting at the Freedom of Information Public Reading Room, 1E–190 Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C., between 9:00 a.m. and 4:00 p.m., Monday through Friday except Federal holidays. Further information on the Secretary of Energy Advisory Board and its subcommittees may be found at the Board's web site, located at http://www.hr.doe.gov/seab.

Issued at Washington, D.C., on February 29, 2000.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 00–5351 Filed 3–3–00; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER00–982–000, ER99–4534–000, ER99–238–000, ER97–1326–000, EL00–44–000, ER00–604–000 and ER00–26–000]

Central Maine Power Company; Notice of Initiation of Proceeding and Refund Effective Date

February 29, 2000.

Take notice that on February 28, 2000, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. EL00–44–000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL00–44–000 will be 60 days after publication of this notice in the **Federal Register**.

David P. Boergers,

Secretary.

[FR Doc. 00–5259 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–15–002]

CNG Transmission Corporation; Notice of Proposed Changes In FERC Gas Tariff

February 29, 2000.

Take notice that on February 23, 2000, CNG Transmission Corporation (CNG) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheet, with an effective date of February 1, 2000:

Substitute Second Revised Sheet No. 350A

CNG states that the purpose of this filing is to respond to the concerns of certain parties by clarifying the transportation cost tracking mechanism of CNG's tariff consistent with the ''Stipulation and Agreement Amending Rate Case Settlement'' filed October 5, 1999, approved by the Commission in this proceeding on December 21, 1999, 89 FERC ¶ 61,304.

CNG states that copies of its letter of transmittal and enclosures are being served upon parties to the proceeding.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of

the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not served to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–5264 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. GT00–19–000]

Kinder Morgan Interstate Gas Transmission LLC; Notice of Tariff Filing

February 29, 2000.

Take notice that on February 25, 2000 Kinder Morgan Interstate Gas Transmission LLC (KMIGT), formerly KN Interstate Gas Transmission Co. (KNI) filed a complete copy of its proposed FERC Gas Tariff, Fourth Revised Volume Nos. 1–A and 1–B and Second Revised Volume Nos. 1–C and 1–D.

KMIGT states that the proposed tariff is revised only to reflect a change in name from KNI to KMIGT. No changes to the applicable Rate Schedules or General Terms and Conditions in the tariff are being made in this filing.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers

Secretary.

[FR Doc. 00–5261 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP00–91–000]

National Fuel Gas Supply Corporation; Notice of Application

February 29, 2000.

Take notice that on February 22, 2000, National Fuel Gas Supply Corporation (National Fuel), 10 Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP00–91–000 an application pursuant to Sections 7(b) and 7(c) of the Natural Gas Act and Part 157 of the Commission's Regulations (18 CFR 157) for a certificate of public convenience and necessity authorizing the replacement of an existing pipeline and permission and approval to abandon facilities, all as more fully set forth in the application on file with the Commission and open to public inspection. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call (202) 208–2222 for assistance).

National Fuel requests authorization to replace certain facilities in order to maintain service under existing agreements and to provide additional firm transportation service to National Fuel Gas Distribution Corporation (Distribution). Specifically, National Fuel requests authorization to: (1) Replace 12.9 miles of 8-inch diameter pipeline, known as Lines S–1 and AM–60 in Warren, McKean and Elk Counties, Pennsylvania, with 20-inch diameter pipeline; (2) abandon in place 18.9 miles of 8-inch and 10-inch pipeline, known as Line L in Warren, McKean and Elk Counties, Pennsylvania; (3) relocate, modify or abandon certain appurtenant stations in Warren, McKean and Elk Counties, Pennsylvania; and (4) add approximately 360 horsepower (hp) of compression at the Roystone Compression Station in Warren County, Pennsylvania by modifying the existing units. It is indicated that there will be no abandonment or decrease in service to any of National Fuel's customers as a result of he proposed abandonment of Line L and appurtenant stations.

National Fuel proposes to abandon the Russell City receipt point located on Line L. It is indicated that Russell City is designated as a receipt point together with several other interconnections between National Fuel and Tennessee Gas Pipeline Company under ten firm transportation agreements pursuant to its EFT Rate Schedule. National Fuel states that it would be able to meet the firm transportation requirements of these customers without the use of Russell City. It is indicated that National Fuel is in the process of seeking consent from the affected EFT Shippers.

National Fuel also proposes to abandon the Allegheny National Forest receipt point located at the interconnection between Line L and the facilities of CNG Transmission Corporation. National Fuel states that this receipt point is designated under two EFT Service Agreements but gas has not been received at this point since December 1984. As a result, the abandonment of the Allegheny National Forest receipt point will not impact any of National Fuel's shippers. It is further indicated that National Fuel is in the process of seeking consent from the two affected EFT Shippers.

National Fuel estimates that cost of the project to be $11.4 million. National Fuel states that the facilities will be financed with internally-generated funds and/or interim short-term bank loans.

National Fuel requests that the Commission grant a determination of rolled-in rate treatment with respect to the costs associated with this project. National Fuel states that the project would result in system benefits, improving the reliability and flexibility of service on its system.

In its application, National Fuel requests a waiver of Section 1.5 of its FT Rate Schedule so that it can provide service to Distribution without having to equip the delivery points and primary receipt points with real time measurement, communication and control capability. National Fuel asserts that because the FT service to Distribution would be fed by, and would feed into, a no-notice EFT service that does not require measurement information on a real time basis, installation of facilities to measure gas flowing into Line AM–60 at Lamont and out of Line AM–60 at Roystone would not be operationally necessary.

National Fuel also requests waivers of Section 2.3(a) and 2.3(d) of its EFT Rate Schedule which limits its obligations to deliver gas at any combination of delivery points to the Contract Maximum Daily Quantity (MDTQ), and limits National Fuel's aggregate receipt

obligation to the sum of the MDTQ and the applicable fuel and loss allowance. National Fuel states that in connection with the implementation of the Distribution FT service, Lamont will be added as a delivery point under the Distribution EFT service and Roystone will be added as a receipt point. National Fuel asserts that it is not intended that receipts of gas from and deliveries of gas into the new Lamont to Roystone facilities will reduce Distribution's aggregate entitlements to deliver and receive gas at its pre-existing points.

Any questions regarding this application should be directed to David W. Reitz, Assistant General Counsel for National Fuel, 10 Lafayette Square, Buffalo, New York 14203 at (716) 857–7949.

Any person desiring to be heard or to make a protest with reference to said application should on or before March 14, 2000, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestant a party to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed construction and abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given. Under the procedures herein provided for, unless otherwise advise, it will be unnecessary for National Fuel to appear or to be represented at the hearing.

David P. Boergers,

Secretary.

[FR Doc. 00–5260 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP99 176 012]

Natural Gas Pipeline Company of America; Notice of Proposed Change in FERC Gas Tariff

February 29, 2000.

Take notice that on February 23, 2000, Natural Gas Pipeline Company of America (Natural) tendered for filing to become part of its FERC Gas Tariff, Sixth Revised Volume No. 1, Original Sheet No. 26D, to be effective April 1, 2000.

Natural states that the purpose of this filing is to implement a Negotiated Rate transaction with Nicor Gas Company (Nicor Gas) under Rate Schedules FTS, DSS and NSS pursuant to Section 49 of the General Terms and Conditions of Natural's Tariff.

Natural concurrently tenders by a separate filing in this docket with the Federal Energy Regulatory Commission (Commission) a copy of the executed negotiated rate agreement between Natural and Nicor Gas, together with a copy of the current Exhibits A and B, the primary receipt and delivery points, respectively, for each of the associated service agreements.

Natural requests waiver of the Commission's Regulations to the extent necessary to permit Original Sheet No. 26D to become effective April 1, 2000.

Natural states that the negotiated rate agreement may deviate in certain respects from the applicable form of service agreement in Natural's Tariff. Specifically, the following categories of provisions may constitute such deviations: MDQ reduction rights, with attendant audit rights, limited contract extension and MDQ reduction rights, shipper limited waiver of Section 5 rights, LN option rights, and certain limited restoration rights upon a change in rate design and service terms.

Natural states that these items do not change the character or nature of the service provided, or the operational conditions of the service. These items were critical to the Agreement by both parties to the resulting negotiated rates. Natural asks the Commission to accept the Agreement to become effective April 1, 2000.

Natural states that copies of the filing are being mailed to its customers, interested state commissions and all parties set out on the Commission's official service list in Docket No. RP99–176.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–5263 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–162–002]

Panhandle Eastern Pipe Line Company; Notice of Compliance Filing

February 29, 2000.

Take notice that on February 24, 2000, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, those pro forma tariff sheets listed on Appendix A attached to the filing.

Panhandle states that the purpose of this filing is to comply with Ordering Paragraph (B) of the Commission's Order, 90 FERC ¶61,119 (February 9, 2000) (Order) in the above-referenced proceeding.

Panhandle states that copies of this filing are being served on all affected customers, applicable state regulatory agencies and parties to the proceeding.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission,

888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–5265 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG00–99–000]

Riverside Generating Company, L.L.C.; Notice of Filing

February 22, 2000.

Take notice that on February 16, 2000, Riverside Generating Company, L.L.C., 1000 Louisiana, Suite 5800, Houston, Texas, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's Regulations.

Riverside Generating Company, L.L.C., is a limited liability company, organized under the laws of the State of Delaware, and engaged directly and exclusively in owning and operating the Riverside Generating Company, L.L.C. electric generating facility (the Facility) to be located in Lawrence County, Kentucky and selling electric energy at wholesale. The Facility will consist of three gas turbine generators with a total nominal power output of approximately 500 MW, a metering station, and associated transmission interconnection components.

Any person desiring to be heard concerning the application for exempt wholesale generator status should file a motion to intervene or comments with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application. All such motions and comments should be filed on or before March 14, 2000, and must be served on the applicant. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection or on the Internet at http://www.ferc.fed.us/online/rims.htm (please call (202) 208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–5267 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–185–000]

Viking Gas Transmission Company; Notice of Proposed Change in FERC Gas Tariff

February 29, 2000.

Take notice that on February 25, 2000, Viking Gas Transmission Company (Viking) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, Twenty-First Revised Sheet No. 6; Fourteenth Revised Sheet No. 6A; and Third Revised Sheet No. 6B, to become effective April 1, 2000.

Viking states that the purpose of this filing is to make Viking's annual adjustment to its Fuel and Loss Retention Percentages in accordance with Section 154.403 of the Commission's Rules and Regulations, 18 CFR 154.403 (1998) and Section 26 of the General Terms and Conditions of Viking's FERC Gas Tariff. Application of Section 26 of Viking's tariff results in the following new Fuel and Loss Retention Percentages for Rate Schedules FT–A, FT–B, FT–C, FT–D, IT and AOT respectively: 2.00 percent for Zone 1–1, 2.42 percent for Zone 1–2, and .43 percent for Zone 2–2. Viking states that copies of the filing have been mailed to all of its jurisdictional customers and to affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–5266 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG00–73–000, et al.]

Duke Energy Hidalgo, L.P., et al.; Electric Rate and Corporate Regulation Filings

February 28, 2000.

Take notice that the following filings have been made with the Commission:

1. Duke Energy Hidalgo, L.P.

[Docket No. EG00–73–000]

Take notice that on February 25, 2000, Duke Energy Hidalgo, L.P. filed an amendment to their December 30, 1999 application for Commission determination of exempt wholesale generator status.

Comment date: March 10, 2000, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

2. Louisville Gas and Electric Company/Kentucky Utilities Company

[Docket Nos. ER99–1050–000, ER00–1068–000, ER00–1069–000, ER00–1070–000, ER00–1071–000, ER00–1072–000, ER00–1073–000, and ER00–1074–000]

Take notice that on February 23, 2000, Louisville Gas and Electric Company (LG&E)/Kentucky Utilities (KU) (hereinafter Companies) tendered for filing a letter clarifying the charges in paragraph 8.4 of several Firm Point-to-Point Transmission Service Agreements filed on January 5, 2000.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

3. Atlantic City Electric Company

[Docket No. ER99–1618–002]

Take notice that on February 24, 2000, Atlantic City Electric Company (Atlantic or the Company) filed its refund report in compliance with the Commission's order dated January 31, 2000 in the above-captioned docket.

Atlantic has served this filing on its affected wholesale customer, Vineland Municipal Electric Utility (Vineland), and the New Jersey Board of Public Utilities.

Comment date: March 16, 2000, in accordance with Standard Paragraph E at the end of this notice.

4. Allegheny Energy Service Corporation, on behalf of Allegheny Energy Supply Company LLC

[Docket No. ER00–1493–000]

Take notice that on February 23, 2000, Allegheny Energy Service Corporation on behalf of Allegheny Energy Supply Company, LLC (Allegheny Energy Supply Company) filed Amendment No. 1 to Supplement No. 23 to complete the filing requirement for one (1) new Customer of the Market Rate Tariff under which Allegheny Energy Supply offers generation services.

Allegheny Energy requests a waiver of notice requirements to make service available as of January 7, 2000, to Aquila Energy Marketing Corporation

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

5. Allegheny Energy Service Corporation, on behalf of Allegheny Energy Supply Company, LLC

[Docket No. ER00–1677–000]

Take notice that on February 23, 2000, Allegheny Energy Service Corporation on behalf of Allegheny Energy Supply Company, LLC (Allegheny Energy Supply Company) filed Amendment No. 1 to Supplement No. 8 to complete the filing requirement for one (1) new Customer of the Market Rate Tariff under which Allegheny Energy Supply offers generation services.

Allegheny Energy requests a waiver of notice requirements to make service available as of November 22, 1999, to Statoil Energy Services, Inc.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

6. Entergy Services, Inc.

[Docket No. ER00–1678–000]

Take notice that on February 24, 2000, Entergy Services, Inc., on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc., (collectively, the Entergy Operating Companies) tendered for filing a Short-Term Firm Point-to-Point Transmission Service Agreement between Entergy Services, Inc., as agent for the Entergy Operating Companies, and Sempra Energy Trading Corp.

Entergy requests that the Transmission Service Agreement be made effective February 15, 2000.

Comment date: March 16, 2000, in accordance with Standard Paragraph E at the end of this notice.

7. Entergy Services, Inc.

[Docket No. ER00–1679–000]

Take notice that on February 24, 2000, Entergy Services, Inc., on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc., (collectively, the Entergy Operating Companies) tendered for filing a Non-Firm Point-to-Point Transmission Service Agreement and a Short-Term Firm Point-to-Point Transmission Service Agreement, both between Entergy Services, Inc., as agent for the Entergy Operating Companies, and Allegheny Energy Supply Company, LLC.

Entergy Services requests that the Transmission Service Agreements be made effective February 15, 2000.

Comment date: March 16, 2000, in accordance with Standard Paragraph E at the end of this notice.

8. Bay State GPE, Inc. and Canadian Niagara Power Company, Limited

[Docket Nos. ER00–1680–000 and ER00–1684–000]

Take notice that on February 23, 2000, the above-mentioned affiliated power producers and/or public utilities filed quarterly reports.

Comment date: March 20, 2000, in accordance with Standard Paragraph E at the end of this notice.

9. Allegheny Energy Service Corporation on behalf of Allegheny Energy Supply Company, LLC

[Docket No. ER00–1681–000]

Take notice that on February 23, 2000, Allegheny Energy Service Corporation on behalf of Allegheny Energy Supply Company, LLC (Allegheny Energy Supply) filed Supplement No. 25 to add one (1) new Customer to the Market Rate Tariff under which Allegheny Energy Supply offers generation services.

Allegheny Energy Supply requests a waiver of notice requirements to make service available as of January 26, 2000 to Tennessee Valley Authority.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

10. Allegheny Energy Service Corporation, on behalf of Monongahela Power Company, The Potomac Edison Company, and West Penn Power Company (Allegheny Power)

[Docket No. ER00–1682–000]

Take notice that on February 23, 2000, Allegheny Energy Service Corporation on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (Allegheny Power), filed an Amendment to their Standard Transmission Service Rate Schedule in order to incorporate therein the penalty provision contained in their Open Access Transmission Tariff.

Allegheny Power has requested an effective date for the Amendment of February 24, 2000 or a date determined by the Commission.

Copies of the filing have been provided to the public utility's jurisdictional customers, the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

11. PSI Energy, Inc.

[Docket No. ER00–1683–000]

Take notice that on February 24, 2000, PSI Energy, Inc. (PSI) tendered for filing the Transmission and Local Facilities (T&LF) Agreement Calendar Year 1997 Reconciliation between PSI and Wabash Valley Power Association, Inc. (WVPA), and between PSI and Indiana Municipal Power Agency (MPA). The T&LF Agreement has been designated as PSI's Rate Schedule FERC No. 253.

Copies of the filing were served on Wabash Valley Power Association, Inc., the Indiana Municipal Power Agency and the Indiana Utility Regulatory Commission.

Comment date: March 16, 2000, in accordance with Standard Paragraph E at the end of this notice.

12. Deseret Generation & Transmission Co-operative

[Docket No. ER00–1688–000]

Take notice that on February 23, 2000, Deseret Generation & Transmission Co-operative, Inc. (Deseret) tendered for filing an executed umbrella short-term firm point-to-point service agreement with the Western Area Power Administration—Colorado River Storage Project Management Center (WAPA) under its open access transmission tariff.

Deseret requests a waiver of the Commission's notice requirements for an effective date of January 24, 2000.

WAPA has been provided a copy of this filing.

Comment date: March 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

13. RS Cogen, L.L.C.

[Docket No. QF00–32–000]

Take notice that on February 23, 2000, RS Cogen, L.L.C. (RS Cogen) located at 1300 PPG Drive, Westlake, Louisiana 70669, filed an application pursuant to Section 292.207(b) of the Commission's regulations for a determination by the Commission that RS Cogen's cogeneration facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978 and the Commission's regulations thereunder.

RS Cogen proposes to construct, own and operate an approximately 425 MW combined-cycle cogeneration facility fueled by natural gas that will produce electricity and provide steam to nearby chemical manufacturing facilities. The facility proposes to interconnect with Entergy Gulf States, Inc. PPG Industries, Inc. and Entergy R.S. Corporation each own 50 percent of the equity of RS Cogen.

The Applicant anticipates the facility will commence commercial operations in the summer of 2002.

Comment date: March 24, 2000, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–5344 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7108–001]

Virginia Hydro, Inc.; Notice of Availability of Draft Environmental Assessment

February 29, 2000.

A draft environmental assessment (DEA) is available for public review. The DEA is for an application to surrender the exemption for the Grove Mill Project. The DEA finds that approval of the proposed amendment would not constitute a major federal action significantly affecting the quality of the human environment. The Grove Mill Project is located on the Middle River, in Augusta County, Virginia.

The DEA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the DEA are available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208–1371. The DEA may be viewed on the web at www.ferc.fed.us/online/rims.htm. Call (202) 208–2222 for assistance.

Please submit any comments on the DEA within 30 days from the date of this notice. Any comments, conclusions, or recommendations that draw upon studies, reports, or other working papers of substance should be supported by appropriate documentation. Comments should be addressed to: The Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please affix Project No. 7108–001 to all comments.

David P. Boergers,

Secretary.

[FR Doc. 00–5262 Filed 3–3–00; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[OPPTS–140283; FRL–6495–1]

Access to Confidential Business Information by Syracuse Research Corporation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor Syracuse Research Corporation (SRC), of Syracuse, New York, access to information which has been submitted to EPA under sections 4, 5, 6, 8, and 21 of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be confidential business information (CBI).

DATES: Access to the confidential data submitted to EPA occurred as a result of an approved waiver dated January 27, 2000, which requested granting SRC immediate access to TSCA CBI. This waiver was necessary to allow SRC to assist the Risk Assessment Division by providing expertise in the Health and Environmental Sciences, including Biotechnology and Biostatistics; performing hazard and exposure assessments at the screening level; performing hazard assessments, risk assessments and characterization of new and existing chemicals; performing expert analysis of science issues and questions, to organize review panels/workgroups/workshop/symposia; assisting in developing test guidelines/standards; and providing automatic data processing and information management support and literature and translation support.

FOR FURTHER INFORMATION CONTACT: Joseph S. Carra, Acting Director,

Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Rm. E–545, (202) 554–1404, TDD: (202) 554–0551; e-mail: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Notice Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to ''those persons who are or may be required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA).'' Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under ''FOR FURTHER INFORMATION CONTACT.''

II. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

Electronically. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at http://www.epa.gov/. To access this document, on the Home Page select ''Laws and Regulations'' and then look up the entry for this document under the ''**Federal Register**—Environmental Documents.'' You can also go directly to the **Federal Register** listings at http://www.epa.gov/fedrgstr/.

III. What Action is the Agency Taking?

Under contract number 68–W–00–069, contractor SRC of Merrill Lane, Syracuse, NY, will assist the Office of Pollution Prevention and Toxics (OPPT) by providing expertise in the Health and Environmental Sciences, including Biotechnology and Biostatistics performing hazard and exposure assessments at the screening level performing hazard assessments, risk assessments and characterization of new and existing chemicals performing expert analysis of science issues and questions, to organize review panels/workgroups/workshop/symposia assisting in developing test guidelines/standards and providing automatic data processing and information management support and literature and translation support.

In accordance with 40 CFR 2.306(j), EPA has determined that under EPA contract number 68–W–00–069, SRC will require access to CBI submitted to EPA under sections 4, 5, 6, 8, and 21 of TSCA to perform successfully the duties specified under the contract.

SRC personnel will be given access to information submitted to EPA under sections 4, 5, 6, 8, and 21 of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under sections 4, 5, 6, 8, and 21 of TSCA that EPA may provide SRC access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters and SRC's Syracuse, NY and Arlington, VA facilities.

SRC will be authorized access to TSCA CBI at their facilities under the EPA *TSCA Confidential Business Information Security Manual*. Before access to TSCA CBI is authorized at SRC's sites, EPA will perform the required inspection of its facilities and ensure that the facilities are in compliance with the Manual.

Upon completing review of the CBI materials, SRC will return all transferred materials to EPA.

Clearance for access to TSCA CBI under this contract may continue until December 31, 2004.

SRC personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

List of Subjects

Environmental protection, Acess to confidential business information.

Dated: February 23, 2000.

Deborah A. Williams,

Acting Director, Information Management Division, Pollution Prevention and Toxics.

[FR Doc. 00–5391 Filed 3–3–00; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

Federal-State Joint Conference on Advanced Services Field Hearing Schedule

AGENCY: Federal Communications Commission.

ACTION: Announcement of meetings.

SUMMARY: The Federal-State Joint Conference on Advanced Telecommunications Services (Joint Conference) was convened by the FCC on October 8, 1999 to further the vision of Section 706 of the Telecommunications Act of 1996. Patterned on a resolution by the National Association of Regulatory Utility Commissioners (NARUC), the Joint Conference joins federal and state forces to encourage the deployment of advanced telecommunications services to all Americans. Part of the Joint Conference's mission is to gather information on the deployment of advanced services. To this end, the Joint Conference will hold six field hearings in coming months to gather information on the status of deployment of advanced telecommunications capability to all Americans.

DATES: See **SUPPLEMENTARY INFORMATION** section for hearing dates.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** section for hearing addresses.

FOR FURTHER INFORMATION CONTACT: Emily Hoffnar (202) 418–0940 TTY: (202) 418–0484.

SUPPLEMENTARY INFORMATION: These field hearings will focus on two goals in particular. First, the Joint Conference will seek information on what extent data is available at the state level on the status of deployment of advanced services. Second, the Joint Conference will seek examples of ''best practices'' of successful deployment in communities. Some communities have found creative ways to bring high speed Internet access to areas that were previously underserved. For example, a community may speed deployment by bringing many potential users of advanced services together, thereby aggregating demand to increase their buying power. A compilation of creative efforts, or best practices, will provide guidance to communities in other states to speed deployment of advanced services.

Transcripts of each field hearing will be made available to the public as soon as possible after each field hearing.

Meeting of Joint Conference and Initial Hearing

- Washington, DC, March 8, 2000, time to be determined.
- Joint Conference Hosts: FCC Chairman William Kennard and Chair of the Regulatory Commission of Alaska, Nanette Thompson.
- All FCC and State Commissioners will attend the first field hearing in Washington, DC, as their schedules permit.
- Special focus on broadband deployment in inner cities.

Western Regional Field Hearing

- Anchorage, Alaska, April 17, 2000, time to be determined.
- Joint Conference Hosts: FCC Commissioner Susan Ness and Chair of the Regulatory Commission of Alaska, Nanette Thompson.

• Special focus on the relationship between advanced services deployment and economic development, satellite deployment.

Midwestern Regional Field Hearing

• South Sioux City, Nebraska, April 19, 2000, time to be determined.
• Joint Conference Hosts: FCC Chairman William Kennard and Chair of the North Carolina Utilities Commission, Jo Anne Sanford.
• Special focus on cable and fixed wireless deployment and deployment in rural areas.

Northeastern Regional Field Hearing

• Lowell, Massachusetts, May 22, 2000, time to be determined.
• Joint Conference Hosts: FCC Commissioner Michael Powell and Public Utility Commission of Texas Commissioner Brett Perlman.
• Special focus on public/private partnerships, deployment in remote areas, and data gathering initiatives.

Gulf States and Southeast Regional Field Hearing

• Miami, Florida, June 9, 2000, time to be determined.
• Joint Conference Hosts: FCC Commissioner Gloria Tristani, Louisiana Public Service Commission, Chair Irma Muse Dixon, North Carolina Utilities Commission Chair, Jo Anne Sanford, and Public Utility Commission of Texas Commissioner, Brett Perlman.
• Special focus on deployment to rural and urban multicultural communities, fixed wireless deployment, and public/private partnerships.

Mountain West Regional Field Hearing

• Cheyenne, Wyoming, June 23, 2000, time to be determined.
• Joint Conference Hosts: FCC Commissioner Harold Furchtgott-Roth and Wyoming Public Service Commission Deputy Chair Steven Furtney.
• Special focus on speeding deployment via community demand aggregation, deployment in rural areas and Indian Territory, data gathering initiatives.

Further information about the Joint Conference can be found on its web site: www.fcc.gov/jointconference.

Dated: March 2, 2000.

Magalie Roman Salas,

Secretary.

[FR Doc. 00–5451 Filed 3–3–00; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL HOUSING FINANCE BOARD

[No. 2000–N–2]

Prices for Federal Home Loan Bank Services

AGENCY: Federal Housing Finance Board.

ACTION: Notice of prices for Federal Home Loan Bank Services.

SUMMARY: The Federal Housing Finance Board (Board) is publishing the prices charged by the Federal Home Loan Banks (Banks) for processing and settlement of items (negotiable order of withdrawal or NOW), and demand deposit accounting (DDA) and other services offered to members and other eligible institutions.

EFFECTIVE DATE: March 6, 2000.

FOR FURTHER INFORMATION CONTACT: Gwen R. Grogan, Associate Director, Office of Supervision (202) 408–2892; or Edwin J. Avila, Financial Analyst, (202) 408–2871; Federal Housing Finance Board, 1777 F Street, N.W., Washington, DC 20006.

SUPPLEMENTARY INFORMATION: Section 11(e) of the Federal Home Loan Bank Act (Bank Act) (12 U.S.C. 1431(e)) authorizes the Banks: (1) to accept demand deposits from member institutions; (2) to be drawees of payment instruments; (3) to engage in collection and settlement of payment instruments drawn on or issued by members and other eligible institutions; and (4) to engage in such incidental activities as are necessary to the exercise of such authority. Section 11(e)(2)(B) of the Bank Act (12 U.S.C. 1431(e)(2)(B)) requires the Banks to make charges for services authorized in that section, which charges are to be determined and regulated by the Board.

Section 975.6(c) of the Board's regulations (12 C.F.R. 975.6(c)) provides for the annual publication in the **Federal Register** of all prices for Bank services. The following fee schedules are for the Banks which offer item processing services to their members and other qualified financial institutions. Most of the remaining Banks provide other Correspondence Services which may include securities safekeeping, disbursements, coin and currency, settlement, electronic funds transfer, etc. However, these Banks do not provide services related to processing of items drawn against or deposited into third party accounts held by their members or other qualified financial institutions.

District 1.—Federal Home Loan Bank of Boston (2000 NOW/DDA Services)

(Services not provided)

District 2.—Federal Home Loan Bank of New York (2000 NOW/DDA Services)

(Does not provide item processing services for third party accounts)

District 3.—Federal Home Loan Bank of Pittsburgh (2000 NOW/DDA Services)

Deposit Processing Service (DPS)

Effective 1/1/2000

DPS Deposit Tickets $0.6500 per deposit

Printing of Deposit Tickets Pass-through

DEPOSIT ITEMS PROCESSED

[Pricing varies—tiered by monthly volume]

For volumes of	Per item (transit)
1–25,000	$0.0407
25,001–58,500	0.0402
58,501–91,500	0.0397
91,501–125,000	0.0392
125,001–158,500	0.0377
158,501–191,500	0.0357
191,501 and over	0.0327

DEPOSIT ITEMS ENCODED (WEST)

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0398
25,001–58,500	0.0394
58,501–91,500	0.0390
91,501–125,000	0.0386
125,001–158,500	0.0373
158,501–191,500	0.0368
191,501 and over	0.0363

DEPOSIT ITEMS ENCODED (EAST)

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0352
25,001–58,500	0.0347
58,501–91,500	0.0342
91,501–125,000	0.0337
125,001–158,500	0.0322
158,501–191,500	0.0312
191,501 and over	0.0306

Deposit Items Returned	$18.0000	per item
Deposit Items Photocopied	3.9500	per photocopy
DPS Photocopies—Subpoena	21.0000	per hour of processing time,

plus	0.3000	per photocopy
Deposit Items Rejected (applicable to pre-encoded deposits only).	0.2300	per rejected item
Canadian Item Processing	5.2500	per item
All Foreign Collection Charges (Includes Foreign Collection Fees, Bought Foreign Collection Fees, Foreign Bank Processing Charges, and Foreign Check Courier Charges).		pass-through
Adjustments on DPS Deposits (applicable to pre-encoded deposits only).	3.00	per adjustment
Foreign Return Check Fee	35.0000	per item
DPS Transportation (West)	9.9500	per pickup
DPS Transportation (East)	9.9500	per pickup
Return Check Courier Service	145.0000	per month

Depository Account Services

On—US Returns Deposited:		
Qualified Returns	$1.2000	per item
Raw Returns	4.5000	per item
Mail Deposits	5.7500	per deposit
Bond Collection:		
Bearer	40.0000	per bond
Registered	50.0000	per bond
Bond Coupon Collection	8.2500	per envelope
Bond Coupon Returns	32.0000	per coupon
Deposit Transfer Vouchers	5.7500	per item

Electronic Funds Transfers

Incoming Wire Transfers	$6.2500	per transfer
Outgoing Wire Transfers (LINK)	7.0000	per transfer
Outgoing Wire Transfers (Manual)	10.7500	per transfer
Fax of Wire Transfer Advice	3.7500	per transfer
Internal Book Transfers (LINK)		No Charge
Internal Book Transfers (Manual)	1.1500	per transfer
Foreign Wire Surcharge	33.0000	′ *
Foreign Wire Tracers		pass-through
Mortgage Participation Service Fee	3.2000	per transfer
Expected Wires Not Received		penalty assessed **

* This surcharge will be added to the amount of the outgoing funds transfer to produce a single total debit to be charged to the customer's account on the date of transfer.

** Standard penalty is equivalent to the amount of the wire(s) times the daily IOD rate, divided by 360. If the wire not received causes the Bank to suffer any penalty, deficiency, or monetary loss, any and all related costs will also be assessed.

Automated Clearing House

ACH Transaction Settlement (CR/DR)	$0.3000	per transaction
ACH Cleared Through FHLB (CR/DR)	0.4000	per transaction
ACH Origination Items (CR/DR)	0.2200	per item
ACH Origination Record Set-Up	1.7500	per record
ACH Origination Items Returned	6.0000	per returned item
ACH Returns/NOCs—Facsimile	2.5000	per transaction
ACH Returns/NOCs—Telephone	4.0000	per transaction
ACH/FRB Priced Service Charges	0.3000	per transaction

Federal Reserve Settlement

FRB Statement Transaction (CR/DR)	$0.6000	per transaction
Reserve Requirement Pass-Thru	32.5000	per month (active)
Correspondent Transaction (DR)	0.6000	per transaction
Direct Send Settlement	152.5000	per month
FRB Inclearing Settlement	152.5000	per month
FRB Coin & Currency Settlement	50.0000	per month

Demand Deposit Services

Clearing Items Processed	$0.1600	per item
Clearing Items Fine Sorted (for return with Bank statements)	0.0800	per item
Reconcilement Copies—Manual	0.1100	per copy
Reconcilement Copies—MagTape	0.0540	per copy

Reconcilement MagTape Processing		Pass-through
Reconcilement Copies—Voided	0.0450	per copy
Check Photocopies—Mail	4.0000	per photocopy
Check Photocopies—Telephone/Fax	4.8500	per photocopy
Check Photocopies—Subpoena	0.7200	per photocopy
Stop Payment Orders	18.0000	per item
Stop Payment Cancellations	9.0000	per cancelled item
FRB Return Items Processed	0.4500	per item
FRB Return Items Qualified	0.2700	per item
FRB Return Items Over $2,500	6.0000	per item
Collections & Forgeries	18.0000	per item
Check Imprinting		Pass-through
Request for Fax / Photocopy	5.0000	per document/page

Check Processing (Inclearing)

CHECKS PROCESSED

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0469
25,001–58,500	0.0444
58,501–91,500	0.0417
91,501–125,000	0.0391
125,001–158,500	0.0362
158,501–191,500	0.0336
191,501–350,000	0.0298
350,001–500,000	0.0272
500,001 and over	0.0247

Full Backroom Service

(Item Processing Charges)

NON-TRUNCATED CHECKS

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0610
25,001–58,500	0.0600
58,501–91,500	0.0580
91,501–125,000	0.0565
125,001–158,500	0.0550
158,501–191,500	0.0535
191,501–350,000	0.0515
350,001–500,000	0.0475
500,001 and over	0.0445

TRUNCATED CHECKS

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0510
25,001–58,500	0.0500
58,501–91,500	0.0480
91,501–125,000	0.0465
125,001–158,500	0.0450
158,501–191,500	0.0435
191,501–350,000	0.0415
350,001–500,000	0.0375
500,001 and over	0.0345

Modified Backroom Service

(Item Processing Charges)

NON-TRUNCATED CHECKS

[Pricing varies—tiered by monthly volume]

For volumes of:	Per item
1–25,000	$0.0510
25,001–58,500	0.0500
58,501–91,500	0.0480
91,501–125,000	0.0465
125,001–158,500	0.0450
158,501–191,500	0.0435
191,501–350,000	0.0415
350,001–500,000	0.0375
500,001 and over	0.0345

TRUNCATED CHECKS

[Pricing varies—tiered by monthly volume]

For volumes of	Per item
1–25,000	$0.0410
25,001–58,500	0.0400
58,501–91,500	0.0380
91,501–125,000	0.0365
125,001–158,500	0.0350
158,501–191,500	0.0335
191,501–350,000	0.0315
350,001–500,000	0.0275
500,001 and over	0.0245

Image Services

Proof of Deposit (POD) Service

Pricing for each of these premium services is customer-specific, based upon individual service requirements; please call your Relationship Officer at (800) 288 3400 for further information.

Check Processing (Associated Services)

Unidentified Items Processed	$2.0000	per item.
Over-The-Counter Items	0.1950	per item.
OTC Item Transportation	10.2500	per month.
Special Cycle Sorting	0.0240	per item.
Mid-Cycle Statement (Purged)	0.5700	per item *(Min $2.85)*.
Mid-Cycle Stmt. (Non-Purged)	2.8500	per statement.
Statement Printing	0.0300	per page.
Statement Processing:		
Statements using Generic Envelopes	0.0650	per envelope.
Statements using Custom Envelopes	0.1100	per envelope.
Statements using Large Envelopes	0.6650	per envelope.
Envelope Destruction Fee	0.0300	per envelope.
Additional Stuffer Processing	0.0285	per stuffer (one stuffer per statement free—applicable to all additional stuffers).
Selective Stuffer Processing	0.1100	per statement.
Daily Report Postage		Pass-through.
Statement Postage		Pass-through.
Standard Return Calls	1.5000	per item.
Automated Return Calls	0.2950	per item.
Return Calls via Link	0.7900	per item.
Late Return Calls	5.2500	per item.
FRB Return Items Processed	0.4500	per item.
FRB Return Items Qualified	0.2700	per item.

FRB Return Items Over $2,500	6.0000	per item.
Suspect Item Processing	5.2500	per suspect item.
Check Photocopies—Mail	4.0000	per photocopy.
Check Photocopies—Telephone/Fax	4.8500	per photocopy.
Check Photocopies—Subpoena	0.7200	per photocopy.
Signature Verification Copies	0.8500	per copy.
Check Retrieval	1.8000	per item.
MICRSort Option (Fixed Fee)	28.2500	per month.
MICRSort Option (per item)	0.0330	per item.
Collections & Forgeries	18.0000	per item.
MCPJ Microfiche Service	0.00225	per item.
(Min. $20.00, Max. $125.00)		Pass-through
Transportation		

Coin and Currency Service

Western Service Area

Cash Orders	$2.5000	per order, plus:
Currency Orders	0.3450	per $1,000*.
Coin Orders	2.8000	per box.
Currency Deposits	1.4000	per $1,000*.
Coin Deposits	2.0000	per standard bag.
Coin Deposits (Non-Standard)	3.0000	per non-standard bag.
Coin Deposits (Unsorted)	9.0000	per mixed bag.
Food Stamp Deposits	2.0000	per $1,000*.
Late Order Surcharge	10.0000	per order.
Coin Shipment Surcharge	0.2800	per excess bag**.
C&C Transportation (Zone W1)	18.5000	per stop.
C&C Transportation (Zone W2)	30.5000	per stop.
C&C Transportation (Zone W3)	42.5000	per stop.
C&C Transportation (Zone W4)		Negotiable***.

*Charges will be applied to each $1,000 ordered or deposited, and to any portion of a shipment not divisible by that standard unit.
**A surcharge will apply to each container (box/bag) of coin in an order/delivery after the first 20 containers.
***Reserved for remote locations: delivery charges will be negotiated with the courier service on an individual basis.

Coin and Currency Service

Eastern Service Area

Cash Orders	$2.5000	per order, plus.
Currency Orders	0.3450	per $1,000*.
Coin Orders	3.0500	per box.
Currency Deposits	1.4000	per $1,000*.
Coin Deposits	2.0000	per standard bag.
Coin Deposits (Non-Standard)	3.0000	per non-standard bag.
Coin Deposits (Unsorted)	9.0000	per mixed bag.
Food Stamp Deposits	2.0000	per $1,000*.
Late Order Surcharge	10.0000	per order.
Coin Shipment Surcharge	0.2800	per excess bag**.
C&C Transportation (Zone E1)	27.4000	per stop.
C&C Transportation (Zone E2)	38.2000	per stop.
C&C Transportation (Zone E3)	55.0000	per stop.
C&C Transportation (Zone E4)		Negotiable***.

Account Maintenance

Demand Deposit Accounts	$22.5000	per month, per account.
Cut-off Statements	12.5000	per statement.
Telephone Inquiry	2.3000	per telephone call.
Paper Advice of Transactions (DTS)	32.5000	per account, per month.
Daily Transaction Data via LINK		No Charge.

Monthly Minimum Charges

The Bank reserves the right to impose a monthly minimum charge for its services. The standard minimum will be $2,000 per month, applied against Check Processing, Deposit Processing, and/or Proof of Deposit Services. Pass-through items, such as postage and transportation, do not apply.

Account Overdraft Penalty

Greater of $75.00 per day and the daily interest on the amount of the overdraft.

(Rate used for calculation equal to the highest posted advance rate plus 3.0%.)

Requests for Programming Changes

Programming support for new services, enhancements to existing service levels, or servicer conversions

requiring at least one hour of programmer time and/or equivalent FHLB expenses will be charged at a rate of $100.00 per hour, plus expenses.

Attention: Customers Receiving Transportation Charges Under Any Service

Rates and charges relative to transportation vary depending on the location of the office(s) serviced. Details regarding the pricing for the transportation to/from specific institutions or individual locations will be provided upon their subscription to that service.

Surcharges may be applicable and will be applied to the customer as effective and without prior notice.

District 4.—Federal Home Loan Bank of Atlanta (2000 NOW/DDA Services)

(Does not provide item processing services for third party accounts)

District 5.—Federal Home Loan Bank of Cincinnati (2000 NOW/DDA Services)

(Does not provide item processing services for third party accounts)

District 6.—Federal Home Loan Bank of Indianapolis (2000 NOW/DDA Services)

Fee Schedules

Checking Account Processing

I. CHECKING ACCOUNT SERVICE TRANSACTION CHARGES

[Effective February 1, 2000]

Monthly volume	Safekeeping (per item)	Turnaround (daily or cycled) (per item)	Complete (per item)	Full service image*		Limited service image*	
				per item	per statement	per item	per statement
0–5,000	$.054	$.0675	$.0875	$.06	$.40	$.02	$.40
5–10,000	.046	.0625	.0855	.06	.40	.02	.40
10–15,000	.045	.0585	.0835	.06	.40	.02	.40
15–25,000	.040	.0515	.0825	.06	.40	.02	.40
25–50,000	.039	.0475	.0805	.06	.40	.02	.40
50–75,000	.035	.0445	.0765	.06	.40	.02	.40
75–100,000	.032	.0415	.0755	.06	.40	.02	.40
100 and up	.030	.0385	.0745	.06	.40	.02	.40

Minimum processing fee of $40.00 per month will apply for total NOW services. Also included in the above fees—at *no* additional cost are Federal Reserve fees, incoming courier fees, software changes, disaster recovery, envelope discount and inventory.

*Image Monthly Maintenance Fee of $4500.00 for 0–32% of accounts; $300.00 for 33–49% of accounts; and $200.00 for 50%+ will be assessed for Image Statements.

II. ANCILLARY SERVICE FEES

Large Dollar Signature Verification	$0.75
Over-the-counters and Microfilm	0.045
Return Items	2.40
Photocopies* and Facsimiles	2.50
Certified Checks	1.00
Invalid Accounts	0.65
Late Returns	0.50
Invalid Returns	0.50
No MICR/OTC	0.50
Settlement Only (per month)	100.00
+Journal Entries (each)	3.00
Encoding Errors	2.75
Fine Sort Numeric Sequence	0.02

II. ANCILLARY SERVICE FEES—Continued

Access to Infoline (per month)	50.00
High Dollar Return Notification	N/C
Debit Entries	N/C
Credit Entries	N/C
Standard Stmt. Stuffers (up to 2)**	N/C
Statement Stuffing Savings (Non DDA Accounts)	0.20

Minimum processing fee of $40.00 per month will apply for total NOW services. Also included in the above fees—at no additional cost are Federal Reserve fees, incoming courier fees, software changes, disaster recovery, envelope discount and inventory.

*Photocopy request of 50 or more are charged at an hourly rate of $15.00.

**Each additional (over 2) will be charged at $.02 per statement.

b. Demand Deposits Accounts/ACH

ITEM PROCESSING SERVICE FEES

Demand deposit clearings will have the following service charges:

CASH MANAGEMENT SERVICE

Stop payments	6.00	per stop.
Photocopies	2.50	per copy.
Collection/Return/Exception	5.00	
Daily Statement	2.00	
Maintenance	30.00	per month.
Debit Entries	N/C	
Credit Entries	N/C	
ACH Fees:		
Tape transmission or originations	$8.50	per tape.
NACHA, MPX		Actual Federal Reserve charges.
ACH entries clearing through our R&T number	.25	per item.
Settlement only	65.00	per month.
ACH returns/NOC	2.50	per item.

Collected balances will earn interest at CMS daily-posted rate.

Prices effective April 1, 1993.

c. Deposit Services

FEDERAL HOME LOAN BANK OF INDIANAPOLIS

Pre-encoded Items:		
City	$0.045	per item.
RCPC	.055	per item.
Other Districts	.09	per item.
Unencoded	.15	per item.
Food Stamp	.14	per item.
Photocopies	2.50	per copy.
Adjustments on pre-encoded work	2.75	per error.
E Z Clear	.14	per item.
Coupons	8.25	per envelope.
Collections	6.00	per item.
Cash Letter	2.00	per cash letter.
Deposit Adjustments	2.00	per adjustment.
Debit Entries		N/C.
Credit Entries		N/C.
Microfilming		N/C.
Mortgage Remittance (Basic Service)	.35	
Settlement only	100.00	per month.
+ Journal Entries	3.00	each.
Courier:		
Indianapolis (city)	8.25	per location, per day, per pickup.
Outside Indianapolis		prices vary per location

N/C No Charge.

District 7.—Federal Home Loan Bank of Chicago (2000 NOW/DDA Services)
(Does not provide item processing services for third party accounts)
District 8.—Federal Home Loan Bank of Des Moines (2000 NOW/DDA Services)
(Does not provide item processing services for third party accounts)
District 9.—Federal Home Loan Bank of Dallas (2000 NOW/DDA Services)
(Does not provide item processing services for third party accounts)
District 10.—Federal Home Loan Bank of Topeka (2000 NOW/DDA Services)
(Does not provide item processing services for third party accounts)
District 11.—Federal Home Loan Bank of San Francisco (2000 NOW/DDA services)
(Does not provide item processing services for third party accounts)
District 12.—Federal Home Loan Bank of Seattle (2000 NOW/DDA Services)
(Does not provide item processing services for third party accounts)

By the Federal Housing Finance Board.

William W. Ginsberg,

Managing Director.

[FR Doc. 00–5274 Filed 3–3–00; 8:45 am]

BILLING CODE 6725–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841*et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 30, 2000.

A. Federal Reserve Bank of San Francisco (Maria Villanueva, Consumer Regulation Group) 101 Market Street, San Francisco, California 94105–1579:

1. Greater Bay Bancorp, Palo Alto, California; to merge with Coast Bancorp, Santa Cruz, California, and thereby indirectly acquire Coast Commercial Bank, Santa Cruz, California.

Board of Governors of the Federal Reserve System, February 29, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–5271 Filed 3–3–00; 8:45 am]

BILLING CODE 6210–01–P

GENERAL SERVICES ADMINISTRATION

President's Commission on the Celebration of Women in American History

AGENCY: General Services Administration.

ACTION: Meeting notice.

SUMMARY: Notice is hereby given that the President's Commission on the Celebration of Women in American History will hold a open meeting from 1:00 p.m. to 5:00 p.m. on Tuesday, March 21, 2000, and from 9 a.m. to 12:00 p.m. on Wednesday, March 22, 2000 at the White House Conference Center, 726 Jackson Place, N.W. Washington, DC.

PURPOSE: To hear testimony about the Year 2000 Celebration plans for Women's History Month and review current related activities. Guest speakers will address how to celebrate

achievements of American Women and review the status of the Commissions' recommendations for action for the year 2000. Participants may wish to make a statement covering personal interests in the history of women in America or share thoughts on appropriate commemorative events.

FOR FURTHER INFORMATION CONTACT: Martha Davis (202) 501–0705, Assistant to the Associate Administrator for Communications, General Services Administration. Also, inquiries may be sent to *martha.davis@gsa.gov.*

Dated: February 28, 2000.

Beth Newburger,

Associate Administrator for Communications.

[FR Doc. 00–5276 Filed 3–3–00; 8:45 am]

BILLING CODE 6820–34–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Biological Response Modifiers Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). At least one portion of the meeting will be closed to the public.

Name of Committee: Biological Response Modifiers Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 20, 2000, 9 a.m. to 5:30 p.m. and on March 21, 2000, 8 a.m. to 4 p.m.

Location: Holiday Inn, Versailles Ballrooms I and II, 8120 Wisconsin Ave., Bethesda, MD.

Contact Person: Gail Dapolito or Rosanna Harvey, Center for Biologics Evaluation and Research (HFM–71), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852, 301–827–0314, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12389. Please call the Information Line for up-to-date information on this meeting.

Agenda: On March 20 and 21, 2000, the committee will discuss: (1) Issues related to the use of human pancreatic islets for the treatment of diabetes, including product development issues relating to the procurement, processing and characterization of islets, preclinical animal models for islets and a brief clinical perspective; (2) the report of the January 13, 2000, meeting of the Xenotransplantation Subcommittee; and (3) an update of research programs in the Division of Cellular and Gene Therapies and the Division of Therapeutic Proteins.

Procedure: On March 20, 2000, from 9 a.m. to 5:30 p.m. and on March 21, 2000, from 8 a.m. to 8:45 a.m. and from 9:30 a.m. to 5 p.m., the meeting is open to the public. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by March 10, 2000. Oral presentations from the public will be scheduled between approximately 1:45 p.m. and 2:15 p.m. on March 20, 2000, and between 11:30 a.m. and 12 noon on March 21, 2000. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before March 10, 2000, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Closed Committee Deliberations: On March 21, 2000, from 8:45 a.m. to 9:30 a.m., the meeting will be closed to permit discussion where disclosure would constitute a clearly unwarranted invasion of personal privacy (5 U.S.C. 552b(c)(6)). The committee will discuss reports of the review of individual research programs in the Division of Cellular and Gene Therapies and the Division of Therapeutic Proteins, Center for Biologics Evaluation and Research.

FDA regrets that it was unable to publish this notice 15 days prior to the March 20 and 21, 2000, Biological Response Modifiers Advisory Committee meeting. Because the agency believes there is some urgency to bring these issue to public discussion and qualified members of the Biological Response Modifiers Advisory Committee were available at this time, the Commissioner of Food and Drugs concluded that it was in the public interest to hold this meeting even if there was not sufficient time for the customary 15-day public notice.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 28, 2000.

Linda A. Suydam,

Senior Associate Commissioner.

[FR Doc. 00–5395 Filed 3–1–00; 4:26 pm]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Blood Products Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). At least one portion of the meeting will be closed to the public.

Name of Committee: Blood Products Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 16, 2000, from 8 a.m. to 6 p.m. and on March 17, 2000, from 8 a.m. to 3:30 p.m.

Location: Holiday Inn, 8777 Georgia Ave., Kennedy Grand Ballroom, Silver Spring, MD 20910.

Contact Person: Linda A. Smallwood, Center for Biologics Evaluation and Research (HFM–302), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, 301–827–3514, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 19516. Please call the Information Line for up-to-date information on this meeting.

Agenda: On March 16, 2000, the following committee updates are tentatively scheduled: (1) Summaries of recent workshops on bacterial contamination of platelets, (2) criteria for safety and efficacy evaluation of oxygen therapeutics as red cell substitutes, (3) implementation of universal leukoreduction, and (4) the National Institutes of Health Workshop on Parvovirus B19. In the morning, the committee will hear presentations, and discuss and make recommendations on a submitted proposal to revise the interpretation of indeterminate human immunodeficiency virus-1 Western Blots with only nonviral bands. In the afternoon, the committee will hear presentations, and discuss and make recommendations on the topics of a history of hepatitis in blood and plasma

donors and hepatitis B virus nucleic acid testing. On March 17, the committee will hear updates on the following topics: (1) Summary of the January 2000 Public Health Service Advisory Committee Meeting on Blood Safety and Availability, (2) Creutzfeld-Jacob Disease policy, (3) hepatitis C virus lookback guidance, (4) postdonation information algorithm, and (5) immune globulin intravenous clinical endpoints. In the morning, the committee will hear an informational presentation on the blood action plan and supply issues, and discuss and make recommendations on donor deferral issues related to xenotransplantation. In the afternoon, the committee will be briefed on research programs in the Laboratory of Plasma Derivatives, Division of Hematology, Center for Biologics Evaluation and Research (CBER).

Procedure: On March 16, 2000, from 8 a.m. to 6 p.m. and on March 17, 2000, from 8 a.m. to 3 p.m., the meeting is open to the public. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by March 7, 2000. Oral presentations from the public will be scheduled between approximately 10:30 a.m. and 11 a.m., 2:30 p.m. and 3 p.m., and 4:30 p.m. and 5 p.m. on March 16, 2000; and between approximately 9:30 a.m. and 10 a.m., and 11:30 a.m. and 12 noon on March 17, 2000. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before March 7, 2000, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Closed Committee Deliberations: On March 17, 2000, from 3 p.m. to 3:30 p.m., the meeting will be closed to permit discussion where disclosure would constitute a clearly unwarranted invasion of personal privacy (5 U.S.C. 552b(c)(6)). The committee will discuss reports of the review of individual research programs in the Division of Hematology, CBER.

FDA regrets that it was unable to publish this notice 15 days prior to the March 16 and 17, 2000, Blood Products Advisory Committee meeting. Because the agency believes there is some urgency to bring these issues to public discussion and qualified members of the Blood Products Advisory Committee were available at this time, the Commissioner of Food and Drugs concluded that it was in the public interest to hold this meeting even if there was not sufficient time for the customary 15-day public notice.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 28, 2000.

Linda A. Suydam,

Senior Associate Commissioner.

[FR Doc. 00–5394 Filed 3–1–00; 4:26 pm]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

Notice of Hearing: Reconsideration of Disapproval of Utah State Children's Health Insurance Program (SCHIP) State Plan Amendment (SPA)

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on March 17, 2000; 10 a.m.; Seventh Floor (Suite 700); Keystone Room; 1600 Broadway; Denver, Colorado 80202 to reconsider our decision to disapprove Utah SCHIP SPA.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the presiding officer by March 21, 2000.

FOR FURTHER INFORMATION CONTACT: Kathleen Scully-Hayes, Presiding Officer, HCFA, C1–09–13, 7500 Security Boulevard, Baltimore, Maryland 21244, Telephone: (410)–786–2055.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove Utah State Children's Health Insurance Program (SCHIP) State Plan amendment (SPA).

Section 1116 of the Social Security Act (the Act) and 42 CFR part 430 that provide a State with an opportunity for an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. Section 2107 (e)(2)(B) of the Act makes these provisions applicable under Title XXI to SCHIP State Plans and State Plan amendments. Under these provisions, the Health Care Financing Administration (HCFA) is required to publish a copy of the notice to a State that informs the State of the time and place of the hearing and the issues to be considered. If we subsequently notify the State of additional issues that will be considered at the hearing, we will also publish that notice.

Any individual or group that wants to participate in the hearing as a party must petition the presiding officer within 15 days after publication of this notice, in accordance with the requirements contained at 42 CFR 430.76 (b)(2). Any interested person or organization that wants to participate as amicus curiae must petition the presiding officer before the hearing begins in accordance with the requirements contained at 42 CFR 430.76 (c). If the hearing is later rescheduled, the presiding officer will notify all participants.

The notice to Utah announcing an administrative hearing to reconsider the disapproval of its SPA reads as follows:

Mr. Rod L. Betit, Executive Director, Utah Department of Health, 288 North 1460 West, Salt Lake City, Utah 84114

Dear Mr. Betit:

I am responding to your request for reconsideration of the decision to disapprove the Utah State Children's Health Insurance Program State Plan Amendment submitted on January 28, 1999.

HCFA disapproved Utah's SCHIP State Plan Amendment because it requested approval, retroactive to August 3, 1998, for the State to impose cost-sharing amounts higher than permitted under Medicaid on SCHIP beneficiaries with family incomes at or below 100 percent of the Federal poverty level (FPL). Section 2103 (e)(3)(A)(ii) of the Social Security Act limits SCHIP cost-sharing amounts for children in families with incomes below 150 percent of FPL to the amounts permitted under Medicaid, ''with such appropriate adjustment for inflation or such other reasons as the Secretary determines to be reasonable.'' The Secretary has determined that it would not be reasonable to adjust the Medicaid maximum cost-sharing amounts for SCHIP beneficiaries at or below 100 percent of FPL.

I am scheduling a hearing on your request for reconsideration to be held on March 17, 2000; 10 a.m.; Seventh Floor (Suite 700); Keystone Room; 1600 Broadway; Denver, Colorado 80202.

If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties. The hearing will be governed by the procedures prescribed at 42 CFR, part 430.

The issue to be considered at the hearing is whether the Secretary acted within her discretionary authority under Section 2103(e)(3)(A)(ii) of the Social Security Act in determining that it would not be reasonable to adjust the Medicaid maximium cost-sharing amounts under 42 CFR 447.54 for SCHIP beneficiaries at or below 100 percent of FPL.

I am designating Ms. Kathleen Scully-Hayes as the presiding officer. If these arrangements present any problems, please contact the presiding officer. In order to facilitate any communication which may be necessary between the parties to the hearing, please notify the presiding officer to indicate acceptability of the hearing date that has been scheduled and provide names of the

individuals who will represent the State at the hearing. The presiding officer may be reached at (410) 786–2055.

Sincerely,

Nancy-Ann Min DeParle,

Administrator.

Authority: Section 1116 of the Social Security Act (42 U.S.C. section 1316); (42 CFR section 430.18).

(Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: February 25, 2000.

Nancy-Ann Min DeParle,

Administrator, Health Care Financing Administration.

[FR Doc. 00–5270 Filed 3–3–00; 8:45 am]

BILLING CODE 4120–01–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Health Resources and Services Administration (HRSA) publishes abstracts of information collection requests under review by the Office of Management and Budget, in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). To request a copy of the clearance requests submitted to OMB for review, call the HRSA Reports Clearance Office on (301)–443–1129.

The following request has been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act of 1995:

Proposed Project: Pilot Study of African American Women on Health Care Attitudes and Behaviors—NEW

The Office of Minority and Women's Health (OMWH) in the Bureau of Primary Health Care (BPHC), Health Resources and Services Administration (HRSA) awarded funding for a pilot study which will develop information about the design of a sample appropriate to determine the health status, behaviors, and health service perceptions of African American women who are: (1) College educated, and (2) low income, non-college educated. The pilot study will be used to evaluate the interview instrument and to discover the practical issues and feasibility of sampling low income African American women from the databases of community health centers in three test locations. The goal is to assess the instrument, the sample sources, the procedures, and the response rates and to determine the extent to which data can be collected in a systematic and comprehensive manner. The pilot study is the first step in a much larger nationwide effort to build a significant data set containing detailed information on health status, health indicators, and health behaviors of African American women.

The burden estimate for the pilot study is as follows:

Respondent	Number of respondents	Responses per respondent	Total responses	Hours per response	Total hour burden
College educated	60	1	60	30 minutes	30
Non-college educated	180	1	180	30 minutes	90
Total	240		240		120

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Wendy A. Taylor, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, D.C. 20503.

Dated: February 28, 2000.

Jane Harrison,

Director, Division of Policy Review and Coordination.

[FR Doc. 00–5255 Filed 3–3–00; 8:45 am]

BILLING CODE 4160–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; Comment Request; Request for Generic Clearance To Collect Customer Survey Data Pertaining to NIH Internet Sites

SUMMARY: In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the National Institutes of Health (NIH) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

Proposed Collection

Title: Request for Generic Clearance to Collect Customer Survey Data Pertaining to NIH Internet Sites. *Type of Information Collection Request:* NEW. *Need and Use of Information Collection:* Executive Order 12862 directs agencies that provide significant services directly to the public to survey customers to determine the kind and quality of services they want and their level of satisfaction with existing services. With this submission, the NIH, Office of Communications and Public Liaison, seeks to obtain OMB's generic approval to conduct customer satisfaction surveys. Since the late 1980's, the NIH has seized the opportunity to disseminate information and materials via the Internet. Today, raid technological changes of the WWW warrant on-going constituent and resource analysis. With survey information, the NIH is enabled to serve, and respond to, the ever-changing demand by the public. The ''public'' includes individuals (such as patients, educators, students, etc.) and interested communities (such as national or local organizations/institutions) and business. Survey information will augment current Web content, delivery, and design research which is used to understand the Web user, and more specifically, the NIH user community. Primary objectives are to (1) classify

NIH Internet users; (2) summarize and better understand customer needs; and (3) quantify the effectiveness/efficiency of current tools and delivery. Overall, the Institutes, Centers, and Offices of the NIH will use the survey results to identify strengths and weaknesses in current Internet strategies. Findings will help to (1) understand user community and how to better serve Internet users; (2) discover areas requiring improvement in either content or delivery; (3) realize how to align Web offerings with identified user need(s); and (4) explore methods to offer and deliver information with efficacy and equity. *Frequency of Response:* Annual [As needed on an on-going and, possibly, concurrent basis (by Institute, Center, or Office)]. *Affected Public:* Users of the Internet. Primarily, this is an individual at their place(s) of access including, but not limited to, home or/and work environments. *Type of Respondents:* Public users of the NIH Internet site, *www.nih.gov,* which may include organizations, medical researchers, physicians and other health care providers, librarians, students, as well as individuals of the general public. *Estimated Number of Respondents:* 104,000. *Number of Respondents Per Respondent:* 1. *Average Burden Hours Per Response:* 0.084. *Burden Hours Requested:* 8,684. Total annualized cost to respondents is estimated at $116,105. There are also no capital costs, operating costs and/or maintenance costs to report.

SURVEY TITLE: WEB CUSTOMER SATISFACTION SURVEY—ANNUAL REPORTING BURDEN*

[Web-based; Required for Federal Register requests under PRA, Paperwork Reduction Act.]

Survey area	Number of respondents	Frequency of response	Avg. Burden per response (hours)	Burden hours
NIH Organization-wide (1 entity)	4000			334
Overall customer satisfaction	2000	1	0.1002	200
Specific indicator: Top-level/Entry pages	1000	1	0.0668	67
Specific indicator: Tools and initiatives	1000	1	0.0668	67
Individual Institute/Office (25 entities)	100000			8350
Overall customer satifaction	50000	1	0.1002	5010
Specific indicator: Top-level/Entry pages	25000	1	0.0668	1670
Spedific indicator: Tools and initiatives	25000	1	0.0668	1670
Total	104000		0.084	8684

*Survey research firm, MediaMetrics, indicated 1,264,000 unique visitors to NIH sites in Dec, 1999. If fully implemented, an average month would survey 8,600 users (less than 0.007 of total average unique visitors to NIH sites).

Request for Comments

Written comments and/or suggestions from the public and affected agencies are invited on one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: To request additional information on the proposed collection of information contact: Dennis Rodrigues, NIH Office of Communications and Public Liaison, 9000 Rockville Pike, Bldg. 31, Rm. 2B03, Bethesda, Maryland 20892–2094, or call non toll-free at (301) 435–2932. You may also e-mail your request to dr3p@nih.gov.

Comments Due Date: Comments regarding this information collection are best assured of having their full effect if received on or before May 5, 2000.

Dated: February 23, 2000.

Anne Thomas,

Assoc. Director, Office of Communications and Public Liaison National Institutes of Health.

[FR Doc. 00–5279 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Research Resources; Notice of Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Research Resources Initial Review Group, Research Centers In Minority Institutions Review Committee.

Date: June 12–13, 2000.

Open: June 12, 2000, 8 AM to 10 AM.

Agenda: To discuss program planning and program accomplishments.

Place: Gaithersburg Marriott, Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.

Closed: June 12, 2000, 10:00 AM to Adjournment.

Agenda: To review and evaluate grant applications.

Place: Gaithersburg Marriott, Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.

Contact Person: C. William Angus, Scientific Review Administrator, Office of Review, National Center for Research Resources, 6705 Rockledge Drive, MSC 7965, Room 6018, Bethesda, MD 20892–7965, 301–435–0812.

Name of Committee: National Center for Research Resources Initial Review Group, General Clinical Research Centers Review Committee.
Date: June 14–15, 2000.
Open: June 14, 2000, 8:00 AM to 9:30 AM.
Agenda: To discuss program planning and program accomplishments.
Place: Double Tree Hotel, 1750 Rockville Pike, Rockville, MD 20852.
Closed: June 14, 2000, 9:30 AM to Adjournment.
Agenda: To review and evaluate grant applications.
Place: Double Tree Hotel, 1750 Rockville Pike, Rockville, MD 20852.
Contact Person: John L. Meyer, Scientific Review Administrator, Office of Review, National Center for Research Resources, 6705 Rockledge Drive, MSC 7965, Room 6018, Bethesda, MD 20892–7965, 301–435–0806.
(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine, 93.306; 93.333, Clinical Research, 93.333; 93.371, Biomedical Technology; 93.389, Research Infrastructure, National Institutes of Health, HHS)

Dated: February 24, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5278 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Alternative Medicine; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Complementary & Alternative Medicine Special Emphasis Panel.
Date: March 24, 2000.
Time: 3 PM to 4:30 PM.
Agenda: To review and evaluate grant applications.
Place: 9000 Rockville Pike, Bldg. 31, Room 5B50 Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Eugene G. Hayunga, Scientific Review Administrator, National Institutes of Health, NCCAM, Building 31, Room 5B50, 9000 Rockville Pike, Bethesda, MD 20892, 301–594–2014, hayungae@od.nih.gov.

Dated: February 25, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5288 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the Sleep Disorders Research Advisory Board.

The meeting will be open to the public, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

Name of Committee: Sleep Disorders Research Advisory Board.
Date: April 10, 2000.
Time: 8:30 AM to 4:30 PM.
Agenda: To discuss sleep research and education priorities and programs.
Place: Natcher Building, Conference Room D, 45 Center Drive, Bethesda, MD 20892.
Contact Person: Michael J. Twery, Acting Director, National Center on Sleep Disorders Research, Two Rockledge Center, Suite 10038, 6701 Rockledge Drive, Bethesda, MD 20892, 301/435–0199.
(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: February 25, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5287 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel, ''Drug Supply Services Support''.
Date: February 29, 2000.
Time: 9:30 AM to 11:30 AM.
Agenda: To review and evaluate contract proposals.
Place: Neuroscience Center, National Institutes of Health, 6001 Executive Blvd., Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Eric Zatman, Contract Review Specialist, Office of Extramural Affairs, National Institute on Drug Abuse, National Institutes of Health, DHHS, 6001 Executive Boulevard, Room 3158, MSC 9547, Bethesda, MD 20892–9547, (301) 435–1438.
This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.
(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientists Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training,; 93.279, Drug Abuse Research Programs, National Institutes of Health, HHS)

Dated: February 24, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5277 Filed 3–3–00; 8:45 a.m.]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy And Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and

the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel.

Date: March 23, 2000.

Time: 1 PM to 4 PM.

Agenda: To review and evaluate grant applications and/or proposals.

Place: 6700B Rockledge Drive, Room 2217, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Allen C. Stoolmiller, Scientific Review Administrator, Scientific Review Program, Division of Extramural Activities, NIAID, NIH, Room 2220, 6700–B Rockledge Drive, MSC 7610, Bethesda, MD 20892–7610, (301) 496–2500.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5281 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel, MIDRAC conflicts.

Date: March 8, 2000.

Time: 12:00 PM to 5:00 PM.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Chevy Chase, Somerset Room, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.

Contact Person: Gerald L. McLaughlin, Scientific Review Administrator, Scientific Review Program, Division of Extramural Activities, NIAID, NIH, Room 2217, 6700–B Rockledge Drive, MSC 7610, Bethesda, MD 20892–7610, (301) 496–2550, gm145a@nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5282 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel.

Date: March 29, 2000.

Time: 1 PM to 4 PM.

Agenda: To review and evaluate contract proposals.

Place: 6700–B Rockledge, Room 2217, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Allen C. Stoolmiller, Scientific Review Administrator, Scientific Review Program, Division of Extramural Activities, NIAID, NIH, Room 2220, 6700–B Rockledge Drive, MSC 7610, Bethesda, MD 20892–7610, (301) 496–2550.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5283 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel, Hepatitis C Cooperative Research Center.

Date: March 15–17, 2000.

Time: 8:30 AM to 5:30 PM.

Agenda: To review and evaluate grant applications and/or proposals.

Place: Holiday Inn Georgetown, Mirage II Room, 2101 Wisconsin Ave., NW, Washington, DC 20007.

Contact Person: Lucia I. Gonzalez, Scientific Review Program, Division of Extramural Activities, NIAID, NIH, Room 2217, 6700–B Rockledge Drive, MSC 7610, Bethesda, MD 20892–7616, 301–496–8424, lg122e@nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5284 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel, Review a Project Application P01.
Date: March 7–8, 2000.
Time: 7 PM to 4 PM.
Agenda: To review and evaluate grant applications.
Place: Countryside Inn Suites, 325 S. Bristol, Coasta Mesa, CA 92626.
Contact Person: Louise L. Hsu, The Bethesda Gateway Building, 7201 Wisconsin Avenue/Suite 2C212, Bethesda, MD 20892 (301) 496–9666.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: National Institute on Aging Special Emphasis Panel to Review Grant Applications.
Date: March 20, 2000.
Time: 12 PM to 2 PM.
Agenda: To review and evaluate grant applications.
Place: 7201 Wisconsin Avenue, Bethesdsa, MD 20892, (Telephone Conference Call).
Contact Person: Ramesh Vemuri, Office of Scientific Review, National Institute on Aging, The Bethesda Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, (301) 496–9666.

Name of Committee: National Institute on Aging Special Emphasis Panel to Review Grant Applications.
Date: March 28, 2000.
Time: 12 PM to 2 PM.
Agenda: To review and evaluate grant applications.
Place: 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Ramesh Vermuri, Office of Scientific Review, National Institute on Aging, The Bethesda Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, (301) 496–9666.

Name of Committee: National Institute on Aging Special Emphasis Panel to Review the Mentored Research Scientist Development Award in Aging.
Date: April 19, 2000.
Time: 2 PM to 4 PM.
Agenda: To review and evaluate grant applications.
Place: 7201 Wisconsin Avenue, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Paul Lenz, The Bethesda Gateway Building, 7201 Wisconsin Avenue/ Suite 2C212, Bethesda, MD 20892, (301) 496–9666.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5285 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 52b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel. ZDK1 GRB–5 (M4)M.
Date: March 7, 2000.
Time: 1 p.m. to 2:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Natcher Bldg., 45 Center Drive, Room 6AS–37, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Francisco O. Calvo, Deputy Chief, Review Branch, DEA, NIDDK, National Institutes of Health, Room 6AS37D, Bldg. 45, Bethesda, MD 20892, 301–594–8897.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel. ZDK1 GRB–D (M2)M.
Date: March 14, 2000.
Time: 12 p.m. to 2 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Natcher Bldg., 45 Center Drive, Room 6AS–37, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Ann A. Hagan, Chief, Review Branch, National Institute of Diabetes, Digestive and Kidney Diseases, National Institutes of Health, PHS, DHHS, Rm. 6AS37, Bldg. 45, Bethesda, MD 20892, 301–594–8886.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel. ZDK1 GRB–4 (M1)P.
Date: March 16–17, 2000.
Time: 7 p.m. to 5 p.m.
Agenda: To review and evaluate grant applications.
Place: Embassy Suites Hotel, 1300 Concourse Drive, Linthicum, MD 21090.
Contact Person: William E. Elzinga, Scientific Review Administrator, Review Branch, DEA, NIDDK, Natcher Building, Room 6AS–37, National Institutes of Health, Bethesda, MD 20892–6600, 301–594–8895.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: February 28, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5286 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of closed meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections

552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and/or contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel.

Date: March 10, 2000.

Time: 8 AM to 5 PM.

Agenda: To review and evaluate contract proposals.

Place: Georgetown Holiday Inn, 2101 Wisconsin Ave., NW, Washington, DC 20007.

Contact Person: Sean O'Rourke, Scientific Review Administrator, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, Suite 409, 6000 Executive Boulevard, Bethesda, MD 20892–7003, 301–443–2861.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel.

Date: May 19, 2000.

Time: 8 AM to 6 PM.

Agenda: To review and evaluate grant applications.

Place: Ramada Inn Rockville, 1775 Rockville Pike, Rockville, MD 20852.

Contact Person: Ronald Suddendorf, Scientific Review Administrator, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, Suite 409, 6000 Executive Boulevard, Bethesda, MD 20892–7003, 301–443–2926.

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants, National Institutes of Health, HHS)

Dated: February 25, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5289 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Clcohol Abuse and Alcoholism Special Emphasis Panel.

Date: March 10, 2000.

Time: 10 AM to 11 AM.

Agenda: To review and evaluate grant applications.

Place: Willco Building, Suite 409, 6000 Executive Boulevard, Rockville, MD 20892, (Telephone Conference Call).

Contact Person: Elsie D. Taylor, Scientific Review Administrator, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, Suite 409, 6000 Executive Blvd., Bethesda, MD 20892–7003, 301–443–9787, etaylor@niaaa.nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Program; 93.891, Alcohol Research Center Grants, National Institutes of Health, HHS)

Dated: February 25, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5290 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Initial Review Group Biomedical Research Review Subcommittee.

Date: March 2–3, 2000.

Time: March 2, 2000, 6:00 PM to 10:00 PM.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel, 1750 Rockville Pike, Rockville, MD 20852.

Time: March 3, 2000, 8:00 AM to 6:00 PM.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Jules R. Selden, Scientific Review Administrator, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, Suite 409, 6000 Executive Blvd., Bethesda, MD 20892–7003, 301–443–9737, jselden@niaaa.nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants, National Institutes of Health, HHS)

Dated: February 25, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–5292 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Statement of Organization, Functions, and Delegations of Authority

Part N, National Institutes of Health, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (40 FR 22859, May 27, 1975, as amended most recently at 64 FR 66925, November 30, 1999, and redesignated from Part HN as Part N at 60 FR 56605, November 9, 1995), is amended as set forth below: Within the Office of Program Coordination (1) Revise the functional statement and (2) Assign standard administrative codes to its two subcomponents, the Executive

Secretariat and the Office of Federal Advisory Committee Policy.

Section N–B, Organization and Functions, is amended by replacing the current section NAN (formerly HNAN) with the following:

Office of Program Coordination (NAN, formerly HNAN). In support of the Director, NIH, (1) Coordinates the Director's program and administrative decision-making process; (2) Facilitates communication among the Director, the NIH Deputy and Associate Directors, other senior Office of the Director (OD) staff, and Institute and Center (IC) Directors to bring their expertise to bear on substantive issues; (3) Advises the Director, NIH, on the status and implications of activities NIH-wide; (4) Brings to the attention of the Director and recommends actions to resolve trans-NIH issues, consulting with the NIH Deputy Directors as appropriate; follows up and ensures implementation of decisions by the Director, NIH; (5) Directs the Executive Secretariat and the Office of Federal Advisory Committee Policy; and (6) Directs the operations of the immediate staff of the Director.

Executive Secretariat (NAN2). In support of the Director's decision-making process, the Executive Secretariat (1) Controls the communications flow by communicating the actions taken and policies set by the Director on documents and at meetings, including revisions needed and follow-up actions; (2) Manages the flow of decision documents and correspondence for action by the Director of NIH; (3) Tracks incoming documents and makes action and review assignments to appropriate staff in the ICs and the Office of the Director; (4) Edits, reviews, clears, and submits to the Office of the Secretary all congressional reports except those required by Appropriations Committees; (5) Sets editorial standards and processing policies for documents acted on by the Director; (6) Maintains all official records relating to the decisions and official actions of the Director, NIH, and his or her immediate staff; (7) Ensures that the Director has the views of ICs and OD staff offices before making program or management decisions; (8) Anticipates potential problems and plans for processing future decisions and issue analyses; (9) Facilitates the resolution of conflicts among recommendations to the Director and makes an independent recommendation when resolution cannot be achieved; (10) Applies sophisticated information technology to the management of the workflow NIH-wide and supports HHS-wide efforts to improve the processing of decision documents; (11) Represents NIH in relations with the Executive Secretary of the Department, other HHS executive secretariats, and with outside document management organizations; and (12) Carries out special projects assigned by the Director or Assistant Director for Program Coordination.

Office of Federal Advisory Committee Policy (NAN3). To assist the Director in carrying out NIH's responsibilities under the Federal Advisory Committee Act, the Office of Federal Advisory Committee Policy (1) Plans and directs Federal advisory committee activities at NIH; (2) Ensures that laws, regulations and policies affecting advisory committees are understood and adhered to in the establishment and renewal of committees, the nomination and appointment of committee members, and the preparation of reports for the Office of Management and Budget, the General Services Administration, Congress, and the President; (3) Sets policy for all NIH Advisory Committees, Councils, and Boards; (4) Ensures appropriate management and internal controls are in place; (5) Formulates documentation on Federal advisory committee activities; (6) Serves as the liaison with the committee management and other key staff in the Office of the Secretary and other Federal agencies; (7) Provides technical guidance and information to assist managers of advisory bodies and the public; and (8) Provides or facilitates advisory committee training for all NIH staff involved in the management of Federal advisory committees.

Dated: February 15, 2000.

Ruth L. Kirschstein,

Acting Director, NIH.

[FR Doc. 00–5280 Filed 3–3–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program Support Center; Agency Information Collection Activities: Proposed Collections; Comment Request

The Department of Health and Human Services; Program Support Center (PSC) will periodically publish summaries of proposed information collection projects and solicit public comments in compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995. To request more information on the project or to obtain a copy of the information collection plans and instruments, call the PSC Reports Clearance Officer on (301) 443–1494.

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

1. PHS Commissioned Corps Application Forms (PHS–50 and PHS–1813)—Revision

The PHS–50 is being revised to reflect a reorganization and clarification of the questions to permit a more logical entry of data by both the applicant and the processing personnel office. No changes are being proposed for the PHS–1813.

The PHS–50, Application for Appointment as a Commissioned Officer in the United States Public Health Service, is used to determine if an applicant is qualified for appointment in the Commissioned Corps of the Public Health Service (PHS). In addition, the information contained in PHS–50 establishes the basis for future assignments and benefits as a commissioned officer.

Respondents: individual applicants seeking appointment as an officer in the Commissioned Corps of the PHS; *Total number of Respondents:* 1,565 per calendar year; *Frequency of Response:* once per applicant; *Average Burden per Response:* 1 hour; *Estimated Annual Burden:* 1,565 hours.

The PHS 1813, Reference Request for Applicants to the U.S. Public Health Service Commissioned Corps, is used to obtain reference information concerning applicants for appointment in the Commissioned Corps of the PHS. Each applicant is required to provide four references.

Respondents: Persons designated by applicant; *Total Number of Respondents:* 6,260; *Frequency of Response:* once per reference source; *Average Burden per Response:* .25 hour; *Estimated Annual Burden:* 1,565 hours. *Total Burden:* 3,130 hours to respondents.

Send comments to Irene West, PSC Reports Clearance Officer, Room 17–A18, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

February 25, 2000.

Lynnda M. Regan,

Director, Progam Support Center.

[FR Doc. 00–5336 Filed 3–3–00; 8:45 am]

BILLING CODE 4168–17–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Current List of Laboratories Which Meet Minimum Standards To Engage in Urine Drug Testing for Federal Agencies, and Laboratories That Have Withdrawn From the Program

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services notifies Federal agencies of the laboratories currently certified to meet standards of Subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (59 FR 29916, 29925). A similar notice listing all currently certified laboratories will be published during the first week of each month, and updated to include laboratories which subsequently apply for and complete the certification process. If any listed laboratory's certification is totally suspended or revoked, the laboratory will be omitted from updated lists until such time as it is restored to full certification under the Guidelines.

If any laboratory has withdrawn from the National Laboratory Certification Program during the past month, it will be listed at the end, and will be omitted from the monthly listing thereafter.

This Notice is available on the internet at the following website: *http://wmcare.samhsa.gov.*

FOR FURTHER INFORMATION CONTACT: Mrs. Giselle Hersh or Dr. Walter Vogl, Division of Workplace Programs, 5600 Fishers Lane, Rockwall 2 Building, Room 815, Rockville, Maryland 20857; Tel.: (301) 443–6014, Fax: (301) 443–3031.

Special Note: Please use the above address for all surface mail and correspondence. For all overnight mail service use the following address: Division of Workplace Programs, 5515 Security Lane, Room 815, Rockville, Maryland 20852.

SUPPLEMENTARY INFORMATION: Mandatory Guidelines for Federal Workplace Drug Testing were developed in accordance with Executive Order 12564 and section 503 of Pub. L. 100–71. Subpart C of the Guidelines, ''Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies,'' sets strict standards which laboratories must meet in order to conduct urine drug testing for Federal agencies. To become certified an applicant laboratory must undergo three rounds of performance testing plus an on-site inspection. To maintain that certification a laboratory must participate in a quarterly performance testing program plus periodic, on-site inspections.

Laboratories which claim to be in the applicant stage of certification are not to be considered as meeting the minimum requirements expressed in the HHS Guidelines. A laboratory must have its letter of certification from SAMHSA, HHS (formerly: HHS/NIDA) which attests that it has met minimum standards.

In accordance with Subpart C of the Guidelines, the following laboratories meet the minimum standards set forth in the Guidelines:

ACL Laboratories, 8901 W. Lincoln Ave., West Allis, WI 53227, 414–328–7840/800–877–7016 (Formerly: Bayshore Clinical Laboratory)

Advanced Toxicology Network, 3560 Air Center Cove, Suite 101, Memphis, TN 38118, 901–794–5770/888–290–1150

Aegis Analytical Laboratories, Inc., 345 Hill Ave., Nashville, TN 37210, 615–255–2400

Alabama Reference Laboratories, Inc., 543 South Hull St., Montgomery, AL 36103, 800–541–4931/334–263–5745

Alliance Laboratory Services, 3200 Burnet Ave., Cincinnati, OH 45229, 513–585–9000 (Formerly: Jewish Hospital of Cincinnati, Inc.)

American Medical Laboratories, Inc., 14225 Newbrook Dr., Chantilly, VA 20151, 703–802–6900

Associated Pathologists Laboratories, Inc., 4230 South Burnham Ave., Suite 250, Las Vegas, NV 89119–5412, 702–733–7866/800–433–2750

Baptist Medical Center—Toxicology Laboratory, 9601 I–630, Exit 7, Little Rock, AR 72205–7299, 501–202–2783 (Formerly: Forensic Toxicology Laboratory Baptist Medical Center)

Clinical Reference Lab, 8433 Quivira Rd., Lenexa, KS 66215–2802, 800–445–6917

Cox Health Systems, Department of Toxicology, 1423 North Jefferson Ave., Springfield, MO 65802, 800–876–3652/417–269–3093 (Formerly: Cox Medical Centers)

Dept. of the Navy, Navy Drug Screening Laboratory, Great Lakes, IL. P.O. Box 88–6819, Great Lakes, IL 60088–6819, 847–688–2045/847–688–4171

Diagnostic Services Inc., dba DSI, 12700 Westlinks Drive, Fort Myers, FL 33913, 941–561–8200/800–735–5416

Doctors Laboratory, Inc., P.O. Box 2658, 2906 Julia Dr., Valdosta, GA 31604, 912–244–4468

DrugProof, Division of Dynacare/Laboratory of Pathology, LLC, 1229 Madison St., Suite 500, Nordstrom Medical Tower, Seattle, WA 98104, 206–386–2672/800–898–0180 (Formerly: Laboratory of Pathology of Seattle, Inc., DrugProof, Division of Laboratory of Pathology of Seattle, Inc.)

DrugScan, Inc., P.O. Box 2969, 1119 Mearns Rd., Warminster, PA 18974, 215–674–9310

Dynacare Kasper Medical Laboratories,* 14940–123 Ave., Edmonton, Alberta, Canada T5V 1B4, 780–451–3702/800–661–9876

ElSohly Laboratories, Inc., 5 Industrial Park Dr., Oxford, MS 38655, 601–236–2609

Gamma-Dynacare Medical Laboratories,* A Division of the Gamma-Dynacare Laboratory Partnership, 245 Pall Mall St., London, ON, Canada N6A 1P4, 519–679–1630

General Medical Laboratories, 36 South Brooks St., Madison, WI 53715, 608–267–6267

Hartford Hospital Toxicology Laboratory, 80 Seymour St., Hartford, CT 06102–5037, 860–545–6023

Integrated Regional Laboratories, 5361 NW 33rd Avenue, Fort Lauderdale, FL 33309, 954–777–0018, 800–522–0232, (Formerly: Cedars Medical Center, Department of Pathology)

Kroll Laboratory Specialists, Inc., 1111 Newton St., Gretna, LA 70053, 504–361–8989/800–433–3823, (Formerly: Laboratory Specialists, Inc.)

Laboratory Corporation of America Holdings, 1904 Alexander Drive, Research Triangle Park, NC 27709, 919–572–6900/800–833–3984, (Formerly: LabCorp Occupational Testing Services, Inc., CompuChem Laboratories, Inc.; CompuChem Laboratories, Inc., A Subsidiary of Roche Biomedical Laboratory; Roche CompuChem Laboratories, Inc., A Member of the Roche Group)

Laboratory Corporation of America Holdings, 4022 Willow Lake Blvd., Memphis, TN 38118, 901–795–1515/800–233–6339, (Formerly: LabCorp Occupational Testing Services, Inc., MedExpress/National Laboratory Center)

LabOne, Inc., 10101 Renner Blvd., Lenexa, KS 66219, 913–888–3927/800–728–4064 (Formerly: Center for Laboratory Services, a Division of LabOne, Inc.)

Laboratory Corporation of America Holdings, 69 First Ave., Raritan, NJ 08869, 908–526–2400/800–437–4986, (Formerly: Roche Biomedical Laboratories, Inc.)

Marshfield Laboratories, Forensic Toxicology Laboratory, 1000 North Oak Ave., Marshfield, WI 54449, 715–389–3734/800–331–3734

MAXXAM Analytics Inc.,* 5540 McAdam Rd., Mississauga, ON, Canada L4Z 1P1, 905–890–2555, (Formerly: NOVAMANN (Ontario) Inc.)

Medical College Hospitals Toxicology Laboratory, Department of Pathology, 3000 Arlington Ave., Toledo, OH 43614, 419–383–5213

MedTox Laboratories, Inc., 402 W. County Rd. D, St. Paul, MN 55112, 651–636–7466/800–832–3244

MetroLab-Legacy Laboratory Services, 1225 NE 2nd Ave., Portland, OR 97232, 503–413–5295/800–950–5295

Minneapolis Veterans Affairs Medical Center, Forensic Toxicology Laboratory, 1 Veterans

Drive, Minneapolis, Minnesota 55417, 612–725–2088
National Toxicology Laboratories, Inc., 1100 California Ave., Bakersfield, CA 93304, 661–322–4250
NWT Drug Testing, 1141 E. 3900 South, Salt Lake City, UT 84124, 801–268–2431/800–322–3361, (Formerly: NorthWest Toxicology, Inc.)
One Source Toxicology Laboratory, Inc., 1705 Center Street, Deer Park, TX 77536, 713–920–2559, (Formerly: University of Texas Medical Branch, Clinical Chemistry Division; UTMB Pathology-Toxicology Laboratory)
Oregon Medical Laboratories, P.O. Box 972, 722 East 11th Ave., Eugene, OR 97440–0972, 541–687–2134
Pacific Toxicology Laboratories, 6160 Variel Ave., Woodland Hills, CA 91367, 818–598–3110, (Formerly: Centinela Hospital Airport Toxicology Laboratory
Pathology Associates Medical Laboratories, 11604 E. Indiana, Spokane, WA 99206, 509–926–2400/800–541–7891
PharmChem Laboratories, Inc., 1505–A O'Brien Dr., Menlo Park, CA 94025, 650–328–6200/800–446–5177
PharmChem Laboratories, Inc., Texas Division, 7606 Pebble Dr., Fort Worth, TX 76118, 817–215–8800, (Formerly: Harris Medical Laboratory)
Physicians Reference Laboratory, 7800 West 110th St., Overland Park, KS 66210, 913–339–0372/800–821–3627
Poisonlab, Inc., 7272 Clairemont Mesa Blvd., San Diego, CA 92111, 619–279–2600/800–882–7272
Quest Diagnostics Incorporated, 3175 Presidential Dr., Atlanta, GA 30340, 770–452–1590, (Formerly: SmithKline Beecham Clinical Laboratories, SmithKline Bio-Science Laboratories)
Quest Diagnostics Incorporated, 4444 Giddings Road, Auburn Hills, MI 48326, 810–373–9120/800–444–0106 (Formerly: HealthCare/Preferred Laboratories, HealthCare/MetPath, CORNING Clinical Laboratories)
Quest Diagnostics Incorporated, National Center for Forensic Science, 1901 Sulphur Spring Rd., Baltimore, MD 21227, 410–536–1485 (Formerly: Maryland Medical Laboratory, Inc., National Center for Forensic Science, CORNING National Center for Forensic Science)
Quest Diagnostics Incorporated, 8000 Sovereign Row, Dallas, TX 75247, 214–638–1301 (Formerly: SmithKline Beecham Clinical Laboratories, SmithKline Bio-Science Laboratories)
Quest Diagnostics Incorporated, 4770 Regent Blvd., Irving, TX 75063, 972–916–3376/800–526–0947 (Formerly: Damon Clinical Laboratories, Damon/MetPath, CORNING Clinical Laboratories)
Quest Diagnostics Incorporated, 801 East Dixie Ave., Leesburg, FL 34748, 352–787–9006 (Formerly: SmithKline Beecham Clinical Laboratories, Doctors & Physicians Laboratory)
Quest Diagnostics Incorporated, 400 Egypt Rd., Norristown, PA 19403, 610–631–4600/800–877–7484 (Formerly: SmithKline Beecham Clinical Laboratories, SmithKline Bio-Science Laboratories)
Quest Diagnostics Incorporated, 875 Greentree Rd., 4 Parkway Ctr., Pittsburgh, PA 15220–3610, 412–920–7733/800–574–2474 (Formerly: Med-Chek Laboratories, Inc., Med-Chek/Damon, MetPath Laboratories, CORNING Clinical Laboratories)
Quest Diagnostics Incorporated, 506 E. State Pkwy., Schaumburg, IL 60173, 800–669–6995/847–885–2010 (Formerly: SmithKline Beecham Clinical Laboratories, International Toxicology Laboratories)
Quest Diagnostics Incorporated, 7470 Mission Valley Rd., San Diego, CA 92108–4406, 619–686–3200/800–446–4728 (Formerly: Nichols Institute, Nichols Institute Substance Abuse Testing (NISAT), CORNING Nichols Institute, CORNING Clinical Laboratories)
Quest Diagnostics of Missouri LLC, 2320 Schuetz Rd., St. Louis, MO 63146, 314–991–1311/800–288–7293 (Formerly: Quest Diagnostics Incorporated, Metropolitan Reference Laboratories, Inc., CORNING Clinical Laboratories, South Central Division)
Quest Diagnostics Incorporated, One Malcolm Ave., Teterboro, NJ 07608, 201–393–5590 (Formerly: MetPath, Inc., CORNING MetPath Clinical Laboratories, CORNING Clinical Laboratory)
Quest Diagnostics Incorporated, 7600 Tyrone Ave., Van Nuys, CA 91405, 818–989–2520/800–877–2520 (Formerly: SmithKline Beecham Clinical Laboratories)
San Diego Reference Laboratory, 6122 Nancy Ridge Dr., San Diego, CA 92121, 800–677–7995
Scientific Testing Laboratories, Inc., 463 Southlake Blvd., Richmond, VA 23236, 804–378–9130
Scott & White Drug Testing Laboratory, 600 S. 25th St., Temple, TX 76504, 254–771–8379/800–749–3788
S.E.D. Medical Laboratories, 5601 Office Blvd., Albuquerque, NM 87109, 505–727–6300/800–999–5227
South Bend Medical Foundation, Inc., 530 N. Lafayette Blvd., South Bend, IN 46601, 219–234–4176
Southwest Laboratories, 2727 W. Baseline Rd., Tempe, AZ 85283, 602–438–8507
Sparrow Health System, Toxicology Testing Center, St. Lawrence Campus, 1210 W. Saginaw, Lansing, MI 48915, 517–377–0520 (Formerly: St. Lawrence Hospital & Healthcare System)
St. Anthony Hospital Toxicology Laboratory, 1000 N. Lee St., Oklahoma City, OK 73101, 405–272–7052
Toxicology & Drug Monitoring Laboratory, University of Missouri Hospital & Clinics, 2703 Clark Lane, Suite B, Lower Level, Columbia, MO 65202, 573–882–1273
Toxicology Testing Service, Inc., 5426 N.W. 79th Ave., Miami, FL 33166, 305–593–2260
UNILAB 18408 Oxnard St., Tarzana, CA 91356, 818–996–7300/800–492–0800 (Formerly: MetWest-BPL Toxicology Laboratory)
Universal Toxicology Laboratories, LLC, 10210 W. Highway 80, Midland, Texas 79706, 915–561–8851/888–953–8851

The following laboratory is voluntarily withdrawing from the NLCP program, effective March 9, 2000:

Info-Meth, 112 Crescent Ave., Peoria, IL 61636, 309–671–5199/800–752–1835 (Formerly: Methodist Medical Center Toxicology Laboratory)

* The Standards Council of Canada (SCC) voted to end its Laboratory Accreditation Program for Substance Abuse (LAPSA) effective May 12, 1998. Laboratories certified through that program were accredited to conduct forensic urine drug testing as required by U.S. Department of Transportation (DOT) regulations. As of that date, the certification of those accredited Canadian laboratories will continue under DOT authority. The responsibility for conducting quarterly performance testing plus periodic on-site inspections of those LAPSA-accredited laboratories was transferred to the U.S. DHHS, with the DHHS' National Laboratory Certification Program (NLCP) contractor continuing to have an active role in the performance testing and laboratory inspection processes. Other Canadian laboratories wishing to be considered for the NLCP may apply directly to the NLCP contractor just as U.S. laboratories do.

Upon finding a Canadian laboratory to be qualified, the DHHS will recommend that DOT certify the laboratory (**Federal Register**, 16 July 1996) as meeting the minimum standards of the ''Mandatory Guidelines for Workplace Drug Testing'' (59 **Federal Register**, 9 June 1994, Pages 29908–29931). After receiving the DOT certification, the laboratory will be included in the monthly list of DHHS certified laboratories and participate in the NLCP certification maintenance program.

Richard Kopanda,

Executive Officer, Substance Abuse and Mental Health Services Administration.

[FR Doc. 00–5457 Filed 3–3–00; 8:45 am]

BILLING CODE 4160–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2000 Funding Opportunities

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Notice of funding availability.

SUMMARY: The Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Mental Health Services(CMHS) announces the availability of FY 2000 funds for grants for the following activity. This activity is discussed in more detail under Section 4 of this notice. This notice is not a complete description of the activity; potential applicants must obtain a copy of Parts I and II of the Guidance for Applicants (GFA) before preparing an application. Part I is entitled Cooperative Agreements for

Comprehensive Community Actions to Promote Youth Violence Prevention, Suicide Prevention and Resilience Enhancement (short title: Youth Violence Prevention Cooperative Agreements). Part II is entitled General Policies and Procedures Applicable to all SAMHSA Applications for Discretionary Grants and Cooperative Agreements.

Activity	Application deadline	Estimated funds available, FY 2000	Estimated number of awards	Project period
Youth Violence Prevention Cooperative Agreements	5/23/00	$4.10 million*	27–40	2 years.

*Of the $4.10 million, four grants totaling up to $600,000 will be awarded to organizations proposing programs on the prevention of youth suicide.

The actual amount available for awards and their allocation may vary, depending on unanticipated program requirements and the number and quality of applications received. FY 2000 funds for the activity discussed in this announcement were appropriated by the Congress under Public Law 106–113. SAMHSA's policies and procedures for peer review and Advisory Council review of grant and cooperative agreement applications were published in the **Federal Register** (Vol. 58, No. 126) on July 2, 1993.

The Public Health Service (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 SAMHSA Centers' substance abuse and mental health services activities address issues related to Healthy People 2000 objectives of Mental Health and Mental Disorders; Alcohol and Other Drugs; Clinical Preventive Services; HIV Infection; and Surveillance and Data Systems. Potential applicants may obtain a copy of Healthy People 2000 (Full Report: Stock No. 017–001-00474–0) or Summary Report: Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (Telephone: 202–512–1800). SAMHSA has published additional notices of available funding opportunities for FY 2000 in past issues of the **Federal Register**.

General Instructions: Applicants must use application form PHS 5161–1 (Rev. 6/99; OMB No. 0920–0428). The application kit contains the two-part application materials (complete programmatic guidance and instructions for preparing and submitting applications), the PHS 5161–1 which includes Standard Form 424 (Face Page), and other documentation and forms. Application kits may be obtained from the organization specified for the activity covered by this notice (see Section 4).

When requesting an application kit, the applicant must specify the particular activity for which detailed information is desired. This is to ensure receipt of all necessary forms and information, including any specific program review and award criteria.

The PHS 5161–1 application form and the full text of the activity described in Section 4 are also available electronically via SAMHSA's World Wide Web Home Page (address: http://www.samhsa.gov).

Application Submission: Applications must be submitted to: SAMHSA Programs, Center for Scientific Review, National Institutes of Health, Suite 1040, 6701 Rockledge Drive MSC–7710
Bethesda, MD 20892–7710 *

(* Applicants who wish to use express mail or courier service should change the zip code to 20817.)

Application Deadlines: The deadline for receipt of applications is May 23, 2000.

Competing applications must be received by the indicated receipt date to be accepted for review. An application received after the deadline may only be accepted if it carries a legible proof-of-mailing date assigned by the carrier and that date is not later than one week prior to the deadline date. Private metered postmarks are not acceptable as proof of timely mailing.

Applications received after the deadline date and those sent to an address other than the address specified above will be returned to the applicant without review.

FOR FURTHER INFORMATION CONTACT: Requests for activity-specific technical information should be directed to the program contact person identified for the activity covered by this notice (see Section 4).

Requests for information concerning business management issues should be directed to the grants management contact person identified for the activity covered by this notice (see Section 4).

Programmatic Information

1. Program Background and Objectives

SAMHSA's mission within the Nation's health system is to improve the quality and availability of prevention, early intervention, treatment, and rehabilitation services for substance abuse and mental illnesses, including co-occurring disorders, in order to improve health and reduce illness, death, disability, and cost to society.

Reinventing government, with its emphases on redefining the role of Federal agencies and on improving customer service, has provided SAMHSA with a welcome opportunity to examine carefully its programs and activities. As a result of that process, SAMHSA moved assertively to create a renewed and strategic emphasis on using its resources to generate knowledge about ways to improve the prevention and treatment of substance abuse and mental illness and to work with State and local governments as well as providers, families, and consumers to effectively use that knowledge in everyday practice.

SAMHSA's FY 2000 Knowledge Development and Application (KD&A) agenda is the outcome of a process whereby providers, services researchers, consumers, National Advisory Council members and other interested persons participated in special meetings or responded to calls for suggestions and reactions. From this input, each SAMHSA Center developed a ''menu'' of suggested topics. The topics were discussed jointly and an agency agenda of critical topics was agreed to. The selection of topics depended heavily on policy importance and on the existence of adequate research and practitioner experience on which to base studies. While SAMHSA's FY 2000 KD&A program will sometimes involve the evaluation of some delivery of services, they are services studies and application activities, not merely evaluation, since they are aimed at answering policy-relevant questions and putting that knowledge to use.

SAMHSA differs from other agencies in focusing on needed information at the services delivery level, and it is question-focus. Dissemination and application are integral, major features of the programs. SAMHSA believes that

it is important to get the information into the hands of the public, providers, and systems administrators as effectively as possible. Technical assistance, training, and preparation of special materials will be used, in addition to normal communication means.

SAMHSA also continues to fund legislatively-mandated services programs for which funds are appropriated.

2. Special Concerns

SAMHSA's legislatively-mandated services programs do provide funds for mental health and/or substance abuse treatment and prevention services. However, SAMHSA's KD&A activities do not provide funds for mental health and/or substance abuse treatment and prevention services except sometimes for costs required by the particular activity's study design. Applicants are required to propose true knowledge application or knowledge development application projects. Applications seeking funding for services projects under a KD&A activity will be considered nonresponsive.

Applications that are incomplete or nonresponsive to the GFA will be returned to the applicant without further consideration.

3. Criteria for Review and Funding

3.1 General Review Criteria

Review criteria that will be used by the peer review groups are specified in the application guidance material.

3.2 Funding Criteria for Scored Applications

Applications will be considered for funding on the basis of their overall technical merit as determined through the peer review group and the appropriate National Advisory Council review process. Availability of funds will also be an award criteria. Additional award criteria specific to the programmatic activity may be included in the application guidance materials.

4. Special FY 2000 SAMHSA Activities

Cooperative Agreements for Comprehensive Community Actions to Promote Youth Violence Prevention, Suicide Prevention and Resilience Enhancement (short title: Youth Violence Prevention Cooperative Agreements, SM00–005)

- *Application Deadline:* The receipt date is May 23, 2000.
- *Purpose:* The Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Mental Health Services (CMHS) announces the availability of funds for community organizations to promote prevention of youth violence and suicide and to enhance healthy youth development. The goals of this cooperative agreement are (1) to build community-wide understanding of youth violence/suicide, (2) to build real and sustainable community-wide, intensive collaborations to address this public health crisis, and (3) to implement and sustain evidence-based youth and family service programs. There will be two Phases in this 2-year program: Phase 1 Community Collaboration Phase, and Phase 2, Pilot Implementation Phase. In Phase 1, grantees will develop intensive community wide collaboration to address youth violence prevention/suicide proactively. In Phase 2, grantees will pilot the chosen evidence-based youth violence/suicide prevention programs. This GFA is a revision of the prior CMHS No. SM99–009, School Action Grants.
- *Eligible Applicants:* Applications may be submitted by domestic non-governmental non-profit and for profit entities; public or private educational systems, institutions, and agencies; Tribal government units and organizations; and community-based organizations such as advocacy organizations, community-based health, mental health and social service organizations, parents and teachers associations, consumer and family groups, and minority serving organizations.

This program is related to the Community Prevention Grants (GFA SM00–004) in that similar activities could be supported under that grant or this cooperative agreement; however, the Community Prevention Grants offer support exclusively to State, Tribes, and their political subdivisions. State and local governmental units are not eligible for this cooperative agreement program with the following exceptions: educational units are eligible to apply for both youth violence and suicide prevention projects and governmental community mental health organizations can serve as applicant organizations for suicide prevention, but not youth violence prevention projects.

- *Amount:* It is expected that $4.10 million will be available in FY2000. Of this $4.10 million, four grants totaling up to $600,000 will be awarded to organizations proposing programs on the prevention of youth suicide.
- *Period of Support:* Support may be requested for a period of up to 2 years.
- *Catalog of Federal Domestic Assistance Number:* 93.230.
- *Program Contact:* For questions concerning program issues, contact:

Tiffany Ho, Division of Program Development, Special Populations and Projects, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, Room 17C–26, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–2892.

or

Malcolm Gordon, Special Programs Development Branch, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, Room 17C–05, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–2957.

For questions regarding grants management issues, contact: Steve Hudak, Grants Management Officer, Division of Grants Management, OPS, Substance Abuse and Mental Health Services Administration, Room 15C–05, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4456.

- *Application kits are available from:* National Mental Health Services, Knowledge Exchange Network (KEN), P.O. Box 42490, Washington, DC 20015, Telephone: 1–800–789–2647, TTY: (301) 443–9006, Fax: (301) 984–8796.

5. Public Health System Reporting Requirements

The Public Health System Impact Statement (PHSIS) is intended to keep State and local health officials apprised of proposed health services grant and cooperative agreement applications submitted by community-based nongovernmental organizations within their jurisdictions.

Community-based nongovernmental service providers who are not transmitting their applications through the State must submit a PHSIS to the head(s) of the appropriate State and local health agencies in the area(s) to be affected not later than the pertinent receipt date for applications. This PHSIS consists of the following information:

a. A copy of the face page of the application (Standard form 424).

b. A summary of the project (PHSIS), not to exceed one page, which provides:

(1) A description of the population to be served.

(2) A summary of the services to be provided.

(3) A description of the coordination planned with the appropriate State or local health agencies.

State and local governments and Indian Tribal Authority applicants are not subject to the Public Health System Reporting Requirements.

Application guidance materials will specify if a particular FY 2000 activity

is subject to the Public Health System Reporting Requirements.

6. PHS Non-use of Tobacco Policy Statement

The PHS strongly encourages all grant and contract 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 1994, prohibits smoking in certain facilities (or in some cases, any portion of a facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

7. Executive Order 12372

Applications submitted in response to the FY 2000 activity listed above are subject to the intergovernmental review requirements of Executive Order 12372, as implemented through DHHS regulations at 45 CFR Part 100. E.O. 12372 sets up a system for State and local government review of applications for Federal financial assistance. Applicants (other than Federally recognized Indian tribal governments) should contact the State's Single Point of Contact (SPOC) as early as possible to alert them to the prospective application(s) and to receive any necessary instructions on the State's review process. For proposed projects serving more than one State, the applicant is advised to contact the SPOC of each affected State. A current listing of SPOCs is included in the application guidance materials. The SPOC should send any State review process recommendations directly to: Division of Extramural Activities, Policy, and Review, Substance Abuse and Mental Health Services Administration, Parklawn Building, Room 17–89, 5600 Fishers Lane, Rockville, Maryland 20857.

The due date for State review process recommendations is no later than 60 days after the specified deadline date for the receipt of applications. SAMHSA does not guarantee to accommodate or explain SPOC comments that are received after the 60-day cut-off.

Dated: February 29, 2000.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 00–5396 Filed 3–1–00; 4:26 pm]

BILLING CODE 4162–20–U

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4568–N–01]

Notice of Proposed Information Collection: Comment Request Affirmative Fair Housing Marketing Plan

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments Due Date:* May 5, 2000.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Steven Tursky, Reports Liaison Officer, Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 7th Street SW., Room 5222, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Steven Tursky, Department of Housing and Urban Development, 451 7th Street SW, Room 5222, (202) 708–2288 (this is not a toll-free number) for copies of the proposed forms and other available documents. Hearing or speech-impaired individuals may access this number TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8399.

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended). The Notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Affirmative Fair Housing Marketing Plan. OMB Control Number: 2529–0013.

Description of the need for the information and proposed use: HUD uses this information to assess the adequacy of the applicant's proposed actions to carry out the Affirmative Fair Housing Marketing requirements of 24 CFR 200.600 and review compliance with these requirements under 24 CFR Part 108, the AFHM Compliance Regulations.

Agency form numbers, if applicable: HUD 935.2.

Members of affected public: Applicants for mortgage insurance under the Department's insured single family and multifamily programs.

Estimation of the total numbers of hours needed to prepare the information collection including the number of respondents, frequency of response, and hours of response: On an annual basis, 2,500 respondents, 1 response per respondent, 2,500 total responses, 1,875 total burden hours.

Status of the proposed information collection: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: February 25, 2000.

Pamela Walsh,

Director, Program Standards Division.

[FR Doc. 00–5275 Filed 3–3–00; 8:45 am]

BILLING CODE 4210–08–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Endangered Species Permit Applications

AGENCY: Fish and Wildlife Service.

ACTION: Notice of receipt of permit applications.

SUMMARY: The following applicants have applied for a scientific research permit to conduct certain activities with endangered species pursuant to section 10 (a)(1)(A) of the Endangered Species Act of 1973, as amended (16 USC 1531 *et seq.*).

Permit No. TE–022517.

Applicant: Andrea Beach, Ramona,

California.

The applicant requests a permit to take (survey by pursuit) the Quino checkerspot butterfly (*Euphydryas editha quino*) in conjunction with presence or absence surveys throughout its range for the purpose of enhancing its survival.

Permit No. TE–008031.

Applicant: David Flietner, Riverside, California.

The applicant requests an amendment to take (survey by pursuit) the Delhi Sands Flower-loving fly (*Raphiomidas terminatus abdominalis*) in conjunction with presence or absence surveys throughout its range for the purpose of enhancing its survival.

Permit No. TE–018909.

Applicant: Kelly Rio, Brea, California.

The applicant requests an amendment to take (survey by pursuit) the El Segundo blue butterfly (*Euphilotes battoides allyni*) in conjunction with presence or absence surveys throughout its range for the purpose of enhancing its survival.

Permit No. TE–838743.

Applicant: David Faulkner, San Diego, California.

The applicant requests an amendment to take (survey by pursuit) the Delhi Sands Flower-loving fly (*Raphiomidas terminatus abdominalis*) in conjunction with presence or absence surveys throughout its range for the purpose of enhancing its survival.

Permit No. TE–817397.

Applicant: John Storrer, Santa Barbara, California.

The applicant requests an amendment to take (capture and handle) the California tiger salamander (*Ambystoma californiense*) in conjunction with presence or absence surveys throughout its range in Santa Barbara County, California, for the purpose of enhancing its survival.

Permit No. TE–022558.

Applicant: Megan Sue Enright, Encinitas, California.

The applicant requests a permit to take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range in California for the purpose of enhancing their survival.

Permit No. TE–835549.

Applicant: Charles H. Black, San Diego, California.

The applicant requests a permit amendment to take (collect cysts; sacrifice cultured individuals) the San Diego fairy shrimp (*Brachinecta sandiegonensis*) and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range for the purpose of enhancing their survival.

Permit No. TE–022651.

Applicant: Michael A. Bias, Roseville, California.

The applicant requests a permit to take (capture, mark) the salt marsh harvest mouse (*Reithrodontomys raviventris*) in conjunction with population studies and monitoring throughout the species range in California for the purpose of enhancing its survival.

Permit No. TE–022649.

Applicant: Joseph E. Messin, Moreno Valley, California.

The applicant requests a permit to take (capture, mark) the Stephens' kangaroo rat (*Dipodomys stephensi*) in conjunction with population studies and monitoring in Riverside County, California for the purpose of enhancing its survival.

Permit No. TE–820306.

Applicant: KEA Environmental, Inc. San Diego, California.

The applicant requests a permit amendment to take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range in California for the purpose of enhancing their survival.

Permit No. TE–702631.

Applicant: Assistant Regional Director-Ecological Services, Region 1, U.S. Fish and Wildlife Service, Portland, Oregon.

The applicant requests a permit amendment to remove and reduce to possession specimens of the following plant species: *Sidalcea keckii* (Keck's checker-mallow) and *Thlaspi californicum* (Kneeland Prairie penny-cress). Authorization is also requested to take the following wildlife species: the riparian brush rabbit (*Sylvilagus bachmani riparius*) and the riparian or San Joaquin Valley woodrat (*Neotoma fuscipes riparia*). Collection and take activities will be conducted throughout each species range in conjunction with recovery efforts for the purpose of enhancing their propagation and survival.

Permit No. TE–023242.

Applicant: Geoffrey T. Gray, Clovis, California.

The applicant requests a permit to take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range in California for the purpose of enhancing their survival.

Permit No. TE–023240.

Applicant: William M. Stolp, Fresno, California.

The applicant requests a permit to take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range in California for the purpose of enhancing their survival.

Permit No. TE–776608.

Applicant: Monk & Associates, Walnut Creek, California.

The applicant requests a permit to take (harass by survey, collect, and sacrifice) the San Diego fairy shrimp (*Brachinecta sandiegonensis*) and the Riverside fairy shrimp (*Streptocephalus woottoni*) in conjunction with surveys throughout each species range in California for the purpose of enhancing their survival.

Permit No. TE–023496.

Applicant: Endangered Species Recovery Program, Fresno, California.

The applicant requests a permit to take (capture, mark, hold in captivity) the blunt-nosed leopard lizard (*Gambelia silus*); take (capture, mark, collect biological samples) the Fresno kangaroo rat (*Dipodomys nitratoides exilis*), giant kangaroo rat (*Dipodomys ingens*), and the Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*); take (capture, mark, radio-collar, collect blood and tissue samples) the San Joaquin kit fox (*Vulpes macrotis mutica*); take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole

shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*); and take (capture, mark, radio-tag, translocate, collect biological samples, captively propagate) the riparian brush rabbit (*Sylvilagus bachmani riparius*) and the riparian or San Joaquin Valley woodrat (*Neotoma fuscipes riparia*) in conjunction with surveys, population monitoring, ecological research, and population augmentation throughout each species range for the purpose of enhancing their survival. All activities for the blunt-nosed leopard lizard, Fresno kangaroo rat, giant kangaroo rat, Tipton kangaroo rat, and the San Joaquin kit fox were previously authorized under subpermit Willdf-15.

Permit No. TE–023467.

Applicant: David Mayer, La Jolla, California.

The applicant request a permit to take (harass by survey, collect, and sacrifice) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardi*), San Diego fairy shrimp (*Brachinecta sandiegonensis*), and the Riverside fairy shrimp (*Streptocephalus woottoni*); take (survey by pursuit) the Quino checkerspot butterfly (*Euphydryas edithra quino*), and take (harass by survey) the southwestern willow flycatcher (*Empidonax traillii extimus*) in conjunction with surveys and population monitoring throughout each species range for the purpose of enhancing their survival.

Permit No. TE–023492.

Applicant: Alan Wilkins, Middleton, Massachusetts.

The applicant requests a permit to purchase, in interstate commerce, one female and four male captive bred Hawaiian (=nene) geese (*Nesochen* [=*Branta*] *sandvicensis*) for the purpose of enhancing the species propagation and survival.

Permit No. TE–014497.

Applicant: Haleakala National Park, Makawao, Hawaii.

The applicant requests a permit to remove and reduce to possession the seeds, inflorescence, and leaves of *Clermontia samuelii* (oha wai), *Cyanea copelandii* ssp. *haleakalaensis* (haha), *Cyanea glabra* (haha), and *Cyanea hamatiflora* ssp. *hamatiflora* (haha) in conjunction with viability and propagation research, and herbarium and taxonomic identification, at Haleakala National Park, Hawaii for the purpose of enhancing their survival.

DATES: Written comments on these permit applications must be received on or by April 5, 2000.

ADDRESSES: Written data or comments should be submitted to the Chief—Endangered Species, Ecological Services, Fish and Wildlife Service, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181; Fax: (503) 231–6243. Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT: Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 20 days of the date of publication of this notice to the address above; telephone: (503) 231–2063. Please refer to the respective permit number for each application when requesting copies of documents.

Dated: February 28, 2000.

Don Weathers

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 00–5295 Filed 3–3–00; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WO640 1020 XQ 24 1E]

Call for Nominations for Resource Advisory Councils

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Resource Advisory Council Call for Nominations.

SUMMARY: The purpose of this notice is to solicit public nominations for each of the Bureau of Land Management (BLM) Resource Advisory Councils (RACs) that have member terms expiring this year. The RACs provide advice and recommendations to BLM on land use planning and management of the public lands within their geographic areas. Public nominations will be considered for 45 days after the publication date of this notice.

The Federal Land Policy and Management Act (FLPMA) directs the Secretary of the Interior to involve the public in planning and issues related to management of lands administered by BLM.

Section 309 of FLPMA directs the Secretary to select 10 to 15 member citizen-based advisory councils that are established and authorized consistent with the requirements of the Federal Advisory Committee Act (FACA). As required by the FACA, RAC members appointed to the RAC must be balanced and representative of the various interests concerned with the management of the public lands. These include three categories:

Category One—Holders of federal grazing permits and representatives of energy and mineral development, timber industry, transportation or rights-of-way, off-highway vehicle use, and commercial recreation;

Category Two—Representatives of nationally or regionally recognized environmental organizations, archaeological and historic interests, dispersed recreation, and wild horse and burro groups;

Category Three—Holders of State, county or local elected office, employees of a State agency responsible for management of natural resources, academicians involved in natural sciences, representatives of Indian tribes, and the public-at-large.

Individuals may nominate themselves or others. Nominees must be residents of the State or States in which the RAC has jurisdiction. Nominees will be evaluated based on their education, training, and experience and their knowledge of the geographical area of the RAC. Nominees should have demonstrated a commitment to collaborative resource decisionmaking. All nominations must be accompanied by letters of reference from represented interests or organizations, a completed background information nomination form, as well as any other information that speaks to the nominee's qualifications.

Simultaneous with this notice, BLM State Offices will issue press releases providing additional information for submitting nominations, with specifics about the number and categories of member positions available for each RAC in the State. Nominations for RACs should be sent to the appropriate BLM offices listed below.

Arizona

Arizona RAC

Deborah Stevens, Arizona State Office, BLM, 222 N. Central Avenue, Phoenix, Arizona 85004–2203, (602) 417–9215

California

Central California RAC

Larry Mercer, Bakersfield Field Office, BLM, 3801 Pegasus Avenue, Bakersfield, California 93308, (661) 391–6000

Northeastern California RAC
Jeff Fontana, Eagle Lake Field Office, BLM, 2950 Riverside Drive, Susanville, California 96130, (530) 257–0456

Northwestern California RAC
Jeff Fontana, Eagle Lake Field Office, BLM, 2950 Riverside Drive, Susanville, California 96130, (530) 257–0456

Colorado

Front Range RAC; Southwest RAC; Northwest RAC
Sheri Bell, Colorado State Office, BLM, 2850 Youngfield Street, Lakewood, Colorado 80215, (303) 239–3671

Idaho

Upper Columbia RAC; Upper Snake RAC; Lower Snake RAC
Kim Buxton, Idaho State Office, BLM, 1387 Vinnell Way, Boise, Idaho 83709, (208) 373–4015

Montana and Dakotas

Eastern Montana RAC; Central Montana RAC; Western Montana RAC; Dakotas RAC
Jodi Weil, Montana State Office, BLM, 5001 Southgate Drive, Billings, Montana 59101, (406) 896–5258

Nevada

Mojave-Southern RAC; Northeastern Great Basin RAC; Sierra Front Northwestern RAC
Bob Stewart, Nevada State Office, BLM, 1340 Financial Boulevard, Reno, Nevada 89502–7147, (775) 861–6586

New Mexico

New Mexico RAC
Kathleen Mulkey, New Mexico State Office, BLM, P.O. Box 27115 Sante Fe, New Mexico 87502–0115, (505) 438–7514

Oregon/Washington

Eastern Washington RAC; John Day/Snake RAC; Southeast Oregon RAC
Pam Robbins, Roseburg District Office, BLM, 777 N.W. Garden Valley Blvd., Roseburg, Oregon 97470, (541) 440–4931, ext. 460

Utah

Utah RAC
Sherry Foot, Utah State Office, BLM, 324 South State Street, Suite 301, P.O. Box 45155, Salt Lake City, Utah 84145–0155 (801) 539–4195

DATES: All nominations should be received by the appropriate BLM State Office by April 20, 2000.

FOR FURTHER INFORMATION CONTACT: Melanie Wilson, U.S. Department of the Interior, Bureau of Land Management, Intergovernmental Affairs, MS–LS–406, Washington, D.C., 20240; 202–452–0377.

Dated: February 25, 2000.

Tom Fry,

Acting Director, Bureau of Land Management.

[FR Doc. 00–5377 Filed 3–3–00; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to Section 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 20, 2000, B.I. Chemical, Inc., 2820 N. Normandy Drive, Petersburg, Virginia 23805, made application by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of methylphenidate (1724), a basic class of controlled substance listed in Schedule II.

The firm plans to manufacture methylphenidate for product development.

Any other such applicant and any person who is presently registered with DEA to manufacture such substance may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than May 5, 2000.

Dated: February 25, 2000.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 00–5256 Filed 3–3–00; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substancies; Notice of Application

Pursuant to § 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 14, 2000, Chattem Chemicals, Inc., 3708 St. Elmo Avenue, Chattanooga, Tennessee 34709, made application by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of amphetamine (1100), a basic class of controlled substance listed in Schedule II.

The firm plans to bulk manufacture amphetamine for distribution to its customers.

Any other such applicant and any person who is presently registered with DEA to manufacture such substance may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than May 5, 2000.

Dated: February 25, 2000.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 00–5257 Filed 3–3–00; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated October 8, 1999, and published in the **Federal Register** on October 18, 1999, (64 FR 56227), Nycomed, Inc., 33 Riverside Avenue, Rensselaer, New York 12144, made application by renewal to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Methylphenidate (1724)	II
Meperidine (9230)	II

The firm plans to manufacture meperidine as bulk product for

distribution to its customers and to manufacture methylphenidate for qualification and distribution to a customer.

DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Nycomed, Inc. to manufacture the listed controlled substances is consistent with the public interest at this time. DEA has investigated Nycomed, Inc. on a regular basis to ensure that the company's continued registration is consistent with the public interest. These investigations have included inspection and testing of the company's physical security system, audits of the company's records, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR §§ 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacture of the basic classes of controlled substances listed above is granted.

Dated: February 25, 2000.

John H. King,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 00–5258 Filed 3–3–00; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

February 28, 2000.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 99 (Pub. L. 104–13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ETA, PWBA, and OASAM contact Karin Kurz ((202) 219–5096 ext. 159 or by e-mail to Kurz-Karin@dol.gov). To obtain documentation for ESA, MSHA, OSHA, and VETS contact Darrin King ((202) 219–5096 ext. 151 or by e-mail to King-Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS; Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395–7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Type of Reviews: Extension of a currently approved collection.

Agency: Occupational Safety and Health Administration.

Title: Benzene (29 CFR 1910.1028).

OMB Number: 1218–0129.

Frequency: On occasion.

Affected Public: Business or other for-profit; Federal Government; State, Local or Tribal Government.

Number of Respondents: 13,498.

Estimated Time per Respondent: Time per response ranges from approximately 5 minutes for employers to maintain employee exposure monitoring and medical records to 4 hours to complete a referral medical examination.

Total Burden Hours: 125,195 hours.

Total Annualized Capital/Startup: $0.

Total Annual Cost (operating/maintaining systems or purchasing services): $8,179,933.

Description: The Benzene Standard, and its information collection requirements, is designed to provide protection for employees from the adverse health effects associated with occupational exposure to benzene. The Benzene Standard requires employers to monitor employee exposure to benzene, to monitor employee health, and to provide employees with information about their exposures and the health effects of exposure to benzene.

Type of Review: Extension of a currently approved collection.

Agency: Mine Safety and Health Administration.

Title: Roof Control Plan.

OMB Number: 1219–0004.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 1,030.

Estimated Time per Respondent: 1.7 hours.

Total Burden Hours: 5,967.

Total Annualized Capital/Startup Costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $5,585.

Description: Requires that a roof control plan and revisions thereof suitable to the roof conditions and mining system of each coal mine be approved by MSHA before implementation by the mine operator. Also requires the mine operator to plot on a mine map each unplanned roof or rib fall and coal or rock burst that occurs in the active workings when certain criteria are met.

Type of Review: Extension of a currently approved collection.

Agency: Mine Safety and Health Administration.

Title: Notification of commencement of Operations and closing of Mines.

OMB Number: 1219–0092.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 2,300.

Estimated Time per Respondent: 0.125 hours.

Total Burden Hours: 259 hours.

Total Annualized Capital/Startup Costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $1,442.

Description: Under 30 C.F.R. 56.1000 and 57.1000, operators of metal and nonmetal mines must notify the Mine Safety and Health Administration (MSHA) when the operation of a mine will commence or when a mine is closed. Openings and closings of mines are dictated by the economic strength of the commodity mined, and by weather conditions which prevail at the mine site during various seasons.

Type of Review: Extension of a currently approved collection.

Agency: Employment and Training Administration.

Title: Trade Adjustment Assistance/NAFTA (Financial Status/Requests for Funds Report).

OMB Number: 1205–0275.

Form Number: ETA–9023.

Affected Public: State, Local, or Tribal Government.

Report activity	Number of respondents	Frequency	Total number of responses	Average time per response (hours)	Total burden (hours)
TAA	50	5	250	2	500
NAFTA	50	5	250	2	500
Totals	50	10	500	2	1000

Total Annualized Capital/Startup Costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $26,000.

Description: The Department of Labor requires financial data for the Trade Adjustment Assistance (TAA) program administered by States which are not available from the Standard Form 269. The required data are necessary in order to meet statutory requirements prescribed in Public Law 100–418, the Omnibus Trade and Competitiveness Act of 1988 and the North American Free Trade Agreement Implementation Act (Pub. L. 103–182) in accordance with section 250 (a) Subchapter D, Chapter 2, Title II of the Trade Act of 1974.

Karin G. Kurz,

Acting Departmental Clearance Officer.

[FR Doc. 00–5341 Filed 3–3–00; 8:45 am]

BILLING CODE 4510–22–M

DEPARTMENT OF LABOR

Employment and Training Administration

Office of Workforce Security; Proposed Collection; Comment Request

AGENCY: Employment and Training Admininstration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension of the ETA 191, Statement of Expenditures and Financial Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Service members. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before May 5, 2000.

ADDRESSES: Sharon L. Jones, U.S. Department of Labor, Employment And Training Administration, Office Of Workforce Security, Room S4231, 200 Constitution Ave, NW, Washington, DC, 20210; telephone number (202) 219–5312 ext. 373 (this is not a toll—free number); fax (202) 219–8506.

SUPPLEMENTARY INFORMATION:

I. Background

Public Law 97–362, Miscellaneous Revenue Act of 1982 amended the Unemployment Compensation for Ex-Service members (UCX) law (5 USC 8509) and Public Law 96–499, Omnibus Reconciliation Act amended the Unemployment Compensation for Federal Employees (UCFE) law (5 USC 8501, *et. seq.*) requiring each Federal employing agency to pay the costs of regular and extended UCFE/UCX benefits paid to its employees by the State employment security agencies (SESAs). The ETA 191 report submitted quarterly by each SESA show the amount of benefits that should be charged to each Federal employing agency. The Employment and Training Administration uses this information to aggregate the SESA quarterly charges and submit one official bill to each Federal agency being charged. Federal agencies then reimburse the Federal Employees Compensation (FEC) Account, maintained by the U.S. Treasury.

II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

III. Current Actions

This collection continues to be needed to assure that the provisions of law are met regarding the requirement for each Federal agency to meet its obligations for paying for its unemployment compensation costs and to assure that SESAs are reimbursed properly for their expenditures of UCFE and UCX benefit on behalf of the Federal agencies.

Type of Review: Extension (without change).

Agency: Employment and Training Administration.

Title: ETA 191, Statement of Expenditures and Adjustments of Federal Funds for Unemployment Compensation for Federal Employees and Ex-Service members (UCFE/UCX).

OMB Number: 1205–0162.

Agency Number: ETA 191.

Affected Public: State Government.

Total Respondents: 53.

Frequency: Quarterly.

Total Responses: 212.

Average Time per Response: 1.

Estimated Total Burden Hours: 212.

Total Burden Cost (operating/maintaining): $5,300. Comments submitted in response to this comment request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 23, 2000.

Grace A. Kilbane,

Administrator, Office Of Workforce Security.

[FR Doc. 00–5340 Filed 3–3–00; 8:45 am]

BILLING CODE 4510–30–U

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL–1–93]

Wyle Laboratories, Inc.; Application for Renewal of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: This notice announces the application of Wyle Laboratories, Inc. (Wyle), for renewal of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

DATES: Comments submitted by interested parties must be received no later than May 5, 2000.

ADDRESSES: Send comments concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N3653, Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program at the above address, or phone (202) 693–2110.

Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Wyle Laboratories, Inc. (Wyle), has applied for renewal of its current recognition as a Nationally Recognized Test Laboratory (NRTL). Wyle requests renewal for its existing scope of recognition.

OSHA recognition of an NRTL signifies that the organization has meet the legal requirements in § 1910.7 of Title 29, Code of Federal Regulations (29 CFR 1910.7). Recognition is an acknowledgement that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition, and is not a delegation or grant of government authority. As a result of recognition, OSHA can accept products ''properly certified'' by the NRTL. OSHA processes applications related to an NRTL's recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish this public notice of the preliminary finding on an application.

The most recent notices published by OSHA for Wyle's recognition covered an expansion of recognition for additional test standards and programs, which OSHA announced on July 12, 1996 (61 FR 36764) and granted on November 20, 1996 (61 FR 59115). The only other notices that OSHA has published for Wyle covered its initial recognition, which OSHA announced on January 6, 1994 (59 FR 783) and granted on July 22, 1994 (59 FR 37509). The renewal would incorporate all recognitions granted to Wyle through the date of publication of this preliminary finding.

The current address of the Wyle facility recognized by OSHA is: Wyle Laboratories, 7800 Highway 20 West, P.O. Box 077777, Huntsville, Alabama 35807.

General Background on the Applicant and the Application

Wyle has submitted a request, dated August 19, 1998 (see Exhibit 15), to renew its recognition as an NRTL. The letter requested renewal for its existing scope of recognition, which includes the facility listed above, and 122 test standards and 8 supplemental programs. However,some of the test standards for which Wyle is currently recognized have been withdrawn by the standards developing organization. As appropriate, OSHA has eliminated or replace these test standards in the list shown below.

Wyle was first recognized as an NRTL in 1994 and, at the time, it was part of Wyle Laboratories, a publicly-held corporation first established in 1949. In 1995, Wyle informed OSHA (see Exhibit 13) that it had become a ''privately held company incorporated in the State of Delaware.'' The ''new'' company name was also ''Wyle Laboratories.'' In 1997, the NRTL informed OSHA of the sale of its ''Electronic Enclosures Division,'' and requested that OSHA remove a condition that the Agency had imposed in the notice of Wyle's recognition. This condition excluded from the recognition any testing and certification of an ''enclosure cabinet manufactured or distributed by Wyle.'' OSHA granted this request on January 16, 1998 (63 FR 2700).

Test Standards

Wyle seeks renewal of its recognition for testing and certification of products to demonstrate compliance to the following one hundred thirty nine (139 test standards, all of which OSHA has determined are appropriate, as prescribed by 29 CFR 1910.7(c). As mentioned, some of these standards are substitutes for the test standard that OSHA originally recognized for Wyle. As is the case for any NRTL, Wyle's recognition for a particular test standard is limited to equipment or materials (i.e., products) for which OSHA standards require third party testing and certification before use in the workplace. As a result, OSHA's recognition of an NRTL for a test standard excludes any product(s), falling within the scope of the test standard, for which OSHA has no such requirements.

ANSI/UL 8 Foam Fire Extinguishers
ANSI/UL 20 General-Use Snap Switches
ANSI/UL 22 Amusement and Gaming Machines
ANSI/UL 44 Rubber-Insulated Wires and Cables
ANSI/UL 45 Portable Electric Tools
ANSI/UL 48 Electric Signs
ANSI/UL 62 Flexible Cord and Fixture Wire
ANSI/UL 65 Wired Cabinets
ANSI/UL 67 Panelboards
ANSI/UL 73 Motor-Operated Appliances
ANSI/UL 83 Thermoplastic-Insulated Wires and Cables
ANSI/UL 92 Fire Extinguisher and Booster Hose
ANSI/UL 98 Enclosed and Dead-Front Switches
ANSI/UL 153 Portable Electric Lamps
ANSI/UL 154 Carbon-Dioxide Fire Extinguishers
ANSI/UL 187 X-Ray Equipment
ANSI/UL 198B Class H Fuses
ANSI/UL 199C High-Interrupting-Capacity Fuses, Current-Limiting Types
ANSI/UL 198D Class K Fuses
ANSI/UL 198E Class R Fuses
ANSI/UL 198F Plug Fuses
ANSI/UL 198G Fuse for Supplementary Overcurrent Protection
ANSI/UL 198H Class T Fuses
ANSI/UL 198L DC Fuses for Industrial Use
ANSI/UL 244A Solid-State Controls for Appliances
ANSI/UL 299 Dry Chemical Fire Extinguishers
ANSI/UL 363 Knife Switches
ANSI/UL 393 Indicating Pressure Gauges for Fire-Protection Service
ANSI/UL 429 Electrically Operated Values
UL 444 Communications Cables
ANSI/UL 466 Electric Scales
ANSI/UL 467 Grounding and Bonding Equipment

ANSI/UL 484 Room Air Conditioners
ANSI/UL 486B Wire Connectors for Use With Aluminum Conductors
ANSI/UL 486C Splicing Wire Connectors
ANSI/UL 486D Insulated Wire Connectors for Use with Underground Conductors
ANSI/UL 489 Molded-Case Circuit Breakers and Circuit-Breaker Enclosures
ANSI/UL 497A Secondary Protectors for Communication Circuits
ANSI/UL 498 Attachment Plugs and Receptacles
ANSI/UL 499 Electric Heating Appliances
ANSI/UL 506 Specialty Transformers
ANSI/UL 507 Electric Fans
ANSI/UL 508 Industrial Control Equipment
ANSI/UL 510 Insulating Tape
ANSI/UL 512 Fuseholders
ANSI/UL 539 Single and Multiple Station Heat Detectors
ANSI/UL 541 Refrigerated Vending Machines
UL 544 Electric Medical and Dental Equipment
ANSI/UL 626 2½Gallon Stored-Pressure Water-Type Fire Extinguishers
ANSI/UL 698 Industrial Control Equipment for Use in Hazardous (Classified) Locations
ANSI/UL 711 Rating and Fire Testing of Fire Extinguishers
ANSI/UL 745–1 Portable Electric Tools
ANSI/UL 745–2 Particular Requirements of Drills
ANSI/UL 745–2–2 Particular Requirements for Screwdrivers and Impact Wrenches
ANSI/UL 745–2–3 Particular Requirements for Grinders, Polishers, and Disk-Type Sanders
ANSI/UL 745–2–4 Particular Requirements for Sanders
ANSI/UL 745–2–5 Particular Requirements for Circular Saws and Circular Knives
ANSI/UL 745–2–6 Particular Requirements for Hammers
ANSI/UL 745–2–8 Particular Requirements for Shears and Nibblers
ANSI/UL 745–2–9 Particular Requirements for Tappers
ANSI/UL 745–2–11 Particular Requirements for Reciprocating Saws
ANSI/UL 745–2–12 Particular Requirements for Concrete Vibrators
ANSI/UL 745–2–14 Particular Requirements for Planers
ANSI/UL 745–2–17 Particular Requirements for Routers and Trimmers
ANSI/UL 745–2–30 Particular Requirements for Staplers
ANSI/UL 745–2–31 Particular Requirements for Diamond Core Drills
ANSI/UL 745–2–32 Particular Requirements for Magnetic Drill Presses
ANSI/UL 745–2–33 Particular Requirements for Portable Bandsaws
ANSI/UL 745–2–34 Particular Requirements for Strapping Tools
ANSI/UL 745–2–35 Particular Requirements for Drain Cleaners
ANSI/UL 745–2–36 Particular Requirements for Hand Motor Tools
ANSI/UL 745–2–37 Particular Requirements for Plate Jointer
ANSI/UL 796 Printed-Wiring Boards
ANSI/UL 813 Commercial Audio Equipment
ANSI/UL 817 Cord Sets and Power-Supply Cords
ANSI/UL 845 Motor Control Centers
ANSI/UL 854 Service-Entrance Cables
ANSI/UL 863 Time-Indicating and -Recording Appliances
ANSI/UL 877 Circuit Breakers and Circuit-Breaker Enclosure for Use in Hazardous (Classified) Locations
ANSI/UL 894 Switches for Use Hazardous (Classified) Locations
ANSI/UL 916 Energy Management Equipment
ANSI/UL 917 Clock-Operated Switches
ANSI/UL 924 Emergency Lighting and Power Equipment
ANSI/UL 943 Ground-Fault Circuit-Interrupters
ANSI/UL 961 Electric Hobby and Sports Equipment
ANSI/UL 977 Fused Power-Circuit Devices
ANSI/UL 998 Humidifiers
ANSI/UL 1004 Electric Motors
ANSI/UL 1008 Automatic Transfer Switches
ANSI/UL 1012 Power Supplies
ANSI/UL 1018 Electric Aquarium Equipment
UL 1022 Line Isolation Monitors
ANSI/UL 1028 Hair Clipping and Shaving Appliances
ANSI/UL 1047 Isolated Power Systems Equipment
ANSI/UL 1053 Ground-Fault Sensing and Relaying Equipment
ANSI/UL 1054 Special-Use Switches
ANSI/UL 1058 Halogenated Agent Extinguishing System Units
UL 1059 Terminal Blocks
ANSI/UL 1066 Low-Voltage AC and DC Power Circuit Breakers Used in Enclosures
ANSI/UL 1069 Hospital Signaling and Nurse-Call Equipment
ANSI/UL 1077 Supplementary Protectors for Use in Electrical Equipment
ANSI/UL 1087 Molded-Case Switches
UL 1091 Butterfly Valves for Fire-Protection Service
ANSI/UL 1093 Halogenated Agent Fire Extinguishers
ANSI/UL 1097 Double Insulation Systems for Use in Electrical Equipment
ANSI/UL 1236 Battery Chargers
UL 1244 Electrical and Electronic Measuring and Testing Equipment
ANSI/UL 1254 Pre-Engineered Dry Chemical Extinguishing Systems Units
ANSI/UL 1262 Laboratory Equipment
ANSI/UL 1283 Electromagnetic Interference Filters
ANSI/UL 1310 Class 2 Power Units
ANSI/UL 1411 Transformers and Motor Transformer for Use in Audio-Radio-, and Television-Type Appliances
ANSI/UL 1412 Fusing Resistors and Temperature-Limited Resistors for Radio- and Television-Type Appliances
ANSI/UL 1416 Overcurrent and Overtemperature Protectors for Radio- and Television-Type Appliances
ANSI/UL 1424 Cables for Power-Limited Fire-Alarm Circuits
ANSI/UL 1429 Pullout Switches
UL 1437 Electrical Analog Instruments—Panel Board Types
UL 1449 Transient Voltage Surge Suppressors
ANSI/UL 1459 Telephone Equipment
ANSI/UL 1474 Adjustable Drop Nipples for Sprinkler Systems
ANSI/UL 1481 Power Supplies for Fire-Protective Signaling Systems
ANSI/UL 1486 Quick Opening Devices for Dry Pipe Valves for Fire-Protection Service
ANSI/UL 1557 Electrically Isolated Semiconductor Devices
ANSI/UL 1564 Industrial Battery Chargers
ANSI/UL 1570 Fluorescent Lighting Fixtures
ANSI/UL 1571 Incandescent Lighting Fixtures
ANSI/UL 1577 Optical Isolaters
ANSI/UL 1585 Class 2 and Class 3 Transformers
UL 1604 Electrical Equipment for Use in Class I and II, Division 2, and Class III Hazardous (Classified) Locations
ANSI/UL 1664 Immersion-Detection Circuit-Interrupters
ANSI/UL 1673 Electric Space Heating Cables
ANSI/UL 1682 Plugs, Receptacles, and Cable Connectors, of the Pin and Sleeve Type
ANSI/UL 1778 Uninterruptible Power Supply Equipment
UL 1863 Communication Circuit Accessories
ANSI/UL 1876 Isolating Signal and Feedback Transformers for Use in Electronic Equipment

ANSI/UL 1950 Information Technology Equipment, Including Electrical Business Equipment
ANSI/UL 1995 Heating and Cooling Equipment
ANSI/UL 2006 Halon 1211 Recovery/Recharge Equipment
UL 2111 Overheating Protection for Motors

The designations and titles of the above test standards were current at the time of the preparation of this notice.

Programs and Procedures

In its renewal, Wyle also seeks continued use of the supplemental programs listed below, based upon the criteria detailed in the March 9, 1995 **Federal Register** notice (60 FR 12980, 3/9/95). This notice lists nine (9) programs and procedures (collectively, programs), eight of which (called supplemental programs) an NRTL may use to control and audit, but not actually to generate, the data relied upon for product certification. An NRTL's initial recognition will always include the first or basic program, which requires that all product testing and evaluation be performed in-house by the NRTL that will certify the product. OSHA previously granted Wyle recognition to use these programs, which are listed in OSHA's informational web page on the Wyle recognition.

Program 2: Acceptance of testing data from independent organizations, other than NRTLs.

Program 3: Acceptance of product evaluations from independent organizations, other than NRTLs.

Program 4: Acceptance of witnessed testing data.

Program 5: Acceptance of testing data from non-independent organizations.

Program 6: Acceptance of evaluation data from non-independent organizations (requiring NRTL review prior to marketing).

Program 7: Acceptance of continued certification following minor modifications by the client.

Program 8: Acceptance of product evaluations from organizations that function as part of the International Electrotechnical Commission Certification Body (IEC–CB) Scheme.

Program 9: Acceptance of services other than testing or evaluation performed by subcontractors or agents.

OSHA developed the program descriptions to limit how an NRTL may perform certain aspects of its work and to accept the activities covered under a program only when the NRTL meets certain criteria. In this sense, they are special conditions that the Agency places on an NRTL's recognition. OSHA does not consider these programs in determining whether an NRTL meets the requirements for recognition under 29 CFR 1910.7. However, OSHA does treat these programs as one of the three elements that defines an NRTL's scope of recognition.

Preliminary Finding on the Application

Wyle has submitted an acceptable request for renewal of its recognition as an NRTL. In connection with the request, OSHA performed an on-site assessment (review) of Wyle's facility in Huntsville, Alabama, on August 3–5, 1999. Discrepancies noted by the assessor during the on-site review were addressed by Wyle following the on-site evaluation and are factored into the recommendation in the non-site review report (see Exhibit 16).

Following a review of the application file, the on-site review report, and other pertinent documents, the NRTL Program staff has concluded that OSHA can grant to Wyle the renewal of its recognition as an NRTL to use the facility, test standards, and programs, listed above, with any limitations to be applied as noted. The staff therefore recommended to the Assistant Secretary that the application be preliminarily approved.

Based upon the recommendation of the staff, the Assistant Secretary has made a preliminary finding that the Wyle Laboratories, Inc., can meet the requirements, as prescribed by 29 CFR 1910.7, for renewal of its recognition, subject to any limitations described above. This preliminary finding does not constitute an interim or temporary approval of the application.

OSHA welcomes public comments, in sufficient detail, as to whether Wyle has met the requirements of 29 CFR 1910.7 for renewal of its recognition as a Nationally Recognized Testing Laboratory. Your comment should consist of pertinent written documents and exhibits. To consider a comment, OSHA must receive it at the address provided above (see **ADDRESS**), no later than the last date for comments (see **DATES** above). You may obtain or review copies of Wyle's request, the on-site review report, and all submitted comments, as received, by contacting the Docket Office, Room N2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. You should refer to Docket No. NRTL–1–93, the permanent record of public information on the Wyle recognition.

The NRTL Program staff will review all timely comments and, after resolution of issues raised by these comments, will recommend whether to grant Wyle's application for renewal of recognition. The Assistant Secretary will make the final decision on granting the renewal and, in making this decision, may undertake other proceedings prescribed in Appendix A to 29 CFR Section 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

Signed at Washington, DC this 18th day of February, 2000.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 00–5342 Filed 3–3–00; 8:45 am]

BILLING CODE 4510–26–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 00–024]

NASA Advisory Council, Aero-Space Technology Advisory Committee, Aviation Safety Reporting System Subcommittee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration announces a NASA Advisory Council, Aero-Space Technology Advisory Committee, Aviation Safety Reporting System Subcommittee meeting.

DATES: Tuesday, March 28, 2000, 9:00 a.m. to 5:00 p.m. and Wednesday, March 29, 2000, 9:00 a.m. to 2:00 p.m.

ADDRESSES: Airline Pilots Association International, 535 Herndon Parkway, Conference Room 3, Herndon, VA 20170.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Connell, National Aeronautics and Space Administration, Ames Research Center, Moffett Field, CA 94035, 650/969–8340.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. Agenda topics for the meeting are as follows:

—Report on Aviation Safety Reporting System
—Report on Aviation Performance Measuring System Program
—Report on NASA Aviation Safety Program Elements Related to Aviation Safety Reporting System/Aircraft Performance Monitoring System

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitors register.

Dated: March 1, 2000.

Matthew M. Crouch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 00–5350 Filed 3–3–00; 8:45 am]

BILLING CODE 7510–01–U

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

DATES: Requests for copies must be received in writing on or before April 20, 2000. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

ADDRESSES: To request a copy of any records schedule identified in this notice, write to the Life Cycle Management Division (NWML), National Archives and Records Administration (NARA), 8601 Adelphi Road, College Park, MD 20740–6001. Requests also may be transmitted by FAX to 301–713–6852 or by e-mail to records.mgt@arch2.nara.gov. Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

FOR FURTHER INFORMATION CONTACT: Marie Allen, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740–6001. Telephone: (301)713–7110. E-mail: records.mgt@arch2.nara.gov.

SUPPLEMENTARY INFORMATION: Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too, includes information about the records. Further information about the disposition process is available on request.

Schedules Pending

1. Department of Justice, United States Attorneys Offices (N1–118–99–1, 12 items, 12 temporary items). Automated case management and collections systems records. Systems are used to track and maintain information on pending workloads and generate reports and correspondence. Included are such records as input documents, master files, outputs, systems documentation, and electronic copies of documents created using electronic mail and word processing. Annual compilations of case data accumulated by the Executive Office for United States Attorneys are proposed for permanent retention in Disposition Job N1–60–99–1 (see below).

2. Department of Justice, Executive Office for United States Attorneys (N1–60–99–1, 17 items, 14 temporary items). Automated case management and collections systems records. Systems are used for statistical analysis and to generate reports and correspondence. Included are such records as input data forwarded from United States Attorneys Offices, master files, monthly and quarterly reports, systems documentation, and electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are such records as a subset, in electronic form, of annual national aggregate case data, with related systems documentation, and annual statistical reports.

3. Department of Commerce, Bureau of the Census (N1–29–00–2, 62 items, 44 temporary items). Comprehensive schedule pertaining to all textual and electronic records of the 2000 Decennial Census, except the paper questionnaire forms and Individual Census Record File which are proposed for disposition in Disposition Job No. N1–29–00–1. The schedule covers six major processes of the decennial census: Address list development, data collection, data capture, data processing, accuracy and coverage evaluations, and final Decennial Census data products. Also included are related program and administrative records such as publications and reports, Census pre-test and Dress Rehearsal questionnaires and related records, and contracts and related records. Records proposed for disposal include address lists and map update records, block canvassing, special place and group quarters

inventories, local updates to census address lists, new construction lists, updates or revisions to census maps in electronic format, update/leave questionnaires, urban update/leave questionnaires, list enumeration and address registers, updates and revisions to the Master Address File, questionnaires, maps, and address registers created for special enumerations, respondent data collected by telephone assistance and through the Internet response program, operations and control records, electronic images of scanned paper questionnaires and forms, unprocessed electronic source files of information captured from the electronic images, the Decennial Response File, the Census Unedited File, the Census Unedited File Sample, the Census Edited File, the Census Edited File Sample, the Accuracy and Coverage Evaluation (ACE) address lists, ACE telephone interview records, personal interview records and maps, dual system estimates, ACE support and management records, Census 2000 contracts and related records, census pretest and Dress Rehearsal records, and records created using electronic mail and word processing applications. Records proposed for permanent retention include the final Census 2000 electronic map files, the final electronic Decennial Master Address File and documentation, the Census 2000 Detail File, the Hundred Percent Estimated Detail File, the Sample Estimated Detail File, the State Populations Totals File, the Redistricting Data File, the Block-Level Data File, the statistically corrected and uncorrected Hundred Percent Data Summary Files, the Sample Data Summary File, the Public Use Microdata Sample Files, the statistically corrected and uncorrected Congressional District Data Summary Files, all other final data products created for island areas or other special demographic or geographic enumerations, Decennial Census publications and reports, and Dress Rehearsal publications and reports.

Dated: March 2, 2000.

Geraldine Phillips,

Acting Assistant Archivist for Record Services—Washington, DC.

[FR Doc. 00–5450 Filed 3–3–00; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Intent To Seek Approval To Extend an Information Collection

AGENCY: National Science Foundation.

ACTION: Submission for OMB review; comment request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104–13. This is the second notice for public comment; the first was published in the **Federal Register** at 65 FR 1182 (January 7, 2000), and no comments were received. NSF is forwarding the proposed renewal submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice.

COMMENTS: Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; or (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques for other forms of information technology should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725—17th Street, NW, Room 10235, Washington, DC 20503, and to Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 295, Arlington, Virginia 22230 or send e-mail to splimpto@nsf.gov.

DATES: Comments regarding these information collections are best assured of having their full effect if received on or before April 5, 2000. Copies of the submission(s) may be obtained at 703–306–1125 X 2017.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, NSF Reports Clearance Officer at (703) 306–1125 X 2017 or send email to splimpto@nsf.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

SUPPLEMENTARY INFORMATION:

Title of Collection: Survey of Earned Doctorates.

OMB Approval Number: 3145–0019.

Proposed Project: The Survey of Earned Doctorates has been conducted continuously since 1958 and is jointly sponsored by five Federal agencies in order to avoid duplication. It is an accurate, timely source of information on our Nation's most precious resource—highly educated individuals. Data is obtained from each person earning a research doctorate on their field of speciality, educational background, sources of support in graduate school, postgraduation plans for employment, and demographic characteristics. The information is used extensively by the Federal government, universities, and others. The National Science Foundation, as the lead agency, publishes statistics from the survey in many reports, but primarily in the manual publication series ''Science and Engineering Doctorates'' (available in print and electronically on the World Wide Web). The National Opinion Research Corporation, U. of Chicago, also disseminates a free report entitled ''Doctorate Recipients from U.S. Universities: Summary Report 1998.''

A total response rate of 92% of the total 42,683 persons who earned a research doctorate was obtained in fiscal year 1998.

Estimate of Burden

The Foundation estimates that, on average, 20 minutes per respondent will be required to complete the survey, for a total of 14,228 hours for all respondents.

Respondents: Individuals.

Estimated Number of Responses: 42,683 (FY 1998 number)

Estimated Total Annual Burden on Respondents: 14,228 hours total (FY 1998 number).

March 1, 2000.

Suzanne H. Plimpton,

NSF Reports Clearance Officer.

[FR Doc. 00–5347 Filed 3–3–00; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* Generic Customer Satisfaction Survey.
2. *Current OMB approval number:* None.
3. *How often the collection is required:* Occasionally.
4. *Who is required or asked to report:* Voluntary reporting by the public and NRC licensees.
5. *The number of annual respondents:* 1225.
6. *The number of hours needed annually to complete the requirement or request:* 306.
7. *Abstract:* Voluntary customer satisfaction surveys will be used to contact users of NRC services and products to determine their needs, and how the Commission can improve its services and products to better meet those needs. In addition, focus groups will be contacted to discuss questions concerning those services and products. Results from the surveys will give insight into how NRC can make its services and products cost effective, efficient, and responsive to its customer needs. Each survey will be submitted to OMB for its review.

Submit, by May 5, 2000, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (http://www.nrc.gov/NRC/PUBLIC/OMB/index.html). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T–6 E6, Washington, DC 20555–0001, by telephone at 301–415–7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 28th day of February 2000.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Office, Office of the Chief Information Officer

[FR Doc. 00–5339 Filed 3–3–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–374]

Commonwealth Edison Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF–18 issued to Commonwealth Edison Company (ComEd, the licensee) for operation of LaSalle County Station Unit 2, located in LaSalle County, Illinois.

The proposed amendment would change the Technical Specifications (TSs) to defer the required examination of weld RH–2005–29 until the next scheduled refueling outage or December 31, 2000, whichever is earlier.

TS Section 3.4.8, ''Structural Integrity,'' requires the structural integrity of American Society of Mechanical Engineers (ASME) Class 1 components to be maintained in accordance with the surveillance requirements of TS Section 4.4.8, ''Structural Integrity.'' TS Section 4.4.8 invokes the surveillance requirements (SR) of TS SR 4.0.5. TS SR 4.0.5.f requires that piping susceptible to intergranular stress corrosion cracking (IGSCC) be examined in accordance with the NRC staff positions on schedule, methods, personnel and sample expansion included in NRC Generic Letter (GL) 88–01, ''NRC Position on IGSCC in BWR Austenitic Stainless Steel Piping.''

At 1527 hours Central Standard Time (CST) on February 17, 2000, the licensee entered TS SR 4.0.3 due to a missed TS surveillance requirement to examine weld RH–2005–29. TS SR 4.0.3 allows 24 hours to perform the surveillance or pursue enforcement discretion. Without enforcement discretion, LaSalle County Station Unit 2 would have been required to be in at least STARTUP within the next 7 hours, HOT SHUTDOWN within the following 6 hours, and COLD SHUTDOWN within the subsequent 24 hours, since the action statement of TS Section 3.4.8 could not be complied with due to current plant conditions in accordance with TS Section 3.0.3. The licensee requested enforcement discretion from the requirements of TS 3.4.8 on February 18, 2000. The NRC verbally granted enforcement discretion at approximately 1130 hours CST on February 18, 2000, to be effective until a TS change is approved that would allow the examination of weld RH–2005–29 to be deferred until the next refueling outage. The written Notice of Enforcement Discretion (NOED) was issued by the NRC on February 23, 2000. The licensee requested that this proposed TS change be processed on an exigent basis consistent with the guidance provided in NRC Administrative Letter 95–05, ''Revisions to Staff Guidance for Implementing NRC Policy on Notices of Enforcement Discretion, Revision 1.'' The licensee stated that the circumstances surrounding this request for exigent review were unavoidable and not created by a failure to make a timely application for a license amendment.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6), for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or

(3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change represents a minimal increase in the probability of a pipe break resulting in a Loss-of-Coolant Accident (LOCA). The proposed change will not impact the source term used in the derivation of the LOCA dose consequences. Therefore, the consequences will remain unchanged since the resulting LOCA is bounded by the current analysis.

Therefore, the proposed change does not involve a significant increase in the probability or consequence of an accident previously evaluated.

Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not introduce a new mode of plant operation and does not involve a physical modification to the plant. The proposed change does not introduce a new failure mode.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Does the change involve a significant reduction in a margin of safety?

Since the LOCA analysis remains unchanged, the fuel integrity margin, as expressed as Peak Cladding Temperature, is not affected. The change does not impact the Reactor Coolant Pressure Boundary Overpressure Analysis; therefore, the margin of safety for the Reactor Coolant Pressure Boundary is not affected. The blowdown energy, resulting from a LOCA and the ability of the suppression chamber to maintain the margin of safety of the containment barrier are not affected.

Therefore, the changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 5, 2000, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest maybe affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site *(http://www.nrc.gov).* If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which the petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become partners to the proceeding, subject to any limitations in the order granting leave to intervene, and have the

opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Ms. Pamela B. Stroebel, P.O. Box 767, Chicago, Illinois 60690–0767, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated February 21, 2000, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*)

Dated at Rockville, Maryland, this 29th day of February 2000.

For the Nuclear Regulatory Commission.

Donna M. Skay,

Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–5337 Filed 3–3–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–285]

Omaha Public Power District; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Omaha Public Power District (the licensee) to withdraw its January 30, 1998, application for proposed amendment to Facility Operating License No. DPR–40 for the Fort Calhoun Station, Unit 1, located in Washington County, Nebraska.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on April 8, 1998 (63 FR 17226). However, by letter dated January 24, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 30, 1998, and the licensee's letter dated January 24, 2000, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*).

Dated at Rockville, Maryland, this 29th day of February 2000.

For the Nuclear Regulatory Commission.

L. Raynard Wharton,

Project Manager, Section 2, Project Directorate IV and Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–5338 Filed 3–3–00; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 24321; International Series Release No. 1216; 812–10724]

ASA Limited; Notice of Application

February 29, 2000.

AGENCY: Securities and Exchange Commission (''SEC'' or ''Commission'').

ACTION: Notice of application under the Investment Company Act of 1940 (the ''Act'').

SUMMARY OF APPLICATION: The order would permit applicant, ASA Limited (''ASA''), a South African closed-end management investment company registered under section 7(d) of the Act, to maintain its assets with a central securities depository in South Africa. The requested order would amend a prior order.

FILING DATES: The application was filed on July 18, 1997, and amended on December 21, 1999.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 24, 2000, and should be accompanied by proof of service on applicant, in the form of an affidavit, or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549–0609. Applicant, 36 Wierda Road West, Sandton 2196, South Africa.

FOR FURTHER INFORMATION CONTACT: Elaine M. Boggs, Senior Attorney, at (202) 942–0572 or Christine Y. Greenless, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application is available for a fee at the SEC's Public Reference Branch, 450 Fifth Street, N.W., Washington, D.C. 20549–0102 (telephone (202) 942–8090).

Applicant's Representations

1. ASA is a closed-end management investment company organized in 1958

in South Africa. ASA registered under the Act in 1958 pursuant to a Commission order issued under section 7(d) of the Act (the ''Original Order'').[1] ASA's investment objective is to invest primarily in South African gold mining companies. As of August 31, 1999, 90.2% of ASA's net assets consisted of equity securities issued by South African companies that trade primarily on the Johannesburg Stock Exchange (''JSE''). ASA is internally managed, and its shares trade on the New York Stock Exchange (''NYSE'').

2. ASA has received several Commission orders that address, among other things, ASA's custodial arrangements (collectively, and together with the Original Order, the ''Prior Orders'').[2] Under the Prior Orders, ASA, with certain exceptions, is required to keep its assets in the U.S. in the custody of a bank. Thus, ASA currently maintains in the custody of Chase Manhattan Bank (''Chase'') all of the share certificates issued by ASA's South African portfolio companies.

3. The Prior Orders permit ASA to keep up to 33% of its assets abroad—up to 5% of its assets in each of Great Britain, Japan, Canada, Australia, and Switzerland, under certain circumstances, up to 5% of its assets in rand-denominated interest bearing accounts in South Africa, and up to 3% of its assets in South Africa in short term rand-denominated investments issued or guaranteed by the Republic of South Africa.[3] In addition, ASA may maintain $200,000 in cash to cover administrative expenses in a checking account with a South African bank.[4] At present, all of ASA's assets in South Africa are maintained with its subcustodian, Standard Bank of South Africa Limited (''Standard Bank''), except for $200,000 which is kept in a checking account with another South African bank.

4. Until recently, South African equity securities existed and traded only in paper form. In a transition that has begun and will continue through next year, paper certificates will be replaced with an electronic book-entry securities will be maintained electronically with a central securities depository (''CSD System''). Under the CSD System, ownership records of equity securities will be maintained electronically with a central securities depository (''CSD''). Security holders will not directly interact with the CSD but with a ''CSD Participant.'' Once the process of converting to the CSD System is complete, paper certificates will no longer be an acceptable form of ownership to clear and settle securities transactions on the JSE.

5. Currently, JSE owns 50% of the CSD and the CSD Participants, including Standard Bank, own the remaining 50%. CSD Participants are not required to own shares of the CSD and parties other than the CSD Participants may own shares of the CSD in the future. The CSD is regulated by the Financial Services Board (''FSB''), which is an agency of the South African government that supervises the activities of South African financial services institutions.

6. To become a CSD Participant, an entity must meet the CSD's criteria, which include the maintenance of a minimum level of capitalization, the ability to provide certain specialized services to shareholders, and other requirements relating to technology, human resources, internal controls, corporate governance, and risk management. CSD Participants are regulated by either the FSB or the Register of Banks in South Africa. ASA plans to retain Standard Bank, which meets the CSD's criteria for CSD Participants and is a CSD Participant, to be its CSD Participant.

7. Once the CSD System becomes fully operational, in order for JSE listed shares owned by ASA to be tradable on the JSE, the share certificates must be voided and ASA's ownership interests must be recorded electronically in book entry form in the CSD system. This would be prohibited under the terms of the Prior Orders because ASA's assets would not be physically maintained in the U.S. but in the South African CSD System. The requested order would permit ASA to maintain its portfolio securities that trade on the JSE and are eligible for the CSD System (''CSD-Eligible Securities'') in electronic book-entry form with the CSD System in South Africa, rather than in the U.S. in paper share certificates.

Applicant's Legal Analysis

1. Section 7(d) of the Act prohibits a foreign investment company from making a public offering of its securities in the U.S. but authorizes the Commission to permit a foreign investment company to register under the Act and make a public offering of its securities if the Commission finds that ''by reasons of special circumstances or arrangements, it is both legally and practically feasible to enforce the provisions of [the Act] against such company and that the issuance of such order is otherwise consistent with the public interest and protection of investors.'' Rule 7d–1 under the Act sets forth the conditions that a Canadian investment company must satisfy in order to receive an order under section 7(d) Under the Original Order, ASA met the requirements of rule 7d–1.

2. ASA requests an order under section 7(d) to amend the Prior Orders to permit it to maintain its CSD-Eligible Securities in the CSD. ASA states that it s custodian arrangement with the CSD meets the requirements of rule 17f–5 under the Act, which governs foreign custody arrangements of U.S. investment companies, and that the requested relief is consistent with the standards of section 7(d).

3. Rule 17f–5 under the Act permits a U.S. investment company (''fund'') to maintain its assets overseas with an ''Eligible Foreign Custodian.'' Under the rule, an Eligible Foreign Custodian includes ''a securities depository that acts as a system for the central handling of securities or equivalent book-entries in the country that is regulated by a foreign financial regulatory authority, as defined under section 2(a)(50) of the Act.'' ASA states that the CSD meets this definition of an Eligible Foreign Custodian.

4. Under the 17f–5, a fund's board of directors, its investment adviser, or custodian bank (''Foreign Custody Manager'') must determine that the fund's assets in the custody of an Eligible Foreign Custody will be subject to reasonable care, based upon the standards applicable to custodians in the relevant market after considering certain factors. Under rule 17f–5, the custody arrangement also must be governed by a written contract and/or rules, practices and procedures of the securities depository (''governing documents'') that the Foreign Custody Manager determines will provide reasonable care for fund assets. Finally, the Foreign Custody Manager must

[1] Investment Company Act Release Nos. 2739 (July 3, 1958) (notice) and 2756 (Aug. 13, 1958 (order).

[2] Investment Company Act Release Nos. 21161 (June 23, 1995) (notice) and 21220 (July 20, 1995) (order) (permits ASA to appoint Chase Manhattan Bank, N.A. as its custodian and to authorize Chase Manhattan Bank to appoint Standard Bank of South Africa Limited as ASA's sub-custodian); Investment Company Act Release Nos. 17904 (Dec. 17, 1990) (notice) and 17945 (Jan. 15, 1991) (order) (''1991 Order''); Investment Company Act Release Nos. 14826 (Dec. 4, 1985) (notice) and 14878 (Dec. 31, 1985) (order) (''1985 Order''); Investment Company Act Release Nos. 11669 (Mar. 6, 1981) (notice) and 11722 (Apr. 7. 1981) (order); Investment Company Act Release Nos. 8278 (Mar. 20, 1974) (notice) and 8312 (Apr. 17, 1974) (order); Investment Company Act Release Nos. 7860 (June 12, 1973) (notice) and 7894 (July 10, 1973) (order); Investment Company Act Release Nos. 2944 (Dec. 14, 1959) (notice) and 2957 (Dec. 29, 1959) (order); Investment Company Act Release Nos. 2883 (May 22, 1959) (notice) and 2886 (June 9, 1959 (order); and Investment Company Act Release Nos. 2817 (Jan. 5, 1959) (notice) and 2821 (Jan. 20, 1959) (order).

[3] 1985 and 1991 Orders.

[4] 1991 Order.

establish a system to monitor the appropriateness of maintaining the fund's assets with the Eligible Foreign Custodian. ASA states that its board of directors (''Board''), as the Foreign Custody Manager, has approved the maintenance of ASA's assets with the CSD System in accordance with rule 17f–5. The Board concluded that ASA's assets will be subject to reasonable care if maintained with the CSD System in accordance with the governing documents. The Board also concluded that ASA will receive periodic reports concerning material developments affecting the CSD System, which will provide an adequate system for the Board to monitor the appropriateness of maintaining ASA's assets with the CSD under the standards of rule 17f–5.

5. ASA notes that the Commission recently proposed rule 17f–7 under the Act that would govern the custody of fund assets with foreign securities depositories. [5] ASA states that, if proposed rule 17f–7 is adopted, ASA's custodial arrangements with the CSD will be brought into compliance with rule 17f–7 in the same time frame as the Commission would afford U.S. funds.

6. ASA further states that the conditions of the Prior Orders will contine to apply to ASA. ASA states that these conditions are designed, among other things, to address any jurisdictional concerns and otherwise assure the protection of investors. ASA also states that, as a condition to the requested order, it will keep at least 5% of its assets in the U.S. in the custody of a U.S. bank.

Applicant's Conditions

ASA agrees that the Original Order, as amended by any subsequent order, including any order of the SEC granting the requested relief (collectively, the ''ASA Orders''), will be subject to the following conditions:

1. Chase will serve as ASA's custodian and will continue to meet the qualifications of a custodian under section 17(f) of the Act and Standard Bank will serve as Chase's subcustodian in South Africa. As long as Standard Bank holds ASA's assets, Standard Bank will designate Chase as its agent for service of process in the U.S. ASA will comply with rule 17f–5 under the Act, as it may be amended, as if it were a registered management investment company organized or incorporated in the United States with respect to any of its assets held by eligible foreign custodians (including Standard Bank and the CSD) or overseas branches of qualified U.S. banks (including Chase) outside the United States.

2. The Board will serve as foreign custody manager and will not delegate such functions to its custodian or any other person.

3. ASA will seek an order of the Commission prior to any amendment of its custodian agreement with its custodian.

4. ASA will cause each present and future officer, director, investment adviser, principal underwriter, and custodian of ASA to enter into an agreement (''Agreement'') (to be filed by ASA with the Commission when that person assumes office), which will provide that each person agrees: (a) to comply with ASA's Memorandum of Association (''Charter'') and Articles of Association (''Bylaws''), the Act and the rules of the Commission under the Act, and the terms and conditions of the ASA Orders as applicable to each person and as each may be amended from time to time, as applicable to each person; (b) to do nothing inconsistent with the terms and conditions of the ASA Orders, the provisions of the Act, or the rules under the Act; (c) that the undertakings described in (a) and (b) above constitute representations and inducements to the Commission to issue the ASA Orders, and (d) each Agreement constitutes a contract between the person and ASA and the shareholders of ASA with the intent that ASA's shareholders will be beneficiaries of and will have the status of parties to the Agreement so as to enable them to maintain actions at law or in equity within the United States or South Africa. In addition, each Agreement of each officer and director of ASA will contain provisions similar to those contained in condition 21 below. [6]

5. So long as ASA is registered under the Act, ASA's Charter and Bylaws, together, will contain in substance the provisions required by rule 7d–1(b)(8), and neither the Charter nor the Bylaws will be changed or amended in any manner inconsistent with rule 7d–1(b)(8) of the Act and the rules and regulations under the Act, unless authorized by the Commission.

6. No person will qualify to serve as a director or officer of ASA until he or she has transmitted to ASA a list of his or her affiliated persons, as that term is defined in section 2(a)(3) of the Act. ASA will: (a) Require each of its directors, officers, and investment advisers to transmit to ASA quarterly a list of affiliated persons or a statement that there has been no change since the last list so transmitted to ASA; (b) transmit each list to its custodian promptly after receipt by ASA; and (c) transmit to its custodian quarterly a list of its affiliated persons or a statement that there has been no change since the last list was transmitted. The contract between ASA and its custodian will provide that the custodian will not consummate any transaction on behalf of ASA with any person who, on the basis of the lists transmitted to the custodian, is an affiliated person of ASA or an affiliated person of any director, officer, or investment adviser of ASA, unless the transaction is of a type permitted by the Act or any regulation under the Act or specifically permitted by order of exemption issued under the Act.

7. ASA will furnish to the Commission, concurrently with the filing of periodic reports required to be filed under the Act, any changes to its list previously submitted to the Commission of persons affiliated with ASA and with ASA's investment adviser and principal underwriter.

8. The chief executive officer of ASA, a majority of the directors of ASA, and a majority of the officers of ASA will be both citizens and residents of the U.S.

9. ASA will hold all of its shareholder meetings in the U.S.

10. ASA will maintain in the U.S. a transfer agent for transfer of its shares, and a registrar for the registration of its shares.

11. ASA will file, and will cause each of its present or future directors, officers, or investment advisers who is not a resident of the U.S. to file with the Commission irrevocable designation of ASA's custodian as an agent in the U.S. to accept service of process in any suit, action, or proceeding before the Commission or any appropriate court to enforce the provisions of the laws administrated by the Commission, or to enforce any right or liability based upon ASA's Charter or Bylaws, contracts, or the respective undertakings and agreements of any of these persons required by the terms and conditions of the ASA Orders, or which alleges a liability on the part of any of these persons arising out of their services, acts, or transactions relating to ASA.

[5] Investment Company Act Release No. 23815 (April 29, 1999) (proposing amendments to rule 17f–5 and proposing new rule 17f–7).

[6] ASA acknowledges that: (a) Every agreement and undertaking of ASA, its officers, directors, investment adviser, principal underwriters, and custodian which are required by the conditions contained in the ASA Orders constitute (i) inducements to the Commission for the issuance and continuance in effect of the ASA Orders, and (ii) a contract among ASA, the Commission, and ASA's shareholders with the same intent as set forth in condition 4 above; and (b) the failure by ASA or any of the persons listed above to comply with any of the agreements or undertakings, unless permitted by the Commission, will constitute a violation of the ASA Orders.

12. As an exhibit to the application, ASA will file with the Commission an amendment to the subcustodian agreement that irrevocably designates ASA's custodian as an agent in the U.S. to accept service of process in any suit, action, or proceeding (collectively, ''Proceeding'') before the Commission or any appropriate court to enforce the provisions of the laws administered by the Commission in connection with the subcustodian agreement, or to enforce any right or liability (''Liability'') based on the subcustodian agreement or which alleges a liability on the part of Standard Bank arising out of its services, acts, or transactions under the subcustodian agreement relating to ASA's assets. This designation will automatically terminate upon Standard Bank ceasing to hold ASA's assets, except as to a Proceeding or a Liability based on an action or inaction of Standard Bank prior to Standard Bank having ceased holding ASA's assets.

13. ASA will perform every action and thing necessary to cause and assist the custodian of its assets to distribute the same, or the proceeds, if the Commission or a court of competent jurisdiction,[7] will have so directed by final order.

14. ASA will take all steps necessary to insure that it will continue to be listed on the NYSE, including the publishing of financial statements and other information required by the NYSE for the benefit of holders of the shares listed on the NYSE and the performance of all the covenants contained in its listing agreement.

15. The Commission, in its discretion, may revoke its order permitting registration of ASA and the public offering of its securities if the Commission finds, after notice and opportunity for hearing, that there has been a violation of the ASA Orders or the Act and may determine whether distribution of ASA's assets is necessary or appropriate in the interests of investors and may so direct.

16. Neither ASA's Charter nor Bylaws will be changed in any manner inconsistent with the Act, nor will the terms and conditions of the application be changed without approval by the Commission or its staff.

17. ASA waives any counsel fees to which it may be entitled and waives security for costs in any action brought against it in South Africa by any shareholder based on its Charter or Bylaws or any of the terms and conditions of the ASA Orders. ASA will cause each of its present or future directors who is a non-resident of the U.S. to make similar waivers.

18. ASA will promptly notify the Commission in the event that there is any change in South African law that will be contrary to any provision of the Act or detrimental to or inconsistent with the protection afforded by the conditions of the ASA Orders.

19. If proposed rule 17f–7 under the Act is adopted by the Commission, ASA's use of the CSD will comply with the rule and any amendments to the rule as if ASA were a registered management investment company organized or incorporated in the U.S.

20. Any shareholder of ASA or the Commission on its own motion or on request of any ASA's shareholders will have the right to initiate a proceeding: (a) before the Commission for the revocation of the order permitting registration of ASA; or (b) before a court of competent jurisdiction for the liquidation of ASA and a distribution of its assets to its shareholders and creditors. The court may enter the order in the event that it finds, after notice and opportunity for hearing, that ASA, its officers, directors, investment adviser, principal underwriter, or custodian has violated any provision of the Act or the ASA Orders.

21. Any shareholder of ASA will have the right to bring suit at law or equity, in any court of the U.S. or South Africa having jurisdiction over ASA, its assets or any of its officers or directors to enforce compliance by ASA, its officers and directors with any provision of ASA's Charter or Bylaws, the Act, the rules under the Act, or the terms and conditions of the ASA Orders, in so far as applicable to these persons. The court may appoint a trustee or receiver of ASA with all powers necessary to implement the purposes of the suit, including the administration of the estate, the collection of corporate property including chooses-in action, and distribution of ASA's assets to its creditors and shareholders. ASA and its officers and directors waive any objection they may be entitled to raise and any right they may have to object to the power and right of any shareholder of ASA to bring such suit, reserving, however, their right to maintain that they have complied with these provisions, undertakings, and agreements, and otherwise to dispute the suit on its merits. ASA, its officers, and directors also agree that any final judgment or decree of any U.S. court may be granted full faith and credit by a court of competent jurisdiction of South Africa and consent that the South African court may enter judgment or decree on ASA at the request of any shareholder, receiver, or trustee of ASA.

22. ASA will settle its purchases and sales of portfolio securities in the U.S. by use of the mails or means of interstate commerce, except for: (a) Purchases and sales on an ''established securities exchange'' (defined as a national securities exchange as defined in section 2(a)(26) of the Act, the JSE, the London Stock Exchange, the Tokyo Stock Exchange, the Toronto Stock Exchange, the Stock Exchange of Melbourne, Ltd., and the Effektenborsenverein Zurich Exchange (collectively the ''Established Exchanges'')) and (b) purchases and sales, through ASA's custodian or custodian's agent, in South Africa of South African Treasury Bills from or to the South African Treasury, South African Reserve Bank securities, or CSD-Eligible Securities. Assets purchased on an Established Exchange will be maintained in the U.S. with Chase, unless prohibited by law or regulation or financially impracticable as provided in condition 25 below.

23. Contracts of ASA, other than those executed on an Established Exchange which do not involve affiliated persons, will provide that: (a) the contracts, irrespective of the place of their execution or performance, will be performed in accordance with the requirements of the Act, the Securities Act of 1933, and the Securities Exchange Act of 1934, as amended, if the subject matter of the contracts is within the purview of these acts; and (b) in effecting the purchase or sale of assets, the parties to the contracts will utilize the U.S. mails or means of interstate commerce.

24. ASA will keep at least 5% of its assets in the U.S. in the custody of a U.S. bank (''5% Requirement''). ASA's remaining assets (which may include U.S. dollars invested in time deposits and bank certificates of deposit) will be kept in the custody of a U.S. custodian, except:

(a) Subject to the 5% Requirement, up to 100% of its CSD-Eligible Securities may be kept in the CSD through its custodian and subcustodian;

(b) $200,000 may be kept in cash to cover administrative expenses, to be kept in a checking account with a South African bank;

(c) Up to 3% of its assets may be kept in South Africa in short-term rand-denominated investments issued or guaranteed by the Republic of South Africa; and

(d) Up to 5% of its assets may be kept in rand-denominated interest bearing bank accounts with ''eligible foreign custodians'' or ''overseas branches of

[7] A court of competent jurisdiction means any U.S. federal court that has jurisdiction to issue such an order.

qualified United States banks,'' as those terms are defined in rule 17f–5 under the Act (as it may be amended).

25. If removal of securities purchased on the Established Exchanges becomes either prohibited by law or regulation or financially impracticable, up to 5% of ASA's assets may be held by an eligible foreign custodian or overseas branch of Chase in each of London, Japan, Australia, Switzerland, and Canada.

26. If an ''eligible foreign custodian'' or an overseas branch of the custodian is to be appointed as subcustodian, ASA will comply with the requirements of rule 17f–5, as it may be amended, prior to the purchase of securities on an Established Exchange.

27. ASA will withdraw its assets from the care of a subcustodian as soon as practicable, and in any event within 180 days of the date when a majority of the Board makes the determination that a particular subcustodian may no longer be considered eligible under rule 17f–5 of the Act, as it may be amended, or may no longer be considered an overseas branch of the custodian, or that continuance of the subcustodian arrangement would not be consistent with the best interests of ASA asnd its shareholders.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5385 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 24320; 812–11872]

STI Classic Funds, et al.; Notice of Application

February 28, 2000.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application under section 17(b) of the Investment Company Act of 1940 (the ''Act'') for an exemption from section 17(a) of the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain series of a registered open-end management investment company to acquire all of the assets and certain stated liabilities of the series of another registered open-end management investment company. Because of certain affiliations, applicants may not rely on rule 17a–8 under the Act.

APPLICANTS: STI Classic Funds (''STI Funds''), ESC Strategic Funds, Inc. (''ESC Funds'') and SunTrust Banks, Inc. (''SunTrust'').

FILING DATES: The application was filed on December 3, 1999. Applicants have agreed to file an amendment to the application during the notice period, the substance of which is reflected in this notice.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on March 23, 2000, and should be accompanied by proof of service on applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, Commission, 450 Fifth Street, N.W., Washington, D.C. 20549–0609. Applicants, c/o W. John McGuire, Esq., Morgan, Lewis & Bockius LLP, 1800 M Street, N.W. Washington, D.C. 20036–5869.

FOR FURTHER INFORMATION CONTACT: Emerson S. Davis, Sr., Counsel, at (202) 942–0714, or George J. Zornada, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the Commission's Public Reference Branch, 450 Fifth Street, N.W., Washington, D.C. 20549–0102 (telephone (202) 942–8090).

Applicant's Representations

1. STI Funds, a Massachusetts business trust, is registered under the Act as an open-end management investment company and offers thirty-seven series, including the STI Classic Growth and Income Fund (''Growth and Income fund''), STI Small Cap Growth Stock Fund (''Small Cap Growth Fund'') and STI Classic International Equity Fund (''International Equity Fund'') (together, the ''Existing Acquiring Funds'') and a newly established series, STI Classic High Income Fund (''High Income fund'') (together with the Existing Acquiring Funds, the Acquiring Funds''). ESC Funds, a Maryland corporation, is registered under the Act as an open-end management investment company and offers five series, ESC Strategic Small Cap Fund, ESC Strategic Small Cap II Fund, ESC Strategic International Equity Fund, ESC Strategic Appreciation Fund, and ESC Strategic Income Fund (together the ''Acquired Funds'') (the Acquired Funds and the Acquiring Funds, the ''Funds'').

2. SunTrust, a Georgia corporation, is a bank holding company and the parent of Trusco Capital Management, Inc. (''Trusco'') and STI Capital Management, N.A. (''STI Capital''). Trusco is registered under the Investment Advisers Act of 1940 (the ''Advisers Act'') and is the investment adviser to the Growth and Income Fund, High Income Fund and Small Cap Growth Fund. STI Capital, a bank, is exempt from registration under the Advisers Act and is the investment adviser to the International Equity Fund. SunTrust Equitable Securities (''STES''), a wholly-owned subsidiary of SunTrust, and an investment adviser registered under the Advisers Act, is the investment adviser to each of the Acquired Funds. Currently, bank subsidiaries of SunTrust own in the aggregate, in a fiduciary capacity, 25% or more of the outstanding voting securities of each of the Existing Acquiring Funds and 5% or more of the outstanding voting securities of three of the acquired Funds.

3. On January 15, 2000 and February 15, 2000, the board of trustees of the Acquired Funds and the board of directors of the Existing Acquiring Funds (together, the ''Boards''), respectively, including all the trustees and directors who are not ''interested persons,'' as defined in section 2(a)(19) of the Act (''Independent Directors''), approved a plan of reorganization between the Funds (the ''Plan''). Under the Plan, on the date of exchange (''Closing Date''), each Acquiring Fund will acquire all the assets and certain stated liabilities of the corresponding Acquired Fund or Funds in exchange for shares of the Acquiring Fund (the ''Reorganization'').[1] The shares of each Acquiring Fund exchanged will have an aggregate net asset value equal to the aggregate net asset value of the Acquired Fund's shares determined as of the close of business on the business day immediately before the Closing Date. The net asset value of the assets received by the Acquired Fund will be

[1] Under the Plan, the Acquired Fund will merge into the Existing Acquiring Funds as follows: On March 27, 2000, the ESC Strategic Small Cap Fund and Small Cap Fund II will merge into the Small Cap Growth Fund, the ESC Strategic International Equity Fund will merge into the International Equity Fund, and the ESC Strategic Appreciation Fund will merge into the Growth and Income Fund. On March 28, 2000, the ESC Strategic Income Fund will merge into the High Income Fund.

determined in the manner set forth in the Funds' current prospectus and statement of additional information. As soon as reasonably practical after the applicable Closing Date, each Acquired Fund will liquidate and distribute *pro rata* the shares of the Acquiring Fund to the shareholders of the Acquired Fund.

4. Applicants state that the investment objectives, policies and restrictions of each Acquired Fund are substantially similar to those of its corresponding Acquiring Fund. The Acquired Funds each offer Class A shares and Class D shares. Both Class A and Class D shares have a front-end sales load and are subject to a distribution fee adopted under rule 12b–1 under the Act. The Acquiring Funds each offer: (a) Investor shares, which are subject to a front-end sales charge and rule 12b–1 distribution fee, and (b) Flex Shares, which are subject to a rule 12b–1 distribution fee and a contingent deferred sales charge (''CDSC'').[2] Shareholders of Class A and Class D shares of the Acquired Funds will receive Investor and Flex Shares, respectively, of the corresponding Acquiring Fund.[3] The CDSC for the Flex Shares of each Acquiring Fund will be waived for shares issued to shareholders of the Acquired Funds as a result of the Reorganization. No sales charges will be imposed in connection with the Reorganization. The Acquired Funds will pay a portion of the Reorganization expenses as determined by their Board, including all of the Independent Directors, and all remaining expenses will be paid by STES and/or SunTrust.

5. The Boards, including all of the Independent Directors, determined that the Reorganization is in the best interests of the shareholders of each Fund, and that the interests of the existing shareholders of each Fund would not be diluted as a result of the Reorganization. In assessing the Reorganization, the Boards considered various factors, including: (a) The compatibility of the investment objectives, policies and limitations of the Acquired and corresponding Acquiring Funds; (b) the expense ratios of the Acquired and Acquiring Funds; (c) the terms and conditions of the Reorganization; (d) the tax-free nature of the Reorganization; and (e) the potential economies of scale to be gained from the Reorganization.

6. The Reorganization is subject to a number of conditions precedent, including that: (a) The shareholders of each Acquired Fund will have approved the Plan; (b) the Funds will have received opinions of counsel that the Reorganization will be tax-free for the Funds and their shareholders; and (c) applicants will receive from the Commission an exemption from section 17(a) of the Act for the Reorganization. The Plan may be terminated and the Reorganization abandoned at any time prior to either Closing Date by either Board if it is determined that circumstances have changed to make the Reorganization inadvisable. Applicants agree not to make any material changes to the Plan without prior Commission approval.

7. Definitive proxy materials have been filed with the Commission and were mailed to shareholders of the Acquired Funds on or about January 31, 2000. A special meeting of shareholders of the Acquired Funds is scheduled for March 22, 2000.

Applicants' Legal Analysis

1. Section 17(a) of the Act, in relevant part, prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, acting as principal, from selling any security to, or purchasing any security from, the company. Section 2(a)(3) of the Act defines an ''affiliated person'' of another person to include (a) any person directly or indirectly owning, controlling, or holding with power to vote 5% or more of the outstanding voting securities of the other person; (b) any person 5% or more of whose securities are directly or indirectly owned, controlled, or held with power to vote by the other person; (c) any person directly or indirectly controlling, controlled by, or under common control with the other person; and (d) if the other person is an investment company, any investment adviser of that company.

2. Rule 17a–8 under the Act exempts certain mergers, consolidations, and sales of substantially all of the assets of registered investment companies that are affiliated persons, or affiliated persons of an affiliated person, solely by reason of having a common investment adviser, common directors, and/or common officers, provided that certain conditions set forth in the rule are satisfied. Applicants believe that rule 17a–8 may not be available in connection with the Reorganization because the Funds may be deemed to be affiliated by reasons other than having a common investment adviser, common directors, and/or common officers. Applicants state that subsidiary banks of SunTrust own in the aggregate, as a fiduciary, 25% or more of the outstanding voting securities of each of the Existing Acquiring Funds and that subsidiary banks of SunTrust, as a fiduciary, also own 5% or more of the outstanding voting securities of three of the Acquired Funds. Applicants state the SunTrust therefore may be deemed to be an affiliated person of those Funds, resulting in the Acquiring Funds being affiliated persons of an affiliated person of the Acquired Funds.

3. Section 17(b) of the Act provides, in relevant part, that the Commission may exempt a transaction from the previous of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act.

4. Applicants request an order under section 17(b) of the Act exempting them from section 17(a) to the extent necessary to complete the Reorganization. Applicants submit that the Reorganization satisfies the standards of section 17(b) of the Act. Applicants state that the terms of the Reorganization are reasonable and fair and do not involve overreaching. Applicants state that the investment objectives and policies of each Acquired Fund are substantially similar to those of its corresponding Acquiring Fund. Applicants also state that the Boards, including all of the Independent Directors, have made the requisite determinations that the participation of the Acquired and Acquiring Funds in the Reorganization is in the best interests of each Fund and that such participation will not dilute the interests of the existing shareholders of each Fund. In addition, applicants state that the Reorganization will be on the basis of relative net asset value.

For the Commission, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5384 Filed 3–3–00; 8:45 am]

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[2] The High Income Fund which will not offer Investors Shares initially.

[3] Shareholders of Class A and Class D shares of the ESC Strategic Income Fund will receive Flex Shares of the High Income Fund.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42463; File No. SR–CHX–00–02)

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Stock Exchange, Incorporated to Extend the Effective Dates of its Extended Trading Hours Session

February 28, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 23, 2000, the Chicago Stock Exchange, Incorporated (''CHX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal pursuant to Section 19(b)(3)(A) of the Act,[3] and rule 19b–4(f)(6) thereunder,[4] which renders the proposal effective upon filing with the Commission.[5] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposal

On October 13, 1999, the Commission approved, on a pilot basis through March 1, 2000, a new Article XXA and amendments to existing CHX rules that allowed the CHX to implement a new extended hours trading session (the ''E-Session'').[6] The CHX is submitting this proposal solely to ask the Commission to extend the operation of the E-Session through October 1, 2000.[7]

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposal

In its filing with the Commission, the CHX included statements concerning the purpose of and basis for its proposal and discussed any comments it received regarding the proposal. The text of these statements may be examined at the places specified in Item IV below. The CHX has prepared summaries, set forth in Sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In SR–CHX–99–16, the Exchange proposed new CHX Article XXA and several related rule changes to implement the E-Session. The E-Session was designed to meet the needs of market participants and CHX members who had demanded that the Exchange begin trading in hours that extent beyond the then-current trading day. The Exchange continues to believe that investors are best served if registered securities exchanges are participants in the burgeoning after-hours trading market, and submits this proposal to extend the operation of its E-Session. The Exchange does not propose to make any other changes to its E-Session at this time; this proposal seeks only to extend the E-Session's operation through October 1, 2000.

The Operation of the E-Session. The E-Session began on October 29, 1999, and operates from 3:30 p.m. Central Time (immediately following the close of the CHX's post primary trading session) to 5:30 p.m. Central Time, Monday through Friday.[8]

Trading during the E-Session is conducted, in some respects, as it is during the CHX's primary trading session; however, new features more fully automate the transmission of orders and provide additional protections to investors who trade during the session. Only unconditional limit orders are eligible for execution in the E-Session, and each limit order must be appropriately designated for trading in the E-Session. Any orders remaining unexecuted at the end of the session are automatically canceled, and do not carry over to any other trading session. Specialist firms continue to make two-sided, continuous markets in E-Session eligible stocks, generally the more active stocks assigned to them during the existing trading sessions, at their posts on the floor of the CHX (unless a specialist firm has transferred its assignment, for the E-Session only, to another specialist firm with the approval of the Committee on Specialist Assignment and Evaluation).

During the E-Session, in most cases (subject to an exception described below), limit orders must be electronically and directly transmitted, via the Midwest Automated Execution System (''MAX'') electronic order routing system, to the specialist's limit order book. Floor brokers may route limit orders to the specialist's limit order book via MAX or may transmit the orders to another market. In addition, a floor broker may route orders to buy and sell equivalent quantities of the same security eligible to be executed at the same price through MAX to the specialist's limit order book or may execute those orders as a crossing transaction at the specialist's post in accordance with existing Exchange rules.

Except as described in Article XXA or in other E-Session rule amendments, execution, reporting, clearance and settlement of transactions that occur during the E-Session follow the procedures currently in place for those activities in the Exchange's primary trading session.[9] Among other things, this general principle means that the National Securities Clearing Corporation clears the transactions that take place during this session and the Securities Industry Automation Corporation and Nasdaq, Inc. disseminate CHX quotations and trade data. Three exceptions to this general rule arise from either the Exchange's desire to more fully automate the E-Session or from the fact that no primary market of the kind that characterizes trading during normal hours is available during the E-Session.[10]

Securities Eligible for Trading During the E-Session. The CHX's Committee on Floor Procedure identifies, from time to time, the securities eligible for trading during the e-Session. In general, the securities listed on the Standard & Poor's 100 Stock Index (OEX) and on the Nadsaq-100 Index (NDX), as well as other securities that rank among the 100 most active listed and 100 most active

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] The Exchange provided the Commission with written notice of its intent to file the proposal on February 15, 2000, pursuant to Rule 19b–4(f)(6). 17 CFR 240.19b–4(f)(6).

[6] *See* Securities Exchange Act Release No. 42004 (October 13, 1999), 64 FR 56548 (October 20, 1999) (SR–CHX–99–16).

[7] The CHX authorized Commission staff to make minor technical changes to the proposal, to clarify that the proposal's sole purpose is to extend the operation of the E-Session through October 1, 2000. Telephone conversation between Ellen J. Neely, Vice President and General Counsel, CHX, and Joseph P. Morra, Attorney, Division of Market Regulations, SEC, February 25, 2000.

[8] The amendments to CHX Article IX, Rule 10(b) (Business Days and Hours of Trading) and CHX Article XX, Rule 2 (Hours of Floor Dealing) confirm the existence of this new trading session.

[9] The amendments to CHX Article XX, Rule 1 (Application [of Article]) and CHX Article XXI, Rule 1 (Reporting of Transaction) confirm that these rules encompass transactions that occur during the E-Session.

[10] The amendments to CHX Article XX, Rule 37 (conforming that the Best System and the automatic execution features of MAX do not operate during the E-Session), CHX Article XXXI, Rules 6 and 9 (confirming that odd-lot order execution occurs differently than during the primary trading session) and CHX Article XXXIV (confirming that market makers do not participate in the E-Session) reflect these exceptions.

Nasdaq/NM securities at the end of each quarter trade during the e-Session. Currently, 311 securities are eligible for trading during the E-Session.

Members Eligible to Participate in the E-Session. All CHX members have access to the E-Session, in accordance with applicable CHX rules.

Mandatory Disclosures To Non-Members. Because the E-Session operates in a manner, and at a time, that is different from the CHX's primary trading session, members must provide specific disclosures to non-members before accepting orders for execution in the E-Session. These disclosures are designed to ensure that participants in the after-hours market understand the potential risks of that participation.

Surveillance and Oversight. The Exchange surveils E-Session trading using many of the same surveillance programs it uses to monitor trading during the primary trading session. E-Session order delivery, quoting and matching is almost entirely controlled by the CHX's electronic systems. These systems reduce the possibility for intentional or inadvertent mishandling of orders and enhance the effectiveness of the surveillance programs. According to the CHX, E-Session surveillance has operated effectively during the first six months of after-hours trading.

Procedures for Reviewing Capacity, Security and Contingency Planning. The CHX uses many of the same review procedures for systems security, capacity management, and recovery and contingency planning that is employs for the systems that support the primary trading session.

2. Statutory Basis

The proposed extension of the operation of the E-Session is consistent with Section 6(b)(5) of the Act [11] in that it is designed to promote just and equitable principles of trade, to remove impediments to, and to perfect the mechanism of, a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement of Burden on Competition

The Exchange believes that no burden will be placed on competition as a result of the proposed extension of the effective dates of the E-Session. Indeed, the Exchange believes this new session has fostered competition in the after-hours trading arena by permitting investors to trade on a registered securities exchange, rather than through an electronic communications network or alternative trading system.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

(i) Significantly affect the protection of investors or the public interest;

(ii) Impose any significant burden on competition; and

(iii) Become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)[12] and Rule 19b–4(f)(6) thereunder.[13] At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if its appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The Exchange has requested that the Commission accelerate the operative date. The Commission finds that it is appropriate to designate the proposal to become operative today because such designation is consistent with the protection of investors and the public interest. Acceleration of the operative date will allow the CHX to operate its E-Session without interruption through October 1, 2000, and to continue providing investors who wish to trade after-hours with the option of trading on a registered securities exchange. For these reasons, the Commission good cause to designate that the proposal become operative today.[14]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the CHX. All submissions should refer to file number SR–CHX–00–02 and should be submitted by March 27, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[15]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5382 Filed 3–3–00; 8:45 am]

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[11] 15 U.S.C. 78f(b)(5).

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6).

[14] In reviewing this rule, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[15] 17 CFR 200.30b–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42473; File No. SR–ISE–00–02]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the International Securities Exchange LLC Relating to its Fee Schedule

February 29, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2000, the International Securities Exchange LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the ISE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.[3]

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The ISE proposes to adopt fees to be imposed on members of the Exchange.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Commission notes that proposed rule changes relating to fees usually are filed pursuant to Section 19(b)(3)(A) and subparagraph (f) of Rule 19b–4 thereunder. Because the ISE is a new exchange, however, the Commission has determined that publishing the proposed rule change for notice and comment is appropriate.

The text of the proposal is attached as Exhibit A.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the ISE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The ISE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

ISE proposes to establish its fee schedule for the services it will offer to its members and others. This schedule includes membership fees, trading fees, and fees for a variety of other services, including the installation and maintenance of certain equipment. With these fees, ISE intends to recover its costs of operating a trading market and building a reserve for future needs. ISE does not intend to use these fees to generate an operating profit to distribute to its members. As the ISE gains experience in the operation of its market, it will adjust its fees to maintain the appropriate balance between costs and expenses.

2. Statutory Basis

The ISE believes that the proposed rule change is consistent with the provisions of Section 6(b)(4) of the Act,[4] which requires that an exchange have rules that provide for the equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The ISE does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the ISE consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the ISE. All submissions should refer to File No. SR–ISE–00–02 and should be submitted by March 27, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[5]

Jonathan G. Katz,

Secretary.

EXHIBIT A.—TEXT OF THE PROPOSED RULE CHANGE

ISE Schedule of fees	Amount	Billable unit	Frequency	Notes
Electronic Market Place:				
Execution Fees:				
• Customer	$0.05	contract/side	Transaction	Fee waived for 6 months.
• Facilitation	0.15	contract/side	Transaction.	
• Market Maker & Firm Proprietary:				
A.D.V. Less than 300,000.	0.21	contract/side	Transaction	Based on Exchange A.D.V.
A.D.V. Less than 300,001 to 500,000.	0.17	contract/side	Transaction	Based on Exchange A.D.V.
A.D.V. Less than 500,001 to 700,000.	$0.14	contract/side	Transaction	Based on Exchange A.D.V.
A.D.V. Over 700,000.	$0.12	contract/side	Transaction	Based on Exchange A.D.V.
Comparison Fee	0.03	contract/side	Transaction	Fee waived for Customer Trades for 6 months.
Trading Application Software:				
Installation:				
• Non-standard Services.	350.00	Hourly	One Time	Time & Material.

[4] 15 U.S.C. 78f(b)(4).

[5] 17 CFR 200.30–3(a)(12).

EXHIBIT A.—TEXT OF THE PROPOSED RULE CHANGE

ISE Schedule of fees	Amount	Billable unit	Frequency	Notes
Software License & Maintenance:				
• Torque:				
First	1250.00	Terminal	Monthly.	
Second through Fourth.	$750.00	Terminal	Monthly.	
Fifth and Over	250.00	Terminal	Monthly.	
• Click	500.00	Terminal	Monthly.	
Session/API Fee:.				
• Market Makers	1,000.00	API	Monthly	Minimum of Two.
• EAM	250.00	API	Monthly.	
• Ordering Routing Service Connection Fee.	250.00	API	Monthly.	
Access Services				
Access Fees:				
• EAM	500.00	Member Firm	Monthly..	
• Market Maker.				
• Primary	4,000.00	Member Firm	Monthly.	
• Competitive	2,000.00	Member Firm	Monthly.	
Network Fees:.				
• Dedicated Line connection.	250.00	Line	Monthly.	
• Order Routing Service.	100.00	Line	Monthly.	
Gateway:.				
• Installation	5,000.00	Gateway	One Time.	
Legal & Regulatory:				
Application:				
• Primary Market Maker.	7,500.00	Member Firm	One Time.	
• Competitive Market Maker.	5,500.00	Member Firm	One Time.	
• Electronic Access Member.	3,500.00	Member Firm	One Time.	
• Lessor	1,000.00	Applicant	One Time.	
Administrative:				
• DTR Approval	500.00	Trader	One Time.	
• U4 Initial Registration.	25.00	Registered Person	One Time.	
• Pg 2—U4 for Non-Registered Persons.	100.00	Individual	One Time.	
Regulatory Fee:	3,500.00	Member Firm	Annual.	
Other Services:				
Training	500.00	Daily per Trainee	As Incurred.	
Testing	100.00	Per candidate	Per Exam.	
Third Party Developers:				
• Set-Up	1,000.00	Developer	One Time.	
• Usage	1,000.00	Monthly	Monthly.	
Disaster Recovery Testing & Relocation Services.	3,000.00	½ Day	As Incurred.	

[FR Doc. 00–5378 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42475; File No. SR–ISE–00–04]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the International Securities Exchange LLC Relating to the Exposure of Orders on the Exchange

February 29, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on February 25, 2000, the International Securities Exchange LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the ISE. The Commission is publishing this notice to solicit

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b-4.

comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The ISE proposes to amend its crossing rules to reduce from two minutes to thirty seconds the amount of time that Electronic Access Members are required to expose orders on the Exchange before executing them as principal or executing them against solicited order. Proposed new language is in italics; proposed deletions are in brackets.

* * * * *

Rule 717 Limitations on Orders

(a) Principal Transactions.

Electronic Access Members may not execute as principal orders they represent as agent unless (i) agency orders are first exposed on the Exchange for at least [two (2) minutes] *thirty (30) seconds,* (ii) the Electronic Access Member has been bidding or offering on the Exchange for at least [two (2) minutes] *thirty (30) seconds* prior to receiving an agency order that is executable against such bid or offer, or (ii) the Member utilizes the Facilitation Mechanism pursuant to Rule 716(d).

(b) Solicitation Orders.

Electronic Access Members must expose orders they represent as agent on the Exchange for at least [two (2) minutes] *Thirty (30) seconds* before such orders may be executed in whole or in part by orders solicited from Members and non-member broker-dealers to transact with such orders.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the ISE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IIV below. The ISE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to reduce from two minutes to 30 seconds the order exposure time required in paragraphs (d) and (e) of ISE Rule 717. The purpose of the order exposure requirements is to assure that agency orders have an opportunity to interact on the Exchange before they are executed, either by the broker representing the order, or by another order solicited by the broker. However, market participants have indicated to the exchange that two minutes is too long to delay the execution of an order when there is a party willing to execute against the order.

The Exchange has taken this view into consideration and weighed the need to assure that orders interact in the Exchange's electronic auction market system against the competing customer interest of receiving a speedy execution. In this respect, the Exchange recognizes the benefits of order interaction, as well as the risk that an order left unexecuted might ''miss the market.'' Upon reconsideration of the two minute exposure time, the Exchange believes that the objective of the exposure rule can be satisfied by a shorter time period, which will benefit limit orders by providing them an opportunity for a more rapid execution. The Exchange believes that exposing an order for 30 seconds will provide sufficient opportunity for orders to interact with other trading interest on the Exchange, and thereby preserve the benefits of the ISE's electronic auction market.[3]

2. Statutory Basis

The ISE believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,[4] which requires that an exchange have rules that are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The ISE does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the ISE consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the ISE. All submissions should refer to File No. SR–ISE–00–04 and should be submitted by March 27, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[5]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5379 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–M

[3] The ISE concurrently is proposing to establish 30 seconds as the time given for market participants to respond to broadcasts requesting trading interest with respect to block-size orders. *See* SR–ISE–00–03. The Exchange believes that 30 seconds is sufficient for members to participate in the execution of these large-size orders, and that there is no reason to require a longer exposure time for smaller orders.

[4] 15 U.S.C. 78f(b)(5).

[5] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42474; File No. SR–ISE–00–03]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the International Securities Exchange LLC Relating to Block and Facilitation Trades

:

February 29, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2000, the International Securities Exchange LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items #I, II, and III below, which items have been prepared by the ISE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The ISE is proposing commentary to ISE Rules 716(c) and (d) with respect to the Block Order Mechanism and the Facilitation Mechanism, which states that participants will be given 30 seconds to respond to a broadcast message. The ISE is also proposing to amend Rule 716(d)(4) to provide that only public customer bids (offers) on the Exchange at the time a facilitation order is executed that is priced higher (lower) than the facilitation price will be executed at the facilitation price unless there is sufficient size to execute a facilitation order entirely at a better price. Proposed new language is in italics; proposed deletions are in brackets.

* * * * *

Rule 716 Block Trades

* * * * *

(d) Facilitation Mechanism. The Facilitation Mechanism is a process by which an Electronic Access Member can facilitate block-size Public Customer orders.

* * * * *

(4) At the end of the period given for the entry of Indications, the facilitation order will be automatically executed in full.

(i) Unless there is sufficient size to execute the entire facilitation order at a better price, Public Customer [B] *b*ids (offers) on the Exchange at the time the facilitation order is executed that are priced higher (lower) than the facilitation price will be executed at the facilitation price. *Non-Customer bids (offers) on the Exchange at the time the facilitation order is executed that are priced higher (lower) than the facilitation price will be executed at their stated price, thereby providing the order being facilitated a better price of the number contracts associated with such higher bids (lower offers).*

* * * * *

Supplementary Material to Rule 716

.01 It will be a violation of a member's duty of best execution to its customer it it were to cancel a facilitation order to avoid execution of the order at a better price. The availability of the Facilitation Mechanism does not alter a member's best execution duty to get the best price for its customer. Accordingly, while facilitation orders can be canceled during the thirty seconds given for the entry of Indications, if a member were to cancel a facilitation order when there was a superior price available on the Exchange and subsequently re-enter the facilitation order at the same facilitation price after the better price was no longer available without attempting to obtain that better price for its customer, there would be a presumption that the member did so to avoid execution of its customer order [by other market participants] *in whole or in part by other brokers at the better price.*

.02 The time given to Crowd Participants to enter Responses under paragraph (c)(1) and Indications under paragraph (d)(1) shall be thirty (30) seconds.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the ISE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The ISE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

ISE Rule 716(c) establishes a ''block mechanism'' through which ISE members can obtain liquidity for the execution of block-size orders[3] from market makers and other ISE members with orders at the ISE inside bid or offer (the ''Crowd Participants''). Similarly, ISE Rule 716(d) establishes a ''facilitation mechanism'' through which members can seek to facilitate block-size public customer orders. Upon the entry of an order into the block or facilitation mechanisms, a broadcast message is sent to the Crowd Participants. Under ISE Rules 716(c)(1) and (d)(1), the Crowd Participants are given an opportunity to respond to the broadcast message without specifying how much time they will be given.

The proposed rule change specifies that Crowd Participants will be given 30 seconds to respond to a broadcast message from either the block or facilitation mechanism.[4] The Exchange believes that 30 seconds is sufficient time to allow the Crowd Participants to respond to a broadcast message.

The ISE also is proposing to amend ISE Rule 716(d)(4)(i) to provide that only public customer bids (offers) on the Exchange at the time a facilitation order is executed that are priced higher (lower) than the facilitation price will be executed at the facilitation price, unless there is sufficient size to execute a facilitation order entirely at a better price. Higher bids and lower offers from non-customer orders and quotes will be executed at their stated price. Currently, under the Rule, such non-customer orders and quotes are given the benefit of the facilitation or ''block clean-up'' price.

The Exchange believes that in the case where there are non-customer orders or quotes that can provide the order being facilitated a better price, the order being facilitated should receive the better price for the number of contracts available. The proposed change creates the opportunity for a facilitation order to receive partial execution at an improved price, while continuing to protect public customer orders on the book by giving them the benefit of a better block execution price.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Block-size orders are orders for fifty contracts or more. ISE Rule 716(a).

[4] Crowd Participants may indicate a willingness to facilitate an order at an improved price by entering orders or changing their quotes, as applicable, but must do so at least ten seconds prior to the request for indications. ISE Rule 716(d)(3).

For example, under current ISE Rule 716(d)(4)(i), assume that a Member proposes to facilitate an order to sell 500 contracts at the ISE's best bid price of $4. During the exposure period, further assume that a non-customer order to buy 100 contracts at $4⅛ and a public customer order to buy 20 contracts at $4⅛ are entered. In this scenario, the facilitation order would have been executed at $4 in its entirety (*i.e.,* both the customer and non-customer orders buy at $4). Under the proposed rule change, the customer order at $4⅛ would be executed at $4, but the non-customer order would be executed at its stated price of $4⅛. Accordingly, the order being facilitated would sell 100 contracts at $4⅛ (an improved price) and 400 contracts at $4.[5]

2. Statutory Basis

The ISE believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,[6] which requires that an exchange have rules that are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The ISE does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the ISE consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the ISE. All submissions should refer to File No. SR–ISE–00–03 and should be submitted by March 27, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5380 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–M

[5] In this example, if public customer and/or non-customer orders totaling 500 contracts at $4⅛ had been entered during the exposure time, the entire facilitation order would have been executed at $4⅛.

[6] 15 U.S.C. 78f(b)(5).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42472; File No. SR–ISE–00–01]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the International Securities Exchange LLC Relating to Market Maker Allocations

February 29, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2000 the International Securities Exchange LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the ISE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I.Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The ISE is proposing commentary to ISE Rule 713(e) regarding precedence of non-customer orders and market maker quotes to define its trading algorithm. Proposed new language is in italics.

* * * * *

Rule 713 Priority of Quotes and Orders

No change to text of Rule

Supplementary Material To Rule 713

.01 Rule 713(e) (Priority of Quotes and Orders) states that Public Customer Orders have priority on the Exchange. That rule further provides that the Exchange will determine a procedure for allocating executions among Non-Customer Orders and market maker quotes in cases where all Public Customer Orders have been executed and there are two or more Non-Customer Orders or market maker quotes at the best price. This procedure is as follows:

(a) Subject to the two limitations below, Non-Customer Orders and market maker quotes at the best price receive allocations based upon the percentage of the total number of contracts available at the best price that is represented by the size of the Non-Customer Order or quote;

(c) *If the Primary market Maker is quoting at the best price, it has participation rights equal to the greater of (i) the proportion of the total size at the best price represented by the size of its quote, or (ii) sixty percent (60%) of the contracts to be allocated if there is only one (1) other Non-Customer Order or market market quotation at the best price, forty percent (40%) if there are two (2) other Non-Customer Orders and/or market maker quotes at the best price, and thirty percent (30%) if there are more than two (2) other Non-Customer Order and/or market maker quotes at the best price; and*

(c) *Orders for five (5) contracts or fewer will be executed first by the Primary Market Maker; provided however, that on a semi-annual basis the Exchange will evaluate what percentage of the volume executed on*

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

the Exchange is comprised of orders for five (5) contracts or fewer executed by Primary Market Makers, and will reduce the size of the orders included in this provision if such percentage is over forty percent (40%).

This procedure only applies to the allocation of executions among Non-Customer Orders and market maker quotes existing in the Exchange's central order book at the time the order is received by the Exchange. No market participant is allocated any portion of an execution unless it has an existing interest at the execution price. Moreover, no market participant can execute a greater number of contracts than is associated with the price of its existing interest. Accordingly, the Primary Market Maker participation rights and the small order preference contained in this allocation procedure are not guarantees; the Primary Market Maker (i) must be quoting at the execution price to receive an allocation of any size, and (ii) cannot execute a greater number of contracts than the size that is associated with its quote.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change.

In its filing with the Commission, the ISE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The ISE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

ISE Rule 713(d) provides that customer orders at a given price have priority based on the time priority of such orders. ISE Rule 713(e) provides that, if there are two or more noncustomer orders or market maker quotations at the Exchange's inside market, after filling all customer orders at that price, executions will be allocated between the non-customer orders and market maker quotations ''pursuant to an allocation procedure to be determined by the Exchange from time to time * * *.'' ISE Rule 713(e) also states that, if the Primary Market Maker (''PMM'') is quoting at the Exchange's inside market, it will have precedence over non-customer orders and Competitive Market Maker (''CMM'') quotes for execution of orders that are up to a specified number of contracts. The purpose of the proposed rule change is to establish the ISE's allocation procedure for non-customer orders and market maker quotations, and to define the size of orders for which the PMM has priority.

The allocation procedure is a trading algorithm programmed in the ISE's electronic auction market system (the ''System'') that determines how to split the execution of incoming orders among professional trading interests at the same price. All public customer orders at a given price are always executed fully before the trading algorithm is applied. Moreover, because the algorithm is applied automatically by the System upon the receipt of an executable order, only those non-customer orders and market maker quotes that are in the System participate in the algorithm. Thus, there is no opportunity for a market participant to receive an allocation unless it had an order or quote in the System at the execution price at the time the System received the incoming order.

Subject to the PMM's participation rights discussed below, the allocation of executions to non-customer orders and market marker quotes is based on the size associated with the order or quote relative to the total size available at the execution price. For example, assume there is a public customer order for 10 contracts, a non-customer order for 60 contracts and a CMM quotation for 40 contacts in the System at the best bid price, so that there is a total of 110 contracts available at the best bid. If a market order to sell 30 contracts is received, the customer order to buy 10 contracts will be executed first. The trading algorithm is then applied to allocate the remaining 20 contracts to sell between the non-customer order and CMM quote. The non-customer order is 60 percent of the available size at the best bid (60 out of 100) and the CMM quote is 40 percent of the size available at the best bid (40 out of 100). Therefore, twelve contracts will be allocated to the non-customer order (60 percent of 20 is 12) and eight contracts will be allocated to the CMM (40 percent of 20 is 8). The size associated with the non-customer order and CMM quote are then reduced by twelve and eight respectively, so that there is a total of 80 contracts available at the best bid following the execution of the market order. This entire process will be completed by the System in a fraction of a second.

The Exchange believes that priority for non-customer orders and market maker quotes based on size at the execution price, rather than on strict time priority, is beneficial because size priority encourages market participants to provide deeper, more liquid markets.[3] Participants with larger size receive a proportionately larger share of the execution, and participants that have small trading interests are not ''sized-out'' because all participants share in the executions. In contrast, the Exchange believes that time priority creates a race to enter trading interest first and does not give all participants an opportunity to trade. This is especially problematic in an electronic market, where entering an order or quote one micro-second (1/100 of a second) ahead of another order or quote is possible and would provide absolute priority for the first order that arrives. It also is problematic in a derivative market, where the price of a quote or order is based, in large part, on the price of the underlying instrument. In the Exchange's view, a time priority system would disadvantage less technologically advanced market participants and encourage competition based upon the speed of auto-quoting mechanisms. The Exchange does not believe that this type of competition would encourage participants to provide accessible and liquid markets.

Because PMMs have unique obligations to ISE's market,[4] they are provided with certain participation rights. If the PMM is one of the participants with a quote at the best price, it has participation rights equal to the greater of (1) the proportion of the total size at the best price represented by the size of its quote, or (2) 60 percent of the contracts to be allocated if there is only one other non-customer order or market maker quotation at the best price, 40 percent if there are two other non-customer orders and/or market maker quotes at the best price, and 30 percent if there are more than two other non-customer orders and/or market maker quotes at the best price. In addition, the PMM has precedence to execute orders of five contracts or fewer. This means that such ''odd-lot'' orders will be executed first by the PMM if it is quoting at the best price.

These participation rights are programmed into the trading algorithm,

[3] Orders at the same price with the same size receive allocations in time priority.

[4] For example, PMMs are responsible for: ensuring that all ISE disseminated quotations are for at least 10 contracts; addressing customer orders that cannot be automatically executed when another market is disseminating a better quotation; and opening the market. *See* ISE Rule 803(c).

so that they are applied automatically by the System when splitting executions among non-customer orders and market maker quotes after public customer orders at the same price are fully executed as described above. Consequently, like any other market participant, the PMM cannot receive any portion of an allocation, regardless of its participation rights, unless it is quoting at the best price at the time the System receives the executable order. Moreover, the size associated with the PMM's quote must be sufficient to fill the portion of the order that would be allocated to it according to the participation rights. For example, if a PMM would be allocated 30 contracts according to its participation rights, but the size of its quote is only 20 contracts, the PMM would receive an allocation of only 20 contracts. If the size associated with a PMM's quote is only three contracts when an executable order for five contracts is received (assuming there are no public customer orders), the PMM would execute only three contracts.

According to the participation rights, a PMM quoting at the inside market generally is allocated the plurality of an order. For example, if both a PMM and CMM are quoting at the inside market for 50 contracts each, an incoming order for 10 contracts will be allocated between the two for six and four contracts respectively (a 60% allocation to the PMM). If the PMM is quoting for 50 contracts and there are two CMMs each quoting for 50 contracts, the PMM is allocated four contracts and the two CMMs are allocated three each (40 percent for the PMM, and the remaining 60 percent split equally between the CMMs because they are quoting an equal size). At a minimum, a PMM will be allocated 30 percent of an order, regardless of the number of other quotes or orders at that price.[5]

PMMs quoting at the ISE's inside market will trade against all incoming orders of five contracts or less first. The size of an ISE ''odd lot'' is roughly equivalent to the similar concept in the equity markets. Specifically, the average options contract premium is approximately $542.[6] Thus, the premium for the average options five-lot is approximately $2,710. This is equivalent to the purchase price of an odd-lot of 63 shares of stock traded on the New York Stock Exchange (''NYSE'')[7] or 49 shares of the 600 securities that likely will underlie options traded on the ISE.[8] The Exchange believes that this participation right will not necessarily result in a significant portion of the Exchange's volume being executed by a PMM. As stated above, a PMM only will execute against such orders if it is quoting at the best price, and only for the number of contracts associated with its quotation. Nevertheless, on a semi-annual basis, the Exchange will evaluate what percentage of the volume executed on the Exchange is comprised of orders for five contracts or fewer executed by PMMs, and will reduce the size of the orders included in this provision if such percentage is over 40 percent.

The proposed participation rights for PMMs described above is part of the ISE's balancing of the rewards and obligations that pertain to each of the Exchange's classes of memberships. This balancing is part of the overall market structure that is designed to encourage vigorous price competition between market makers on the Exchange, as well as maximize the benefits of price competition resulting from the entry of customers and non-customer orders, while encouraging participants to provide market depth.[9]

The ISE is the first exchange in the United States to attempt to combine all of the elements of an auction market in an electronic environment. The Exchange believes the proposed trading algorithm, which includes participation rights for PMMs only when they are quoting at the best price, strikes the appropriate balance within its market and will maximize the benefits of an electronic auction market for all participants.

2. Statutory Basis

The ISE believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,[10] which requires that an exchange have rules that are designated to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The ISE does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the ISE consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the ISE. All submissions should refer to File No.

[5] The size associated with the PMM's quote, however, must be sufficient to fill the 30 percent allocation. Under no circumstsances may the PMM execute more than the size associated with its displayed quote.

[6] *See* Options News Network Internet web site (http://onn.theocc.com).

[7] The average price of a share of stock traded on the NYSE in 1998 was $43.10. NYSE 1998 Fact Book at 11.

[8] The average price of a share of these 600 stocks was $55.41 as of January 2000.

[9] The other options exchanges also have participation rights for their specialists, designated primary market makers and lead market makers. *See* Amex Rule 950(d) and 126(e); CBOE Rule 8.80(c)(7); PCX Rule 6.82(d)(2); PHLX Rule 1014(g).

[10] 15 U.S.C. 78f(b)(5).

SR–ISE–00–01 and should be submitted by March 27, 2000,

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[11]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5381 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–42464; File No. SR–Phlx–99–26]

Self-Regulatory Organizations; Notice of Filing of Proposed Amendment to the By-Laws and Corresponding Changes to the Rules of the Philadelphia Stock Exchange, Inc., Relating to Various Committees

February 28, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 30, 1999, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Phlx filed an amendment to the proposed by-law change on October 4, 1999.[3] The Commission is publishing this notice to solicit comments on the proposed by-law change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed By-Law Change

The Phlx proposes to amend its By-laws as follows: (i) By-Law Article III, § 3–5, 3–6, 3–7, 3–8, 3–9, 3–12, Article IV, § 4–7, Article V, § 5–5, Article X, § 10–1, 10–4 and 10–11, combining the Nominating and Elections Committees; (ii) By-Law Article X, § 10–8 and 10–14 eliminating the Arbitration Committee and transferring its functions to the Executive Committee; and (iii) By-Law Article XI, § 11–1, to create a single Quality of Markets Committee. The Phlx also proposes to make technical changes to certain of its rules to reflect the changes to the by-laws.[4]

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange has proposed By-law amendments to provide for streamlining the committee process as follows: (i) Dissolving the Arbitration Committee, whose limited remaining functions would be transferred to the Executive Committee, who will oversee ongoing arbitrations filed before the transfer of arbitration responsibilities to the National Association of Securities Dealers, Inc. (''NASD'') in October, 1998;[5] (ii) dissolving the Elections Committee whose functions would be transferred to the Nominating Committee; and (iii) consolidating the three Quality of Markets Committees into a single Quality of Markets Committee with responsibilities for all three Phlx trading floors.

First, the Exchange proposes to dissolve the Arbitration Committee and transfer its duties to the Executive Committee. Specifically, the Exchange proposes to rescind By-Law Article X, § 10–8, entitled Arbitration Committee, and move its remaining powers to the Executive Committee by By-Law Article X, § 10–14(d). Additiionally, the Exchange proposes to delete reference to the Arbitration Committee in By-Law Article XI, § 11–1(a). These changes are intended to eliminate a standing committee, while transferring its respoinsibilities to the Executive Committee whose powers are broadly provided for in By-Law Article X, § 10–14.

By way of background, the Exchange ceased accepting arbitration cases on October 1, 1998. Jurisdiction for Phlx arbitration cases now resides with the NASD. Currently, the exchange is processing and closing the cases that were filed prior to October 1, 1998. Following the cessation of these cases, the arbitration function at the Exchange will cease, as will the need for any committee oversight of these matters. In addition, based on the experience since October 1, 1998 to the present, the Exchange believes that any remaining questions requiring committee oversight will be minimal.

Second, the Exchange proposes several changes to the Nominating Committee and the Elections Committee, essentially collapsing them into a single committee. The Exchange proposes to rescind By-Law Article X, § 10–13, entitled Elections Committee, and moves its powers to the Nominating Committee in By-Law Article III, § 3–5(e). The Exchange proposes changing the name of the Nominating Committee to the Nominating and Elections Committee in By-Law Article II, § 3–5, 3–6, 3–7, 3–8, 3–9 and 3–12, Article IV, § 4–7, Article VI § 5–5, Article X, § 10–1 and 10–4 and Article XI, § 11–1. These changes are intended to streamline the functions of these two committees, as described more fully below.

The Elections Committee performs the limited, yet important function of administering membership elections. The Nominating Committee submits nominations for industry Governors who stand for election by the members. It also submits nominations for non-industry Governors. Because these two Committees perform functions related to the election and appointment of Governors of the Exchange, the Exchange believes that the merging of the Elections Committee with the Nominating Committee will not impair the functioning of any of their tasks.[6] In fact, merging these responsibilities should improve efficiency as well as coordination, as the same group of committee members will oversee the complete election-related process.

Finally, the Exchange proposes to reduce the number of Quality of Markets Committees from three to one, also to improve efficiency. Specifically, the

[11] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Letter to Michael Walinskas, Associate Director, Division of Market Regulation, Commission, from John Dayton, Counsel, Phlx, dated October 1, 1999 (''Amendment No. 1''). Amendment No. 1 proposes certain technical changes. Specifically, it amends Phlx Rule 930 to reflect the fact that the Arbitration Committee is being eliminated from the by-laws. Amendment No. 1 also proposes changes to Phlx Rule 950, §§ 1 and 2, to reflect the elimination of the Arbitration Committee.

[4] *See* Amendment No. 1.

[5] *See* Securities Exchange Act Release No. 40517 (October 1, 1998), 63 FR 54177 (October 8, 1998) (SR–Phlx–98–28).

[6] The Commission notes that the Exchange currently has a policy of engaging an independent auditing firm to administer elections. This practice will continue following the merger of the Nominations Committee and the Elections Committee. Phone call between John Dayton, Phlx, and Christine Richardson, Division of Market Regulation, Commission, February 23, 2000.

Exchange proposes to amend By-Law Article X, § 10–20 to reduce the number of these Committees from three (one respecting each of the three trading floors) to one, as well as to ensure that the Committee will contain at least as many non-industry as industry members. The current language requires that the present Committees are ''equally balanced''. The proposed language gives the Exchange more flexibility to constitute the proposed Committee while retaining the appropriate non-industry representation.[7] The exchange proposes to amend By-Law Article X, § 10–16, 10–17 and 10–19 to conform the language contained therein to the existence of only one Quality of Markets Committee. The Exchange believes that these changes should also improve the input of the Quality of Markets Committee on the overall committee process by taking advantage of the overlap in issues emanating from each of the three trading floors, as well as providing for more singular input. In summary, these proposed amendments are designed to create a more efficient committee process and save the Exchange certain costs related to convening committees.

Given the composition requirements of the Committees and the scheduling problems associated with convening meetings in Philadelphia for a significant number of public, non-industry as well as industry Governors not associated with Philadelphia-based member organizations, the proposed amendments are designed to make the Committee process more efficient, while lowering costs. The Exchange believes that this consolidation of committee functions will be beneficial to the functioning of the committee process by decreasing the number of committee assignments for some public, non-industry and industry Governors, allowing them to concentrate more of their energies to their remaining assignments. The Exchange believes the quality of information received from the committees by the Board of Governors will not be affected by the consolidation.

2. Basis

The Exchange believes that the proposal is consistent with Section 6 and, specifically with Section 6(b)(3) of the Act, in that it continues to assure Phlx members fair representation in the administration of the Exchange's affairs by providing a committee structure that is more efficient and accessible in achieving the goals of the Exchange and the membership.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of this Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, located at the above address. Copies of such filing will also be available for inspection and copying at the principal office of the self-regulatory organization. All submissions should refer to File No. SR–Phlx–99–26 and should be submitted by March 27, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–5383 Filed 3–3–00; 8:45 am]

BILLING CODE 8010–01–M

[7] The proposed language provides that ''[t]he [Quality of Markets] Committee will have broad representation that shall include at least as many non-industry as industry Committee members'' *See* Proposed Phlx By-Law Art. X, § 10.20.

[8] 17 CFR 200.30–3(a)(12)

DEPARTMENT OF STATE

[Public Notice No. 3230]

Renewal of Defense Trade Advisory Group Charter

The Charter of the Defense Trade Advisory Group (DTAG) is being renewed for a two-year period. The membership of this advisory committee consists of private sector defense trade specialists appointed by the Assistant Secretary of State for Political-Military Affairs who advise the Department on policies, regulations, and technical issues affecting defense trade.

FOR FURTHER INFORMATION CONTACT: Mike Slack, DTAG Secretariat, U.S. Department of State, Office of Regional Security and Arms Transfer Policy (PM/RSAT), Room 7424 Main State, Washington, D.C. 20520–2422. Phone: (202) 647–2882, Fax: (202) 647–9779.

Dated: February 28, 2000.

Gregory M. Suchan,

Executive Secretary, Defense Trade Advisory Group, Department of State.

[FR Doc. 00–5352 Filed 3–3–00; 8:45 am]

BILLING CODE 4710–25–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of a Draft Environmental Impact Statement for Implementation of Air Traffic Noise Abatement Procedures at T.F. Green Airport, Warwick, RI

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability of a Draft Environmental Impact Statement.

SUMMARY: In accordance with Council on Environmental Quality's Regulations (Authority: 40 CFR 1500–1508) and FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts, the Federal Aviation Administration (FAA) is making available the Draft

Environmental Impact Statement (DEIS) for implementation of the proposed air traffic noise abatement procedures contained in the update of the Noise Compatibility Program for T.F. Green Airport in Warwick, RI.

DATES: Written comments will be accepted prior to April 26, 2000. A public hearing will be held on Wednesday, April 12, 2000, 7 p.m. to 9 p.m., Warwick, RI.

ADDRESSES: Address all written comments to Ms. Terry Flieger, Environmental Specialist, FAA, Air Traffic Division, 12 New England Executive Park, Burlington, MA 01803. Oral or written comments may also be given at the public hearing that will be held at the Veterans Memorial High School Auditorium/Cafeteria, 2401 West Shore Road, Warwick, RI.

FOR FURTHER INFORMATION CONTACT: Ms. Terry Flieger, 781–238–7524.

SUPPLEMENTARY INFORMATION: The FAA is making available the Draft Environmental Impact Statement (DEIS) for the following proposed action: the implementation of seven noise abatement departure procedures and one noise abatement arrival procedure including other associated noise compatibility program mitigation measures that were recommended in the T.F. Green Noise Compatibility Program Update. A Draft Environmental Impact Statement (DEIS) has been prepared and will be available for public review and comment. This document will be available 30 days prior to the April 12, 2000, hearing during normal business hours at the following locations:

T.F. Green Airport, 2000 Post Road, Warwick, RI 02886–1533
Warwick Town Hall, Clerk's Office, 3275 Post Road, Warwick, RI 02886
Cranston Town Hall, 869 Park Avenue, Cranston, RI 02910
Central Warwick Public Library, 600 Sandy Lane, Warwick, RI 02886
Apponaug Public Library, 3267 Post Road, Warwick, RI 02886
Cranston Public Library, 140 Socknest Cross Road, Cranston, RI 02920
Norwood Public Library, 328 Pawtuxet Avenue, Warwick, RI 02888
Conimicut Public Library, 55 Beach Avenue, Warwick, RI 02889

The purpose of the hearing is to consider the social, economic, and environmental effects of the proposed actions. During the hearing the public will be given an opportunity to present oral and/or written comments for the public record. This hearing is being held pursuant to the requirements of the National Environmental Policy Act of 1969 (Pub. L. 91–190) and other laws as applicable.

Dated: February 25, 2000.

William C. Yuknewicz,

Acting Manager, Air Traffic Division, FAA, New England Region.

[FR Doc. 00–5355 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA, Inc.; Government/Industry Certification Steering Committee

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for RTCA Government/Industry Certification Steering Committee meeting to be held March 17, 2000, from 10:00 a.m. to 12:00 p.m. The meeting will be held at Federal Aviation Administration (FAA), 800 Independence Avenue, SW, Washington, DC 20591, in the Bessie Coleman Conference Center, Room 2AB (second floor).

Formation of the Certification Steering Committee is a follow-on initiative recommended in RTCA's Report of Task Force 4, Certification. The concept of the Certification Steering Committee is supported by the FAA and will provide a public advisory forum for developing consensus-based recommendations for implementing the opportunities identified by Task Force 4. The Task Force completed its work in 1999 and published its findings in the ''Final Report of RTCA TASK FORCE 4, Certification.'' This report serves as a starting point for the Certification Steering Committee.

The Certification Steering Committee is Co-Chaired by Mr. Tom McSweeny, FAA Associate Administrator for Regulation and Certification and Mr. Clay Jones, President, Rockwell Collins. The Certification Steering Committee will function as a Federal Advisory Committee with all meetings open to the public.

The agenda will include: (1) Welcome and Introductory Remarks: (a) RTCA Certification Activity Structure and Procedures; (b) Review Steering Committee Charter; (2) Background: (c) Task Force Four (TF4) Recommendations; (3) Certification Select Committee: (d) Membership; (e) Terms of Reference and Proposal for Implementing TF4 Recommendations; (f) Working Group Organization and Work Plans; (g) Near Term Certification Improvement Goals; (h) Deliverables and Milestones; (4) Other Business; (5) Date and Location of Next Meeting; (6) Closing.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW, Suite 1020, Washington, DC 20036; (202) 833–9339 (phone); (202) 833–9434 (fax); or http://www.rtca.org (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 28, 2000.

Janice L. Peters,

Designated Official.

[FR Doc. 00–5356 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No: MARAD–2000–6998]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel Ursa Major.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S. build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105–383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 5, 2000.

ADDRESSES: Comments should refer to docket number MARAD–2000–6998. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001.

You may also send comments electronically via the Internet at http://dmses.dot.gov/submit/. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at http://dms.dot.gov.

FOR FURTHER INFORMATION CONTACT: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR 832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–0760.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (less than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commentor's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested: *Ursa Major*, owner: V. Joyce Gauthier

(2) Size, capacity and tonnage of vessel: 65 feet in length, 109 gross tons, 87 tons net. Tonnage calculated for full displacement deep V trawler hull at time of initial documentation in 1982.

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: ''Vessel will be used for six to twelve passenger charters for individuals interested in touring the areas of the Puget Sound and Alaska near coastal areas.''

(4) Date and place of construction and (if applicable) rebuilding. Date of construction 1972, place of original construction: hull in Norway, upper structures and interior in Malahide, County of Dublin, Ireland. Added information from the applicant: ''Reconstruction and major refits: Vessel has remained under U.S. citizenship ownership since construction and has had extensive refitting, repowering, hull work, and interior work done at various northeast shipyards (1972 to 1978), Merrill Stevens Shipyard in Florida (1978 to 1992), Seaview East in Seattle (1999–2000 and future) and currently Brower Boat Inc. in Seattle (1999–2000 and future). Work in US shipyards since launch in 1972 exceeds a minimum of 5 times its original cost and fair market value (average 1978 to 1992 was > $100,000 per year per prior owner and shipyard; 1994 to 2000 > $300,000).''

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: ''The Ursa Major will be joining her sistership, the Explorer, in providing custom yacht cruises in Pacific Northwest and Alaskan waters to promote the preservation of these classic full displacement wooden hulled North Sea Trawlers. Similar vessels, including sistership EXPLORER and Norwegian ROMSDAHL VIKING FJORD, have received congressional waivers of the coastwise trade laws for the purposes of doing charter cruises in Puget Sound and Southeast Alaska. These boats have provided access to the public to maritime environments for interested individual tour groups and offered quality maritime training to individuals seeking to gain skills of seamanship.

The URSA MAJOR will be commanded by Captain Mike Fleming, formerly of the VIKING FJORD. Captain Fleming has a degree in oceanography from the University of Washington. He is a retired career officer of the National Oceanographic and Atmospheric Administration (NOAA) of the Department of Commerce and is responsible for charting much of Southeast Alaska and Prince William Sound waters. He is a former Commander of NOAA coast and geodetic vessels. He is very sensitive to the cultural and biologic aspects of the areas in which we will be touring. He embodies the approach to trade and activity that the URSA MAJOR will project as a commercial operation. We will work with environmental groups and special needs groups to provide access to unique environments as customized cruises and promote the safe and responsible use of our marine environment. Studies have indicated the growth rate of cruise ship passengers booking to Alaska to increase at the rate of 20% per year over the last decade. This growth in Alaskan tourism leaves room for the entrance of additional small vessel operators without having measurable impact on existing operators. Due to the small size of these vessels and their low environmental impact they are often welcomed into areas and communities not accessible to larger ships. The small and highly individualized nature of this operation and the increasing public interest in these types of low environmental impact nature tours makes it unlikely that this will have significant negative impact on any major cruise programs or other commercial operators.''

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: ''The URSA MAJOR has remained under private U.S. ownership as a recreational vessel throughout her life but is a perfect candidate for the near coastal trade waiver to allow her to support her own maintenance. As such, she will be available for enjoyment by the maximum number of individuals.

As noted in Item 4 on reconstruction and major refits, the URSA MAJOR has had over five times her original cost reinvested in her renovation at U.S. shipyards to date. At this point in time no commercial U.S. shipyard is involved in construction of 65-foot wooden yachts. Therefore, granting this exemption to URSA MAJOR will have no impact on new vessel construction while providing commercial viability for this boat will assure continued marine repair work. It would not be economically feasible to construct a vessel of this type due to the lack of many of the woods and skills needed to replace her. Appropriate repair skills exist for wooden boats of this type in the Puget Sound region. This vessel remains a fine example of wooden boat building skills of the world and would allow many interested shipwrights, both professional and amateur, the opportunity to learn from her construction, her history, and sense the pride in being involved in her repair and maintenance. Her commercial viability will assure quality maintenance of this vessel for decades to come. The URSA MAJOR is currently completing a refit lasting over the last six years. This has been done exclusively at commercial Seattle shipyards amounting to over her fair market value.''

Dated: February 29, 2000.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 00–5345 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No: MARAD–2000–6999]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel Victory of Burnham.

SUMMARY: As authorized by Public Law 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S. build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with P.L. 105–383 and MARAD's regulations at 46 CFR 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before April 5, 2000.

ADDRESSES: Comments should refer to docket number MARAD–2000–6999. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW, Washington, DC 20590–0001. You may also send comments electronically via the Internet at http://dmses.dot.gov/submit/. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at http://dms.dot.gov.

FOR FURTHER INFORMATION CONTACT: Michael Hokana, U.S. Department of Transportation, Maritime Administration, MAR 832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–0760.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (less than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commentor's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested: *Victory of Burnham,* Owner: Mr. Jay Scott.

(2) Size, capacity and tonnage of vessel: 44′ foot sailboat of 15 gross tons, 13 net tons, displacing 22,280 pounds measured by the United States Sailing Association. She will carry six passengers.

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: ''The intended use of this vessel is to provide sail racing and team building charters in Northeastern Florida, and Southeastern Georgia, specifically Amelia Island, Fl.''

(4) Date and place of construction and (if applicable) rebuilding. The sailboat was built in Penryn, Cornwall, United Kingdom in 1981.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: ''I believe by granting this waiver it will have no impact on other charter boats in the area. The majority are fishing vessels and the few 6 passenger cruising/sightseeing vessels in the area do not offer racing or team building. Tourism has grown to such an extent on Amelia Island that there were not enough charter sailboats to keep up with the demand last year and some people had to be turned away.''

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: ''In reference to United States shipyards, the only impact would be positive, because of the following facts: I purchased *Victory of Burnham* in 1991 for $56,000. Since that time I have spent $45,000 on U.S. built spars, rigging, and sails, $21,000 at U.S. yards for rebuilding the hull, $2,000 for rebuilding the keel and $13,000 on U.S. made electronics.''

Additional information supplied by the applicant: ''*Victory of Burnham* has spent 19 of her 20 years in the United States. She served the United States Navy at the Naval Academy, for many years training Midshipmen. I would like to continue her tradition of team-building.''

Dated: February 29, 2000.

By order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 00–5346 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on October 27, 1999 (64 FR 57924–57925).

DATES: Comments must be submitted on or before April 5, 2000.

FOR FURTHER INFORMATION CONTACT: Gary R. Toth at the National Highway Traffic Safety Administration, Office of Research and Development (NRD–32), 202–366–5378. 400 Seventh Street, SW, Room 6213, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: National Automotive Sampling System (NASS) Crashworthiness Data Systems (CDS).

OMB Number: 2127–0021.

Type of Request: Extension of a currently approved collection.

Abstract: The National Highway Traffic Safety Administration (NHTSA), under the National Traffic and Motor Vehicle Safety Act of 1966 (Pub. L. 89–563, Title 1, Sec. 106, 108, and 112). National Automotive Sampling System

(NASS) Crashworthiness Data Systems (CDS), NASS investigates high severity crashes. These descriptions and analyses in turn will help to describe the magnitude of vehicle damage and injury severity as related to traffic safety problems. It will give motor vehicle researchers an opportunity to specify areas in which improvements may be possible, design countermeasure program, and evaluate the effects of existing and proposed safety measures.

Affected Public: Motor vehicle researchers from state, local or tribal governments.

Estimated Total Annual Burden: 5,807

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW, Washington, DC 20503, Attention NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Departments estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A Comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on March 1, 2000.

Herman L. Simms,

Associate Administrator for Administration.

[FR Doc. 00–5357 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2000–6975; Notice 1]

Forest River, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

Forest River, Inc., a recreational vehicle manufacturer in Goshen, Indiana, has estimated that shades furnished in 511 of their model year 2000 motorhomes [1] fail to comply with 49 CFR 571.302, Federal Motor Vehicle Safety Standard (FMVSS) No. 302, ''Flammability of Interior Materials,'' and has filed an appropriate report pursuant to 49 CFR Part 573, ''Defect and Noncompliance Reports.'' Forest River has also petitioned to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of a petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

The agency has assigned a Recall Campaign No. 99V–353 for this noncompliance case. FMVSS No. 302's paragraph S4.1 specifies shades, among others, as a component of vehicle occupant compartments, and that shades, therefore, shall meet the requirements of S4.3. Paragraph S4.3 specifies that when a component material is tested in accordance with paragraph S5, it shall not burn, nor transmit a flame across its surface, at a rate of more than 102 mm (4 inches) per minute. FMVSS No. 302's burn rate testing requires a 102 mm (4-inch) wide by 356 mm (14-inch) long sample, wherever possible (S5.2).

On January 12, 2000, Forest River voluntarily submitted a Part 573 Noncompliance Report and acknowledged that shades used in the affected vehicles do not comply with FMVSS No. 302. The conclusion was based on a one-sample test conducted on November 9, 1999. The test showed a 199 mm (7.84 inches) per minute burn rate which is a noncompliance with FMVSS No. 302. Forest River stated that it immediately corrected their production designs and that the new shades comply with FMVSS No. 302 as demonstrated by a new test conducted on November 24, 1999, showing a 0 mm (0 inch) per minute burn rate.

Forest River supports its application for inconsequential noncompliance with the following:

''1. The shades are not used in the driver/passenger area. They are used in the living portion only, which is behind the driver/passenger compartment.

2. FMVSS No. 302 does not apply to Traveltrailers, Fithwheels (sic) and Truck Campers with similar living areas. Some states do allow people to travel in them as well.

3. The total area of the shades represents a minimal area compared to the total interior surface area.

4. There has been no reports of problems or fires involving these shades. ''

Based on above stated reasons, Forest River requested NHTSA to grant the inconsequentiality petition since the noncompliance represents a minimal potential for occupant injury due to interior fire. It also stated that because there have been no reports of fires involving the noncompliance shades, the noncompliance presents no reasonably anticipated risk to motor vehicle safety.

Interested persons are invited to submit written data, views, and arguments on the application of Forest River described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: April 5, 2000.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: February 29, 2000.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 00–5358 Filed 3–3–00; 8:45 am]

BILLING CODE 4910–59–P

[1] Affected vehicles include River Forest manufactured motorhomes (1) Sunseeker—models 230, 235S, 260, 280, 305S, 310; (2) Georgetown—models 265, 303, 306S, 320, 325S, 346S; (3) Windsong—models 325S, 326DS, 349S, 340S; and (4) Reflection—models 327S, 350S.

DEPARTMENT OF THE TREASURY

Treasury Advisory Committee on International Child Labor Enforcement

AGENCY: Department Offices, Treasury.

ACTION: Renewal of the Treasury Advisory Committee on International Child Labor Enforcement (''the Committee'') and solicitation of applications for membership.

SUMMARY: The Treasury Department has determined that it is in the public interest to renew the Advisory Committee on International Child Labor Enforcement. The Department proposes to file a charter for an additional two-

year term for the Advisory Committee by the expiration date of the current charter (June 22, 2000.) This notice establishes criteria and procedures for the selection of members for the next two-year term.

FOR FURTHER INFORMATION CONTACT: Dennis M. O'Connell, Director, Office of Tariff and Trade Affairs ((202) 622–0220), or Mary Dinh, Research Assistant, Office of Tariff and Trade Affairs ((202) 622–9062), Office of the Under Secretary (Enforcement).

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (1962), the Under Secretary (Enforcement) renews the following advisory committee.

Title: The Treasury Advisory Committee on International Child Labor Enforcement.

Purpose: The purpose of the Committee is to present advice and recommendations to the Secretary of the Treasury regarding the enforcement of restrictions on the importation of merchandise manufactured in foreign countries using forced or indentured child labor.

Statement of Public Interest: It is in the public to renew, under the provisions of the Federal Advisory Committee Act, the Advisory Committee on International Child Labor Enforcement for an additional two-year term. The Committee provides a critical forum for distinguished representatives of non-governmental organizations, private businesses, trade associations, academia, and the public to present their views on enforcement of the import restrictions on merchandise manufactured overseas with forced or indentured child labor. These views are offered directly to senior Treasury and Customs officials on a regular basis in a candid atmosphere. There exists no other single body that could serve a comparable function.

SUPPLEMENTARY INFORMATION:

Background

Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) prohibits the importation of ''goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions * * *.'' The prohibition is enforced by the United States Customs Service in accordance with the Customs Regulations, 19 CFR 12.42–12.48. A general provision in the Fiscal Year 1998 Treasury Appropriations Act made explicit that merchandise manufactured with ''forced or indentured child labor'' falls within the prohibition of Section 307, and also mandated that Customs not use any of the appropriation to permit the importation into the United States of such merchandise. The provision has been renewed annually.

In the last three State of the Union addresses, President Clinton pledged to fight abusive child labor. The Advisory Committee constitutes a partnership between Executive agencies, labor and human rights advocacy groups, industry representatives, and the public to promote effective enforcement of the law and to further the President's commitment to combat abusive child labor.

Objective, Scope and Description of the Committee

The Committee advises the U.S. Treasury Department, the U.S. Customs Service, and other Executive agencies, on measures to enhance the effectiveness of enforcement of the import prohibition on merchandise manufactured in foreign countries with forced or indentured child labor. Among other matters, the Committee assists in identifying specific information resources regarding, and avenues of productive inquiry into, prohibited child labor operations overseas. A major objective of the Committee is to share the expertise of private sector, specialists regarding methods of operation employed, and international trade channels used, by manufacturers and distributors of merchandise produced with forced or indentured child labor. The ultimate purpose of this combined effort is to support a vigorous laws enforcement initiative to stop illegal shipments of products of forced or indentured child labor and to punish violators.

Among other things, the Committee makes recommendations in the following areas. The Committee may consider additional governmental and non-governmental measures to prevent child labor imports. The Committee may recommend measures and furnish information that will assist the Executive agencies in establishing a vigorous outreach and educational program calling upon industries and individuals in the private sector to promote voluntary compliance with the child labor prohibition. During its first term, the Committee established a Subcommittee on Business Outreach for this purpose. The Committee may explore avenues for encouraging the cooperation of both foreign governments and foreign non-governmental organizations in nations where child labor is widely perceived to be a serious problem in order to enlarge the reach and effectiveness of U.S. enforcement efforts and resources.

Private sector members will be selected by the Secretary of the Treasury from persons with expertise in the subject of the use of child labor in foreign countries, particularly in the production of merchandise for international trade and/or who have commercial interests that may be affected by governmental enforcement measures. Members will be drawn from such organizations as labor rights, human rights, and child welfare groups; labor unions; affected private firms and trade associations; academic experts and others who possess relevant expertise and/or who represent affected constituencies. Appointments will be made with the objective of creating a diverse and balanced body with a variety of interests, backgrounds, and viewpoints represented. In general, there will be at least twelves private sector members and not more than twenty. The Committee has seventeen private sector members during its first term. Members currently serving on the Committee are eligible to apply for appointment. The Committee also will continue to include ex officio members from relevant government agencies and entities.

The Committee will be chaired by the Assistant Secretary of the Treasury for Enforcement who may designate another official to serve in his or her absence as Acting Chairperson for purposes of presiding over a meeting of the Committee or performing any other duty of the Chairperson. The Committee will function for a two-year period before renewal or termination. It will meet periodically, but generally not more than four times per year, at the Treasury Department in Washington. The Committee may elect to hold a meeting(s) at another location if there is a consensus that this would further the objectives of the Committee.

The meetings are open to public observers, including the press, unless special procedures have been followed to close a meeting. However, participation in the meetings is limited to members unless the Committee elects to hold a hearing or to hear presentations from nonmembers.

No person who is required to register under the Foreign Agents Registration Act as an agent or representative of a foreign principal may serve on an advisory committee. Members shall not be paid compensation nor shall they be considered Federal Government employees for any purpose. No per diem, transportation, or other expenses are reimbursed for the cost of attending Committee meetings at any location.

Membership on the Committee is personal to the appointee. Regular attendance is essential to the effective operation of the Committee. However, in the event of an unavoidable absence, a member may designate an alternate to represent him or her at a meeting.

Application for Advisory Committee Appointment

Any interested person wishing to serve on the Treasury Advisory Committee on International Child Labor Enforcement must provide the following:

—Statement of interest and reasons for application;

—Complete professional biography or resume.

In addition, applicants must state in their applications that they agree to submit to pre-appointment security and tax checks. There is no prescribed format for the application. Applicants may send a cover letter describing their interest and qualifications and enclosed a resume.

The application period for interested candidates will extend to April 7, 2000. Applications should be submitted in sufficient time to be received by the close of business on the closing date and be addressed to Dennis M. O'Connell, Director, Office of Tariff and Trade Affairs, Office of the Under Secretary (Enforcement), Room 4004, Department of the Treasury, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, Attention: CHILD 2000.

Dated: February 29, 2000.

John P. Simpson,

Deputy Assistant Secretary (Regional, Tariff and Trade Enforcement).

[FR Doc. 00–5361 Filed 3–3–00; 8:45 am]

BILLING CODE 4810–25–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Privacy Act of 1974, System of Records

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed new system of records.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury gives notice of a proposed IRS system of records, Disclosure Authorizations for U.S. Residency Certification Letters—Treasury/IRS 22.028.

DATES: Comments must be received no later than April 5, 2000. The proposed system of records will be effective April 17, 2000 unless comments are received that result in a contrary determination.

ADDRESSES: Comments should be sent to the IRS Freedom of Information Reading Room, 1621, at 1111 Constitution Avenue, Washington, DC 20224. Comments will be made available for inspection and copying. An appointment for inspecting the comments can be made by contacting the IRS Reading Room at (202) 622–5164 (this is not a toll-free call).

FOR FURTHER INFORMATION CONTACT: Beth Ann Leshinski, Chief, International and Domestic Program Support at 215–516–7544.

SUPPLEMENTARY INFORMATION: The IRS is establishing the Disclosure Authorizations for U.S. Residency Certification system of records to maintain the taxpayer's authorization granting the IRS permission to send the U.S. residency certification or rejection letter to their designated third party (generally a financial institution authorized by the taxpayer). Since parts of this system are retrieved by individual identifier, the Privacy Act of 1974, as amended, requires a general notice of the existence of this system of records to the public.

This system will incorporate stringent controls to ensure full protection of the taxpayer's rights. The establishment of this system will save time, promote efficiencies within the IRS, and provide greater service to the public since it will reduce the flow of paper between the IRS, the financial community, and the taxpayer.

The IRS will maintain these authorizations to allow them to be used for up to 3 years instead of being discarded each time they are used. This would greatly reduce the number of ''specific purpose'' authorizations by the taxpayer as they pertain to the residency certification letters. Currently, the authorizations must be received within 60 days of the taxpayer's signature. The taxpayer can designate authorization up to 3 years on the form, but the IRS does not have any means to maintain this information. Since there is no established system of records that enables the IRS to maintain ''specific purpose'' authorizations, we are restricted in our ability to process the third-party requests without receiving a newly signed authorization yearly.

The proposed IRS system of records, ''Disclosure Authorizations for U.S. Residency Certification Letters—Treasury/IRS 22.028,'' is published in its entirety below.

Dated: February 28, 2000,

Shelia Y. McCann,

Deputy Assistant Secretary, (Administration).

Treasury/IRS 22.028

SYSTEM NAME

Disclosure Authorizations for U.S. Residency Certification Letters.

SYSTEM LOCATION

Internal Revenue Service, Northeast Region, Philadelphia Service Center, 11601 Roosevelt Boulevard, Philadelphia, PA 19154.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM

Individuals and third parties who are subjects of correspondence and who initiate correspondence for disclosure authorizations for U.S. Residency Certification Letters. The correspondence may include any form of communications, including telephone calls, and e-mail.

CATEGORIES OF RECORDS IN THE SYSTEM

Records relating to the entity requesting certification, including taxpayer identification number, name and address, countries for which certification has been requested, and when applicable, business activity code; records relating to the designated entity authorized to receive tax information specific to the U.S. Residency Certification Letters, name, address, and number of years authorization has been granted.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM

5 U.S.C. 301; 26 U.S.C. 7801 & 7802.

PURPOSE(S)

The records will enable the IRS to determine if there is a valid disclosure authorization to provide a third party with the Residency Certification Letter (Form 6166, Form 2297 or Form 2298) or related taxpayer information.

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

Disclosure of returns and return information may only be made as provided by 26 U.S.C. 6103.

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

STORAGE

Electronic media, and/or hard copy media (paper).

RETRIEVABILITY

Records may be retrieved by the taxpayer's name, authorized individual or company name, and by the Taxpayer Identification Number (TIN).

SAFEGUARDS

Protection and control of the records are in accordance with the requirements of IRM 2(10), the Automated Security System Security Handbook, and IRM 1(16)12.

RETENTION AND DISPOSAL

Records are maintained in accordance with Records Control Schedule 206 for Service Centers, IRM 1(15)59.26. Records will be maintained up to 3 years. Hard copy and microfilm media will be disposed by shredding or incineration. Electronic media will be erased electronically.

SYSTEM MANAGER(S) AND ADDRESSES

Director, Philadelphia Service Center, Internal Revenue Service, Northeast Region, Philadelphia Service Center, 11601 Roosevelt Boulevard, Philadelphia, PA 19154.

NOTIFICATION PROCEDURE

Individuals seeking to determine if this system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR part 1, subpart C, appendix B.

RECORD ACCESS PROCEDURES

Individuals seeking access to any record contained in this system of records, or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR part 1, subpart C, appendix B. Inquiries should be addressed to the Philadelphia Service Center Director. (See IRS appendix A for addresses.)

CONTESTING RECORD PROCEDURES

See record access procedures above. 26 U.S.C. 7852(e) prohibits Privacy Act amendment of tax records.

RECORD SOURCE CATEGORIES

Information supplied by the initiators of the correspondence.

EXEMPTIONS CLAIMED FOR THE SYSTEM

None.

[FR Doc. 00–5365 Filed 3–3–00; 8:45 am]

BILLING CODE 4830–01–P

UNITED STATES INSTITUTE OF PEACE

Sunshine Act Meeting

Agency: United States Institute of Peace.

Date/Time: Thursday, March 16, 2000, 9:00 a.m.–5:30 p.m.

Location: 1200 17th Street, NW, Suite 200, Washington, DC 20036.

Status: Open Session—Portions may be closed pursuant to Subsection (c) of Section 552(b) of Title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, Public law 98–525.

Agenda: March 2000 Board Meeting; Approval of Minutes of the Ninety-Third Meeting (January 20, 2000) of the Board of Directors; Chairman's Report; President's Report; Committee Reports; Consideration of fellowship applications and individual Grants; Other General Issues.

Contact: Dr. Sheryl Brown, Director, Office of Communications, Telephone: (202) 457–1700.

Dated: March 1, 2000.

Charles E. Nelson,

Vice President for Management and Finance, United States Institute of Peace.

[FR Doc. 00–5421 Filed 3–1–00; 4:04 pm]

BILLING CODE 6820–AR–M

Corrections

Federal Register
Vol. 65, No. 44
Monday, March 6. 2000

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP99–507–000]

Amoco Energy Trading Corporation, Amoco Production Company, and Burlington Resources Oil & Gas Company v. El Paso Natural Gas Company; Notice of Technical Conference

Correction

In notice document 00–4445, appearing on page 10067, in the issue of Friday, February 25, 2000, the docket line should appear as set forth above.

[FR Doc. C0–4445 Filed 3–3–00; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 309--Pennsylvania]

Pennsylvania Electric Co./GPU Genco; Notice of Meeting

Correction

In notice document 00–3762 appearing on page 8129 in the issue of Thursday, February 17, 2000, the docket number should read as set forth above.

[FR Doc. C0–3762 Filed 3–3–00; 8:45 am]

BILLING CODE 1505–01–D

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–263]

Northern States Power Company; Monticello Nuclear Generating Plant; Notice of Consideration of Approval of Transfer of Operating Authority Under Facility Operating License and Conforming Amendment, and Opportunity for a Hearing

Correction

In notice document 00–3517 beginning on page 7574 in the issue of Tuesday, February 15, 2000, make the following correction:

On page 7574, in the third column, the second full paragraph, the third line, ''March 18, 2000'' should read ''March 16, 2000''.

[FR Doc. C0–3517 Filed 3–3–00; 8:45 am]

BILLING CODE 1505–01–D

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–282 and 50–306; Docket No. 72–10]

Northern States Power Company; Prairie Island Nuclear Generating Plant, Units 1 and 2, and Prairie Island Independent Spent Fuel Storage Installation; Notice of Consideration of Approval of Transfer of Operating Authority Under Facility Operating Licenses and Materials License and Conforming Amendments, and Opportunity for a Hearing

Correction

In notice document 00–3518 beginning on page 7574 in the issue of Tuesday, February 15, 2000, make the following correction:

On page 7575, in the third column, the second full paragraph, the third line, ''March 18, 2000'' should read ''March 16, 2000''.

[FR Doc. C0–3518 Filed 3–3–00; 8:45 am]

BILLING CODE 1505–01–D

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-42403; File No. SR-CHX-99-08]

Self-Regulatory Organizations; Chicago Stock Exchange, Inc.; Order Granting Approval to Proposed Rule Change Relating to Access to an After-Hours Trading Session

February 7, 2000.

Correction

In notice document 00–3436 beginning on page 7581, in the issue of Tuesday, February 15, 2000, make the following correction:

On page 7581, in the second column, the docket number is corrected to read as set forth above.

[FR Doc. C0–3436 Filed 3-3-00; 8:45 am]

BILLING CODE 1505–01–D

Federal Register

Monday,
March 6, 2000

Part II

Department of Agriculture

Cooperative State Research, Education, and Extension Service

Request for Proposals (RFP): Initiative for Future Agriculture and Food Systems, FY 2000; Notice

DEPARTMENT OF AGRICULTURE

Cooperative State Research, Education, and Extension Service

Request for Proposals (RFP): Initiative for Future Agriculture and Food Systems, FY 2000

AGENCY: Cooperative State Research, Education and Extension Service

ACTION: Notice of Request for Proposals and Request for Input

SUMMARY: The Cooperative State Research, Education, and Extension Service (CSREES) announces the availability of grant funds and requests proposals for the Initiative for Future Agriculture and Food Systems Program (IFAFS) for fiscal year (FY) 2000 to support competitively awarded research, extension and education grants addressing key issues of national and regional importance to agriculture, forestry, and related topics. The amount available for support of this program in FY 2000 is approximately $113,400,000.

This notice sets out the objectives for these projects, the eligibility criteria for projects and applicants, the application procedures, and the set of instructions needed to apply for an IFAFS grant under this authority.

By this notice, CSREES additionally solicits stakeholder input from any interested party regarding the FY 2000 IFAFS for use in development of any future requests for proposals for this program.

DATES: Proposals must be transmitted by May 8, 2000, as indicated by postmark or date on courier bill of lading. Proposals transmitted after this date will not be considered for funding. Comments regarding this request for proposals are requested within six months from the issuance of this notice. Comments received after that date will be considered to the extent practicable.

ADDRESSES: The address for hand-delivered proposals or proposals submitted using an express mail or overnight courier service is: Initiative for Future Agriculture and Food Systems; c/o Proposal Services Unit; Cooperative State Research, Education, and Extension Service; U.S. Department of Agriculture; Room 303, Aerospace Center; 901 D Street, S.W.; Washington, D.C. 20024.

Proposals sent via the U.S. Postal Service must be sent to the following address: Initiative for Future Agriculture and Food Systems; c/o Proposal Services Unit; Cooperative State Research, Education, and Extension Service; U.S. Department of Agriculture; STOP 2245; 1400 Independence Avenue, S.W.; Washington, D.C. 20250–2245.

Written user comments should be submitted by first-class mail to: Policy and Program Liaison Staff; Office of Extramural Programs; USDA–CSREES; STOP 2299; 1400 Independence Avenue, S.W.; Washington, D.C. 20250–2299; or via e-mail to: RFP-OEP@reeusda.gov. In your comments, please include the name of the program and the fiscal year of the RFP to which you are responding.

FOR FURTHER INFORMATION: Applicants and other interested parties are encouraged to contact the Program Director listed in the program areas found in the Program Area Description section below; or Dr. Rodney Foil, Director IFAFS, Cooperative State Research, Education, and Extension Service; U.S. Department of Agriculture; STOP 2242; 1400 Independence Avenue, S.W. Washington, D.C. 20250–2242; telephone: (202) 401–5022; email: rfoil@reeusda.gov; or Dr. Cynthia Huebner, Assistant Director IFAFS, at the same address; telephone: (202) 401–4114; email: chuebner@reeusda.gov.

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Stakeholder Input

CSREES is soliciting comments regarding this solicitation of applications from any interested party. These comments will be considered in the development of any future RFP for the program. Such comments will be forwarded to the Secretary or his designee for use in meeting the requirements of section 103(c)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(c)(2). This section requires the Secretary to solicit and consider input on a current RFP from persons who conduct or use agricultural research, education and extension for use in formulating future RFPs for competitive programs. Comments should be submitted as provided for in the **ADDRESSES** and **DATES** portions of this Notice.

Catalog of Federal Domestic Assistance

This program is listed in the Catalog of Federal Domestic Assistance under 10.302, Initiative for Future Agriculture and Food Systems.

Part I—General Information

A. Legislative Authority and Background

Section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (AREERA) (7 U.S.C. 7621) established in the Treasury of the United States an IFAFS account and authorized the Secretary of Agriculture to establish a research, extension, and education competitive grants program to address critical emerging agricultural issues related to (1) future food production, (2) environmental quality and natural resource management, or (3) farm income. Grants are to be awarded that shall address priority mission areas related (a) Agricultural genome, (b) Food safety, food technology and human nutrition, (c) New and alternative uses and production of agricultural commodities and products, (d) Agricultural biotechnology, (e) Natural resource management, including precision agriculture, and (f) Farm efficiency and profitability, including the viability and competitiveness of small- and medium-sized dairy, livestock, crop, and other commodity operations. Priority is to be given to projects that are multistate, multi-institutional, or multidisciplinary or projects that integrate agricultural research, extension and education.

Subject to the availability of funds to carry out this program, the Secretary may award grants to Federal research agencies, national laboratories, colleges and universities or research foundations maintained by a college or university, or a private research organization with an established and demonstrated capacity to perform research or technology transfer. Grants also may be awarded to ensure that faculty of small and mid-sized institutions that have not

previously been successful in obtaining competitive grants under subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) (*i.e.,* the CSREES National Research Initiative Competitive Grants Program) receive a portion of the IFAFS grants. Grants are to be awarded to address priorities in United States agriculture that involve research, extension, and education activities as determined by the Secretary in consultation with the National Agricultural Research, Extension, Education, and Economics Advisory Board; and stakeholders through a public meeting held in July of 1998.

B. Purpose, Priorities and Fund Availability

The purpose of the IFAFS is to support research, education and extension grants that address critical emerging agricultural issues related to (1) future food production, (2) environmental quality and natural resource management, or (3) farm income.

In awarding IFAFS grants, priority will be given to projects that are multistate, multi-institutional, or multidisciplinary or projects that integrate agricultural research, extension and education. Integrated projects hold the greatest potential to produce and transfer knowledge directly to end users, while providing for educational opportunities to assure agricultural expertise in future generations. The IFAFS also holds great opportunity to bring the agricultural knowledge system to bear on issues impacting small and mid-sized producers and land managers, thus enabling improvements in quality of life and community. In support of the agency's goal to enhance the competitiveness of U.S. agriculture, consideration will also be given to projects (with U.S. institutions as the lead) that incorporate an international dimension with demonstrable domestic benefits.

IFAFS is distinct from other CSREES programs because of its priority on integration of research, extension, and education; its consideration of the concerns of small and mid-sized operations; its emphasis of agricultural production issues; and its goal to support relatively large projects that provide more intensive support to the research, extension, and education system.

There is no commitment by USDA to fund any particular proposal or to make a specific number of awards. Approximately $113,400,000 is available in FY 2000 for programs within the IFAFS for the following priority areas: Agriculture Genome and Agricultural Biotechnology ($32,800,000); Food Safety, Food Technology, and Human Nutrition ($23,600,000); New and Alternative Uses and Production of Agricultural Commodities and Products ($9,400,000); Natural Resource Management, including Precision Agriculture ($28,400,000); and Farm Efficiency and Profitability, Including the Viability and Competitiveness of Small-and Medium-sized Dairy, Livestock, Crop, and Other Commodity Operations ($18,900,000). Funds available for each priority area are targets. The number and quality of applications, as well as the need to reach programmatic goals, may necessitate the movement of funds between priority areas.

Funds will be made available to small or mid-sized academic institutions that have not been previously successful in obtaining competitive grants under the National Research Initiative Competitive Grants Research Program.

The program areas described herein were developed within the context of the authorized purposes of both USDA research, extension, and education (7 U.S.C. 3101) and IFAFS (7 U.S.C. 401), within the framework of the CSREES Strategic Plan (Available at www.usda.gov/ocfo/strat/ree.pdf) and based on stakeholder input.

C. Definitions

For the purpose of awarding grants under this program, the following definitions are applicable:

(1) *Administrator* means the Administrator of the Cooperative State Research, Education, and Extension Service (CSREES) and any other officer or employee of the Department to whom the authority involved may be delegated.

(2) *Authorized departmental officer* means the Secretary or any employee of the Department who has the authority to issue or modify grant instruments on behalf of the Secretary.

(3) *Authorized organizational representative* means the president or chief executive officer of the applicant organization or the official, designated by the president or chief executive officer of the applicant organization, who has the authority to commit the resources of the organization.

(4) *Budget period* means the interval of time (usually 12 months) into which the project period is divided for budgetary and reporting purposes.

(5) *Cash contributions* means the applicant's cash outlay, including the outlay of money contributed to the applicant by non-Federal third parties.

(6) *Department* or *USDA* means the United States Department of Agriculture.

(7) *Education activity* means an act or process that imparts knowledge or skills through formal or informal schooling.

(8) *Extension activity* means an act or process that delivers research-based knowledge and educational programs to people, enabling them to make practical decisions.

(9) *Grant* means the award by the Secretary of funds to an eligible organization or individual to assist in meeting the costs of conducting, for the benefit of the public, an identified project which is intended and designed to accomplish the purpose of the program as identified in these guidelines.

(10) *Grantee* means the organization designated in the grant award document as the responsible legal entity to which a grant is awarded.

(11) *Integrated* means to bring together the three components of the agricultural knowledge system (research, education and extension) together around a problem area or activity.

(12) *Matching* means that portion of allowable project costs not borne by the Federal Government, including the value of in-kind contributions.

(13) *National laboratories* include Federal laboratories that are government-owned contractor-operated or government-owned government-operated.

(14) *Peer review* is an evaluation of a proposed project for scientific or technical quality and relevance performed by experts with the scientific knowledge and technical skills to conduct the proposed work or to give expert advice on the merits of a proposal.

(15) *Principal Investigator/Project director* means the single individual designated by the grantee in the grant application and approved by the Secretary who is responsible for the direction and management of the project.

(16) *Prior approval* means written approval evidencing prior consent by an authorized departmental officer as defined in (2) above.

(17) *Private research organization with an established and demonstrated capacity to perform research or technology transfer* means any non-governmental corporation, partnership, proprietorship, trust, or other organization that (1) conducts any systematic study directed toward new or fuller knowledge and understanding of the subject studied, or (2) systematically relates or applies the findings of

research or scientific experimentation to the application of new approaches to problem solving, technologies, or management practices; and (3) has facilities, qualified personnel, independent funding, and prior projects and accomplishments in research or technology transfer.

(18) *Project* means the particular activity within the scope of the program supported by a grant award.

(19) *Project period* means the period, as stated in the award document and modifications thereto, if any, during which Federal sponsorship begins and ends.

(20) *Research activity* means a scientific investigation or inquiry that results in the generation of knowledge.

(21) *Secretary* means the Secretary of Agriculture and any other officer or employee of the Department to whom the authority involved may be delegated.

(22) *Small and Mid-Sized Institutions* means academic institutions having an enrollment of 15,000 or fewer (including part-time students), and that are no higher than the 50th percentile of academic institutions funded by the National Research Initiative Competitive Grants Program in the past three years and are not within the top 100 Federally funded institutions. (See Appendix A.)

(23) *Third party in-kind contributions* means non-cash contributions of property or services provided by non-Federal third parties, including real property, equipment, supplies and other expendable property, directly benefitting and specifically identifiable to a funded project or program.

D. Eligibility

Proposals may be submitted by Federal research agencies, national laboratories, colleges or universities or research foundations maintained by a college or university, or private research organization with an established and demonstrated capacity to perform research or technology transfer. Eligible applicants may subcontract to organizations not eligible under these requirements.

E. Matching Requirements

If a grant provides for applied research that is commodity specific and not of national scope, the grant recipient is required to provide funds or in-kind support to match the amount of Federal grant funds provided.

F. Restrictions on Use of Funds

1. Funds for Buildings and Facilities

IFAFS funds may not be used for the renovation or refurbishment of research spaces; the purchase or installation of fixed equipment in such spaces; or the planning, repair, rehabilitation, acquisition, or construction of buildings or facilities.

2. Funds for Human Cloning

In accordance with the President's Memorandum of March 4, 1997, regarding the use of Federal funds for the cloning of human beings (33 Weekly Comp. Pres. Doc. 278), IFAFS funds shall not be used to support, fund, or undertake any cloning activity that could lead to the creation of a new human being with genetic material identical to that of another human being, including research related directly thereto. The prohibition on use of grant funds to ''support'' human cloning activity includes using, or making available for use, grant-funded equipment for use in connection with human cloning. This ban does not restrict research into the cloning of plants, animals, or individual human cells that cannot develop into a new human being.

Part II—Program Description

A. Types of Projects to be Supported

1. Consortia

Dependent on the merits of proposals received, no less than thirty percent of the total available IFAFS funds will be used for support of consortia. Consortia are entities that may involve multiple states and/or institutions that conduct research; synthesize previous, ongoing and future research; develop curricula and build educational and research capacity; and transfer information to producers, end users, and the public. All IFAFS consortia will be expected to address the needs of agricultural research, extension and education that cannot be addressed through the funding of separate efforts. It is the intent of CSREES to promote collaboration, open communication, exchange of information and resources, and integration of activities among individuals, institutions, states or regions. Consortia should minimize isolation and over-competitiveness, reduce duplication of efforts, and provide an accessible source of expert information, technology, and education upon which the public can draw.

Consortia may be organized around a particular topic or they can be geographically based. Geographically-defined consortia applicants must address the interaction of the problems most relevant to a particular region using a systems-oriented, landscape-scale approach. In contrast, topic-based consortia should focus on a single issue (e.g., minority land ownership or functional foods) that may be of nationwide or regional interest. For either consortium type, an explanation also must be provided for why such an entity has more potential for success than several smaller grants. Requested funds for individual consortia proposals can range between $1–5 million for the total duration of four years. CSREES expects that relatively few grants will be supported at the higher end of this range. The amount requested must be commensurate with the activities proposed.

A designated lead institution of each consortium will administer funds and be responsible for overall management of activities. The proposal must include how the administration of the grant within the consortium will be achieved and monitored. Plans for how each consortium will be maintained and monitored for progress during and beyond the duration of the grant should also be included in the proposal. Consortia proposals will be evaluated on both administrative and monitoring procedures as well as on the merit and likelihood of success of the overall project.

2. Standard

Dependent on the merits of proposals received, no less than thirty percent of the total available funds will be used for standard grants. Standard projects are expected to address research, extension and education in a focused project. Requested funds for individual standard proposals cannot exceed a total request of $1 million for a duration of four years. The amount requested must be commensurate with the activities proposed; support for very large requests of funds will be highly competitive. Standard projects will be encouraged to coordinate with IFAFS-funded consortia pertinent to their project focus.

Dependent on the merits of proposals received, CSREES will ensure that a portion of either consortia or standard grants will be awarded to proposals in which the lead institution (recipient of the Federal funds) is a small- or mid-sized institution (as defined in Part I., C. Definitions). Other institutions or organizations involved in small- and mid-sized institution eligible projects need not meet the criteria described in the definition of a small and mid-sized institution.

B. Program Area Description

1. Agricultural Genomics (Program Area 10.0)

The IFAFS seeks to sponsor integrated research, education and extension programs in plant, animal and microbe genomics and the development of bioinformatic tools with specific applications to agricultural challenges.

A more complete understanding of the entire complement of genes in agriculturally relevant plants, animals and microbes is imperative. More knowledge in this area will have a major impact on the ability of the United States to produce nutritious and safe food, while preserving the environment and sustaining the economic stability of the agricultural enterprise. Greater efforts aimed at identifying, mapping and understanding the function and control of genes responsible for economically important traits in agriculturally important species of plants, animals and microbes are needed. Such efforts will lead to the development of new genetic technologies for improvements in yield, pest and pathogen resistance, and the composition, quality, and safety of U.S. agricultural products.

New bioinformatic and computational biology tools are needed to analyze, interpret and utilize the vast amounts of data that will be generated by genomic research in agriculturally important species. CSREES expects that bioinformatics will be an integral component of any project funded under this Agricultural Genomics program. CSREES is also interested in funding integrated projects primarily dedicated to the research and development of bioinformatics tools and education programs, hence a separate sub-area in bioinformatics. Prospective applicants who are primarily interested in working on a particular plant, animal or microbial system should address their projects to the relevant section. Those primarily interested in developing bioinformatics tools, software, and training programs should address their proposal to the sub-area on Bioinformatics.

All agricultural genomics grant recipients are strongly encouraged to attend or present at an annual grantee workshop that will occur at a date and time to be determined.

Investigators are expected to explain clearly how the ownership of information and research materials and their public release will be handled. Rapid and unrestricted sharing of genomic sequence data is essential for advancing research on agriculturally important species. Early release of unfinished sequence has already proven useful in accelerating the pace of experimental discovery in non-agricultural fields, such as human health, energy production and bioremediation. At the same time, CSREES recognizes that it also is necessary to allow investigators time to verify the accuracy of their data and to accomplish the goals proposed in their application, which often includes the assembly and annotation of the sequence data.

In addition to the general data release procedures above, applications for support of genome sequencing projects must include a detailed description of the data release plan. Timely release is strongly encouraged in recognition of the benefits to the broader research community. Release should be accompanied by appropriate information on the reliability of the data (e.g., level of coverage and extent of assembly, extent of contamination with vector and other sequences, statistical measures of accuracy). At a minimum, it is anticipated that sequence data will be released within one month after 3X coverage of the genome (or chromosome for eukaryotic organisms) is achieved. The released data should be provided as assemblies of equal to, or greater than, one kilobase contigs. Subsequent releases of assembled sequences should be provided at least on a monthly basis.

In the view of some, raw genomic sequences, in the absence of additional demonstrated biological information, lack demonstrated utility and therefore are inappropriate for patent filing. Patent applications on large blocks of primary genomic sequence could stifle future research and the development of future inventions of useful products. However, according to the Bayh-Dole Act, the grantees have the right to elect to retain title to subject inventions and are free to choose to apply for patents should additional biological experiments reveal convincing evidence of utility. CSREES grantees are reminded that the grantee institution is required to disclose each subject invention to CSREES within two months after the inventor discloses it in writing to grantee institution personnel responsible for patent matters.

10.1 Plant Genome. (For clarification on this sub-area, contact the Program Director, Liang-Shiou Lin, at 202–401–5042, e-mail: llin@reeusda.gov or Gail Mclean, at 202–401–6060, e-mail: gmclean@reeusda.gov.)

Research in plant genomics has advanced rapidly in the past few years, and the entire genomic sequences of Arabidopsis and rice will be determined and annotated in the near future. Knowledge of these sequences will provide basic information on the genes in a flowering plant species. While genomic tools and resources are currently available for plant research, they will need to be improved and expanded. Additionally, genomic resources will need to be developed for other economically important plant species. Furthermore, if genomic information is to be applied to plant improvement, more research is needed to determine the function of gene sequences.

The IFAFS Plant Genome Program sub-area will support projects that advance our knowledge of the structure, organization and function of agriculturally important plant genomes. The investment in plant genomics will expand the efforts of the National Plant Genome Initiative (NPGI) coordinated under the National Science and Technology Committee (NSTC) Plant Genome Program. Participating research agencies of the NSTC effort include USDA, the Department of Energy (DOE), the National Institutes of Health (NIH), and the National Science Foundation (NSF).

Examples of education and extension components pertinent to this sub-area include training of graduate and undergraduate students, postdoctoral associates, and/or colleagues (through classes, seminars, workshops, sabbaticals) in the use of genomic resources or outreach to the community through informational seminars and classes on the benefits and methods of genomic research. Wherever appropriate, investigators are encouraged to develop national and international collaborations with research groups already working on the species of interest to maximize the use of structural and functional genomic resources. Collaborations with private industry that have made a significant investment in the species are also encouraged to avoid unnecessary duplication of effort.

Proposals must address one of the two specific topic areas below:

(a) *Development of genomic tools and resources for plant species important to agriculture or forestry.* Collaborative large-scale structural genomics projects are now underway for plants of national and international interest including barley, canola, corn, cotton, lettuce, loblolly pine, peach, potato, poplar, rice, sorghum, soybean, sunflower, tomato, and wheat. Some of these projects have already provided or will soon provide the agricultural research community with genetic and physical maps, ESTs, libraries, and mutant populations. In contrast, genomic tools

and resources for most horticultural crops and forest tree species have not been developed to a comparable extent. Thus, high throughput genomic approaches to understand genome structure and organization of economically important horticultural, (including fruit and vegetable crop species and ornamental plants relevant to U.S. agriculture), and forest plants, will be given high priority, particularly those plants that have not been the focus of major study. However, proposals that extend or complement ongoing research on agricultural plants already under study will be considered; potential research areas include characterization of gene-rich regions of complex cereal genomes, synteny of cereal genomes with rice, and mapping and sequencing under-methylated regions in combination with EST sequencing.

(b) *Functional analysis of the rice genome.* The US is a participant in the international project to sequence the genome of rice. The rice sequence will provide an understanding of genes important to plant growth and productivity, such as those coding for disease and stress resistance, seed development, grain-quality traits, carbon allocation, flowering time, biomass production, and synthesis of compounds valuable for production of fuels and other useful chemicals. Rice is a model system to study because it has a relatively small genome (est 430 Mb), is diploid, is readily transformable and has tractable genetics that include diverse germplasm. These studies in rice will also provide a set of molecular tools to leverage sequence in syntenic species such as maize, wheat, barley, oats, sorghum, and sugarcane. These attributes, in addition to its role as a major food source for the majority of the worlds population, makes rice a model for cereal crop genomics.

To build on the sequencing effort now underway, this program area will support rice functional genomic studies that seek to uncover the function of all genes by relating a mutant phenotype with sequence information. Examples of approaches include gene tagging, proteomics, microarrays, and development of knockout lines. Projects are encouraged to be multi-institutional and multi-disciplinary and include collaborations with researchers who can recognize gene mutations affecting the plant life cycle, such as molecular biologists, bioinformaticians, geneticists, pathologists, and physiologists. Collaborations with international programs is appropriate but the lead institution must be from the US. In addition, this program will also support projects in rice to produce and make publicly available, informative strains and sequences of rice to the international research community; and to develop a public database to consolidate information on mutagenized populations and phenotypic information about mutants characterized.

10.2 Animal Genome. (For clarification on this sub-area, please contact the Program Director, Peter Brayton, at 202–401–5044, e-mail: pbrayton@reeusda.gov.)

There have been substantial efforts in gene mapping of agriculturally important animal species during the past few years. This effort, coupled with recent advances in gene discovery, defining molecular sites on the chromosomes (such as microsatellites), and the development of more sophisticated bioinformatics, has resulted in gene maps with varying density for animal species. Generally, the gene maps have advanced sufficiently that they can begin to be used for marker-assisted selection of progeny and to begin the process of defining genes that control complex traits of economic importance, such as milk production, growth, litter size and disease resistance; however, map densities for some species are far below what is considered optimal for practical application.

This program will emphasize: defining and mapping functional genes through analysis of ESTs, the development of high density comparative gene maps across animal species, identification and mapping of genes affecting traits of economic importance, and development of strategies to effectively use genomic information to enhance genetic improvement of agriculturally important animal species. A considerable degree of linearity in gene order and chromosomal synteny occurs across species. Consequently, the soon-to-be-completed sequencing of the human and mouse genomes will allow reasonable predictions about gene location and relative order without sequencing entire genomes of agricultural animal species. By emphasizing the functional genomics of agriculturally important traits, this program will use information already obtained from other genomic efforts to advance U.S. agriculture in the most cost-effective and expedient manner. Education programs are also needed, not only to apply genomic information effectively, but also to promote understanding of the genomic technologies to all sections of the population, including producers and agricultural professionals.

Proposals are solicited that address one or more of the following areas in animal genomics: (a) develop high density comparative gene maps, which include human and mouse, across agricultural animal species (cattle, sheep, swine, horses, poultry species and aquaculture species); (b) develop high throughput methods for monitoring gene expression in response to environmental stimuli; (c) conduct quantitative trait loci (QTL) analysis and marker assisted selection on large populations of agricultural animals, which may include detailed mapping and sequencing of those loci controlling or having a major effect on economically important traits; (d) develop bioinformatic software to facilitate comparative gene mapping; and (e) develop education programs on new developments in agricultural animal genome research for outreach to producers and students.

10.3 Microbe Genomics. (For clarification of this sub-area, contact the Program Director, Ann Lichens-Park, at (202)–401–6466; e-mail: apark@reeusda.gov.)

Microorganisms dominate the planet in terms of total mass, species diversity, and metabolic range. They include not only pathogens, but also microbes that are beneficial to higher organisms. Many are of enormous present and future economic value. Although genomic information in itself is only a sequence of bases, it provides a framework for understanding how the organism functions and lives. This knowledge can be used to understand why an organism may be pathogenic or beneficial to a plant or animal, or how its properties might be exploited in metabolic engineering, bioremediation, development of sensitive and specific diagnostic tools, improved treatments and preventatives, or more effective vaccines. Knowledge of the genomes of microorganisms is expected to be the driving force for research in the life sciences, including agriculture, forestry, and food safety, over the next quarter century.

This program is designed primarily to encourage competitive research grant applications in support of high-throughput sequencing of genomes of microorganisms (including bacteria, fungi, mollicutes, and protozoa) that are important to the productivity and sustainability of agriculture and forestry, and to the safety and quality of the nation's food supply. This integrated program will provide whole genome sequence data and mapping information on microorganisms that have an impact on agriculture, and extension and education programs to apply this

knowledge to agricultural challenges. Sequencing proposals also should incorporate an education or extension component within the scope of the project to provide a more holistic approach to the problem. Education or extension components may focus on genomics technology or on computational biology and informatics.

It is recognized that complete genome coverage with no gaps is the most desirable end-point for whole genome sequencing. However, agriculturally relevant microbes encompass a sizable number of microorganisms relevant to animals, plants, and natural resources. To date, very few agricultural microbes have been, or are in the process of being, sequenced. Consequently, agriculture lags far behind other fields, such as human health and energy production, with respect to microbial genomics. For this reason, this program encourages investigators to attempt lower level (*e.g.,* 3X—5X) coverage to provide data on multiple organisms. In this manner, the amount of information will be maximized, the program jump-started, and the funds spread across several areas relevant to agriculture. A larger community of agricultural researchers will be able to benefit quickly from the data that are produced.

As a longer term goal, the program will likely request full genome coverage of several (or all) of these organisms. Therefore, to the extent consistent with the Bayh-Dole Act, investigators must plan to make available to the scientific community, upon request, the strains or isolates used, high quality genomic DNA from the organism, and an appropriate set of verified clones developed during the course of the sequencing project. Either a cost-recovery system or use of a commercial repository is permissible, provided that the plan is outlined in the proposal, with an appropriate budget. These reagents should be made available for a minimum of five years.

Note, however, that for smaller genomes, or genomes that may already be sequenced with low coverage, it is acceptable to propose sequencing with high level coverage (*e.g.* 10X) as long as the total budget is within the limits outlined in the awards subsection.

Choices of organism will be open to those whose sequences are not already being made publicly available. Examples might include high priority pathogens of animals (*e.g.,* Mycobacterium paratuberculosis, Pasteurella haemolytica, Lawsonia intracellularis, Eimeria spp.), plants (*e.g.,* Pseudomonas syringae, Erwinia spp., Clavibacter spp., Aspergillus spp.), or of food-borne origin (*e.g.,* Yersinia enterocolitica). Choices might also include beneficial/useful organisms such as ones from soil (*e.g.,* Rhizobium spp., Methylobacterium extorquens, Pseudomonas spp.) or rumen (*e.g.,* Fibrobacter succinogenes, Ruminococcus albus). Microorganisms relevant to aquaculture species and horses are included, along with microorganisms of animals raised for food and fiber. By the time this solicitation is released, it is possible that the sequencing of one or more of these example organisms may already be funded for the public domain; inclusion here does not automatically guarantee a high priority for sequencing.

Clearly, a large number of microorganisms fit this broad criterion of relevance, and in this solicitation it is not the intention of CSREES to dictate which organisms should be sequenced. Rather, the choice of organism(s) will be left to the applicant(s) who must justify selection(s) and address all of the following criteria:

(a) Economic importance and relevance to U.S. agriculture;

(b) Avoidance of organism strains whose sequences are already being targeted by others, unless this information will not be in the public domain. To help assess the current sequencing status for particular microorganisms, applicants are strongly encouraged to visit websites that summarize completed and on-going sequencing projects. For example, the following URL sites may prove useful:
http://www.tigr.org/tdb/mdb/mdb.html;
http://www.doe.gov/production/ober/EPER/mig__cont.html;
http://www.niaid.nih.gov/dmid/genomes/default.htm;
http://www.sanger.ac.uk/Projects/;
http://www.genome.wisc.edu;
http://www.genome.wustl.edu/gsc/index.shtml;

(c) Unique biological or environmental features;

(d) Broad interest to a significantly sized community of scientists or agriculturalists;

(e) Genetic tractability, *i.e.* the ease with which genetic studies, such as crosses, genome modifications etc. can be performed;

Two additional criteria (position in the taxonomic tree and evolutionary significance) might also be addressed if these are considered relevant to the choice of organism. Also, it is realized that some organisms may be of profound agricultural importance but not easily cultured or subjected to genetic analysis, and therefore are strong candidates for sequencing.

Protozoa, fungi and some bacteria have relatively large genomes, not easily completed under the support of a single grant. Therefore, requests for partial funding of a genome are allowable as long as future plans for completing the work are outlined. In these instances, investigators are encouraged to seek partners, in either the form of consortia or support from other sources, so that the sequence can be completed in a reasonable time-frame. As long as the goals and limits of the individual projects are clearly addressed and relevant to agriculture, such cooperative projects are encouraged, as are international collaborations. The expected outcome of the project will be a high quality sequence, much or all of it contiguous, with annotation of open reading frames and deposit in a publicly accessible data base. Additionally, for eukaryotic organisms, applications may propose large-scale EST projects. For these larger genomes, applicants should indicate the status of efforts supported by other funding agencies and how these efforts would be coordinated with a USDA-funded activity.

Investigators are to provide detailed information on the organism(s) chosen, the method of library preparation and all other pertinent methodological information. Mechanisms to assess validity and accuracy of the data must be described in the proposal. All cloning and sequencing technologies/strategies, particularly ones that are novel, should be described and must be applicable to future efforts to expand coverage. In judging the merits of a proposal, the speed, level of accuracy, and cost effectiveness of the proposed work will be important issues and considered one of the evaluation criteria under this program. The number of bases to be sequenced per unit time and an estimate of the dollars required to produce a specific amount of base sequence must be calculated. The latter value should include the costs of generating clones, assembly of sequence and annotation, as well as true sequencing costs.

10.4 Bioinformatics. (For clarification of this topic area, contact the Program Director, Gail Mclean, at 202–401–6060, e-mail: gmclean@reeusda.gov.)

The vast amounts of data being generated by genomic research only will be of use to plant, animal and microbial improvement and protection if technologies are developed to efficiently utilize genomic sequence, gene maps and gene function information. In addition, new cadres of scientists must be trained in the use of these technologies. The science of bioinformatics and computational biology, which includes the methods by which genomic data can be sorted,

categorized, and used most effectively, must be improved. Because of the interdisciplinary nature of genomic science, bioinformatic research provides an ideal opportunity for a range of scientists, including engineers, computer scientists, chemists, and biologists, to work together in a collaborative environment. This program seeks to support proposals to develop new bioinformatics technologies, to apply existing technology from the human genome and other genomic projects to agricultural genomics, and to provide training for the enhancement of future human capital with expertise in bioinformatics and computational biology.

This sub-area will help to develop new bioinformatic tools with specific application to agricultural systems and to train scientists in the theory, computational implementation and biological application of the information sciences (including computer science, statistics and mathematics) for the improvement of animal, plant and microbial species of agricultural importance.

Successful applicants to this program will develop an interdisciplinary program which combines research and education or extension activities. Projects may involve experts in computer science, software engineering, genomics, genetics, plant, animal, or microbial improvement, or related sciences as well as individuals with an interest in the development of education and training programs in bioinformatics and computational biology.

Applicants to this program should address technological and knowledge gaps in the development of bioinformatics tools specifically related to plant, animal or microbial genomic data. Research should include but is not limited to the development of: (a) software, algorithms, and database management techniques for the rapid cataloging and access of genomic data, including improved content and utility, improved communication among databases and greater linkages between genomic and phenotypic data; (b) analytical computation tools for the analysis of genomic sequence data for predicted gene function, modeling of biochemical pathways in plant and animal systems, map generation, and statistical techniques for the identification of genes of traits needed to improve the productivity of agriculturally important plant and animal species; and (c) computational applications for capturing, displaying and analyzing information about sequence variation, which will allow for greater accessibility of plant, animal and microbial genomic data for improvement and protection.

Successful proposals will also include a strong focus on bioinformatics training. Training programs should address the current gap in the availability of professionals trained in both plant, animal, and microbe improvement and bioinformatics. Evidence of infrastructure which encourages or enables the interaction of biologists and computational scientists must be evident in the proposal. Approaches to training may include, but are not limited to: (a) the development of courses at the undergraduate and graduate level in bioinformatics/computational biology; (b) programs which include summer institutes, short courses, sabbaticals or training centers designed to educate and train faculty and or graduate students in bioinformatics; (c) development of training modules for agricultural professionals, such as certified crop advisors, farm managers, etc., in the use of genomic data in plant and animal improvement; or (d) development of secondary education science teaching modules to introduce young students to the bioinformatic/computational biological sciences.

2. Agricultural Biotechnology (Program Area 11.0)

The application of biotechnology to agriculture has great potential for supplying the world with food and fiber in a sustainable manner. This technology is expected to increase productivity of existing farmlands while reducing the negative environmental effects of traditional production methods by reducing the need for antibiotics, fertilizers, herbicides, hormones, and pesticides. Biotechnology may also facilitate development of products with improved nutritional and economic benefits, or products with novel food, agricultural, or industrial uses.

Successful application of this technology to food and agriculture requires a sufficient level of consumer acceptance of biotechnology-derived products to provide economic incentive to product developers. Consumer acceptance is currently affected by doubts about biotechnology in food and agriculture. Research and education focusing on reducing present and predicted risks associated with agricultural biotechnology will aid in alleviating public concerns. Mechanisms for increasing public awareness of the benefits, as well as the risks, of biotechnology-derived products are needed to provide consumers and policymakers with the facts they need to make informed decisions about production and trade of biotechnology-derived foods and products.

This program area will support research, extension, and education activities that address public questions and concerns about agricultural biotechnology. High priority will be given to projects that integrate these three activities. Supported activities will advance this goal by assessing and reducing present and anticipated risks associated with products derived through biotechnology, and by maximizing knowledge and understanding of both risks and benefits accrued to the public by these products.

11.1 Effects Agricultural Biotechnology on Human, Animal and Plant Health. (For clarification of this program area, contact the Program Directors, Dan Jones at (202) 401–6854; email: ddjones@reeusda.gov; or Deborah Sheely at (202) 401–1924, e-mail: dsheely@reeusda.gov.)

Research, extension, and education activities regarding the effects of genetically modified (GM) food on human, animal, and plant health, include but are not limited to: (a) approaches for anticipating, detecting, and managing allergenicity in new GM products; (b) the role of GM products in the development of antibiotic resistance; (c) secondary metabolite formation and how this may affect food and feed; (d) changes in bioavailability of essential nutrients; (e) development of new and enhanced testing and evaluation methods of biologically modified products that ensure human and animal safety; (f) techniques to minimize movement of transgenes to non-target organisms or to prevent expression of transgenes in non-target organisms; (g) management systems to slow the evolution of resistance to transgenic protection against pests and diseases; (h) development of experiential learning opportunities for students, academics, and agricultural professionals to study the effects of GM food and feed on humans and animals; (i) development of outreach programs to explain the risks and benefits of GM food and feed on human and animal health.

Proposals involving genetically modified functional foods should direct their proposals to section 12.2 (Nutritional Impact of Functional Foods).

11.2 Social and Economic Aspects of Agricultural Biotechnology. (For clarification of this program area, contact the Program Directors, Dan Jones at (202) 401–6854; email: ddjones@reeusda.gov; or Deborah Sheely at (202) 401–1924, e-mail: dsheely@reeusda.gov.)

Agricultural biotechnology has sparked debate on a variety of topics, including: food safety; the environment; trade, business, and economics; industry structure and consolidation; regulatory sufficiency; product labeling; and diverse value systems. Proposals should draw on these debates.

Projects/programs that address the objective and perceived benefits and risks associated with biotechnology faced by producers, distributors, consumers, and the general public are encouraged. Possible topics include, but are not limited to: (a) effects of biotechnology on market structure and concentration; (b) social and economic consequences of limited germplasm access; (c) consumer acceptance of biologically modified food and feed; and (d) family, community and other contextual effects on biotechnology-related practices of producers, distributors, and consumers.

Proposals in these areas may include research, extension, and education efforts for producers, consumers, opinion leaders, and others on the full range of challenges and opportunities associated with modern agricultural biotechnology. Such efforts should be designed and conducted through collaboration with partners such as government, industry, universities, public interest and consumer groups. In addition, proposals appropriate to this section may include education programs for students on the history and development of biotechnology in agriculture, including crop breeding to modern gene insertion techniques. These programs should include curricula that cover the ethics(social and environmental) behind biotechnology as well as the potential benefits and costs of genetically modified organisms and any social and institutional safeguards that exist or are needed to protect the public interest.

3. Food Safety and the Role of Nutrition in Health (Program Area 12.0)

This program area concentrates resources on two critical areas in nutrition: factors affecting food and nutrition behavior of consumers; and the nutritional impact of functional and designer foods. A third program area will fund research, extension and education programs to help producers implement good agricultural practices for reducing microbial contamination on raw agricultural commodities. A key anticipated benefit of this initiative will be to strengthen campus-based educational programs and to promote the internationalization of research, teaching, and extension/outreach activities related to nutrition and food safety.

12.1 Factors Affecting Food and Nutrition Behavior of Consumers. (For clarification of this sub-area, contact the Program Director, Etta Saltos, at (202) 401–5178; e-mail: esaltos@reeusda.gov.)

The most fundamental knowledge gap in nutrition research is in understanding why people choose what they choose to eat. Although USDA has issued dietary guidance for consumers for over a century and, together with the Department of Health and Human Services, has formulated Federal nutrition policy in the form of the Dietary Guidelines for Americans for 20 years, we know that many consumers are not following this guidance. According to the Department's 1996 Healthy Eating Index, a measure of how Americans' diets fare in meeting the recommendations of the Dietary Guidelines, only 12 percent of Americans have diets that can be classified as ''good;'' 71 percent have diets that are considered to ''need improvement'' and 17 percent are classified as having ''poor'' diets. Additionally, the prevalence of obesity in the United States increased from 12 percent in 1991 to 18 percent in 1998. USDA researchers have found that in children the risk of becoming obese increases as family income decreases. Community-based research on food systems has demonstrated limited food choices in low-income communities as insufficient resources limit grocery retail establishments in economically deprived areas. Food intake of low-income individuals is dramatically affected by environmental availability of food, especially fruits and vegetables. Food stamp recipients sometimes have difficulty stretching food dollars through the month, creating an atmosphere of food insecurity late in the month, affecting food choices.

Food choice behavior is influenced by a variety of factors ranging from available income to physiologic need to societal standards. Knowledge of how these factors interact to affect food choices is limited. Nutrition experts agree that for nutrition interventions to be successful, they should be behaviorally-based, but the gaps in knowledge of consumer dietary behavior limits development of such interventions. When behaviorally-based nutrition interventions have been implemented, evaluation of the outcomes of such interventions has been limited, primarily due to lack of funds.

The goal of this program is to fund projects that produce models of food and nutrition behavior, especially in at-risk populations such as older adults, low income individuals and overweight individuals, and to use such models to produce behaviorally-based nutrition intervention programs.

This program invites innovative projects on consumer food and nutrition behavior, including: (a) Research on factors influencing dietary behaviors of at-risk populations, including children and adolescents (at home, in school, and in child care and after-school settings), ethnic minorities, low-income individuals, overweight individuals, and older adults; (b) research on behavioral factors that may contribute to the development of obesity; (c) exploration and analysis of the impact of insecure food systems in low-income communities and prevalence of obesity, unhealthy food choices, and related food behaviors; (d) longitudinal studies and studies that use non-self-report methods to measure changes in dietary behavior; (e) multi-disciplinary studies to examine current theory-based models of behavior change; (f) development of intervention(s) at either the individual or community level based on one or a combination of these models; (g) use of a social marketing approach to target nutrition and health messages that lead to behavior changes; and (h) development of innovative cross-training programs in nutrition and the social sciences.

Proposals dealing with health or consumer acceptance of genetically modified organisms/biotechnology should be directed to Program Area 11.1 (Effects of Agricultural Biotechnology on Human, Animal and Plant Health) or 11.2 (Social and Economic Aspects of Agricultural Biotechnology); proposals dealing with the health aspects of functional foods should be directed to Program Area 12.2 (Nutritional Impact of Functional Foods); proposals dealing with consumer food handling behaviors should be directed to existing CSREES programs.

12.2 Nutritional Impact of Functional Foods. (For clarification of this sub-area, please contact the Program Directors, Ram Rao at (202) 401–4929 or Melvin Mathias at (202) 720–4124; e-mail: mmathias@reeusda.gov.)

Functional foods are fresh or processed foods containing significant levels of biologically active components that might provide health benefits or desirable physiological effects beyond basic nutrition. Functional food markets are growing markedly, reaching the billions of dollars level and consumers are increasingly willing to include functional foods in their diets. Considerable scientific information demonstrates that some food components have the potential health

benefits to prevent disease. Additional research is necessary to substantiate the claims of health benefits of the food components and functional foods. Advances in food technology through both traditional processing methodologies, and genetic engineering of foods, have provided the consumer with ever increasing food choices that claim to offer increased health benefits due to selection in favor of certain components.

The goal of this program is to foster research and outreach to improve functional foods from agriculturally important materials. Collaborative international activities, which may lead to the discovery and development of new functional foods, or which improve the prospects for such foods through enhanced production or commercialization, thus improving the prospects for U.S. agricultural products, are encouraged. Activities that fully integrate and encompass the design of commercially feasible functional foods, characterization of bioactive components, measurement of health benefits, and consumer outreach programs will be given priority. Integration should include a holistic approach to developing functional foods, including an analysis of impact on the food system and on health. Applicants are strongly encouraged to seek industry collaboration.

Examples of potential research, extension and education activities include, but are not limited to: (a) creation of foods that have increased amounts of the beneficial components found in fruits, vegetables, grains and animal products; (b) interactive effects of the bioactive components as consumed in the food; (c) improved processes to enhance stability and bioavailability of bioactive components; (d) the design of foods with acceptable sensory attributes; (e) the development of methods to monitor the effectiveness of functional foods on improving health and preventing diseases; (f) analysis to support the issuance of regulatory guidelines to ensure the safety and efficacy of functional food products; and (g) provide information usable by and readily available to health professionals and consumers.

Proposals dealing with genetically modified foods that do not fit under the definition of functional foods described in this section should be directed to Program Area 11.1 (Effects of Agricultural Biotechnology on Human, Animal and Plant Health) or 11.2 (Social and Economic Aspects of Agricultural Biotechnology); proposals dealing with consumer choices of functional foods for health should be directed to Program Area 12.1 (Factors Affecting Food and Nutrition Behavior of Consumers).

12.3 Reduction of Microbial Hazards on Raw Agricultural Commodities. (For clarification of this sub-area, contact the Program Director, Robin Huettel, at (202)401–5804; e-mail: rhuettel@reeusda.gov.)

Under the President's ''Initiative to Ensure the Safety of Imported and Domestic Foods,'' October 1997, guidelines were developed to aid in the reduction of microbial food safety hazards through good agricultural practices, including growing, harvesting, washing, sorting, packing, and transporting of fruit and vegetables that are generally consumed raw. A ''Guide to Minimize Microbial Food Safety Hazards for Fresh Fruit and Vegetables'' was issued by the U.S. Department of Health and Human Services, Food and Drug Administration, October 1998. In order to help the growers and producers implement these good agriculture practices, specific areas for research, education and extension programs are needed for on-farm food safety for reducing microbial contamination of raw agricultural commodities.

The goal of this program is to support projects that address minimizing microbial hazards during all aspects of pre-harvest production. Activities that integrate research, extension, and education activities that will eventually aid the grower/producer by providing management strategies for microbial hazards in raw or minimally processed fruits and vegetables will be given priority. The research needs are necessary for the development of education programs, materials, and resources for education and outreach to growers and producers of raw or minimally processed fruits and vegetables. Information and practical skills related to the appropriate management strategies must be transferred to growers and producers through effective food safety education and outreach for the implementation of good agricultural practices.

Examples of potential research, extension, and education activities include but are not limited to: (a) Research on the macro and micro environments that microbes inhabit, such as biofilm formation and pathogen attachment; (b) breeding of resistant cultivars that would reduce the likelihood of contamination by pathogens by changing surface conditions; (c) understanding the competitiveness, antagonistic, and symbiotic interactions between pathogens and natural flora on produce; (d) investigation of efficacy of rinse and wash procedures to reduce pathogens in surface treatments; (e) determination of bacterial stress responses to stimuli, such as cold, heat, pH and disinfectants; (f) reduction or elimination of pathogens from compost, prevention of re-contamination of properly treated compost; (g) defining physiological or genetic mechanisms that microbes utilize to become resistant to traditional food safety barriers, including development, amplification, and maintenance of resistance; (h) understanding mechanisms to reduce or prevent pathogen contamination during transport such as the use of controlled atmospheres and temperature control; (i) development of a higher education program that would provide the knowledge needed by crop consultants and other professionals in recognizing potential microbial hazards in grower/production fields, developing mitigation strategies for reduction of microbial hazards in field and processing, and designing handling and processing technologies to prevent contaminants in raw or minimally processed agriculture commodities; (j) educational research focusing on the development of education methodologies that promote on-farm adoption and use of safe management strategies for minimizing microbial hazards associated with raw or minimally processed agricultural commodities; (k) educational research focusing on the development and implementation of education and outreach programs incorporating safe management strategies for domestic and international growers and producers of raw or minimally processed agricultural commodities.

Proposals on the pathogens associated with animal manure and transport of contaminants associated with animal manure should be directed to Program Area 14.3 (Animal Manure Management).

4. New Uses for Agricultural Products (Program Area 13.0)

(For clarification of this program area, contact the Program Director, Carmella Bailey, at (202)–401–6443; e-mail: cbailey@reeusda.gov.)

The goal of this program area is to provide for research, extension, and education activities that enhance the competitive value, find new uses for, or establish entirely new non-food agricultural and forestry products, primarily biomass fuel sources and biobased industrial products that can replace petroleum-based fuels and products. Renewable carbon from plants to replace limited fossil-based carbon from petroleum has the potential to

provide additional farm income for producers, and enhance conservation benefits on marginal land. This program area is intended to support Executive Order 13134, Promoting Biobased Products and Bioenergy, which calls for expanded public investment in research and development for biomass production and conversion for energy and chemicals, and Executive Order 13101, Federal Acquisition, Recycling, and Waste Prevention, which creates a market pull for bioenergy and biobased products. Further, these efforts address the issues of resource depletion and environmental degradation, while building new markets for agriculture.

A systems-based approach is required to accomplish the goals of this program area, which encompasses: (a) the development of crop varieties for biomass fuel uses and for raw materials for industrial products; (b) management techniques for incorporating industrial crops into existing cropping systems; (c) processing biomass; (d) product development; (e) test and evaluation; (f) demonstration of final product(s); (g) life cycle cost evaluation of final product(s); and (h) establishing marketing networks. Accordingly, integration of these activities to the maximum extent practicable, are strongly encouraged. A systems-based approach is expected to accelerate research and development and to result in measurable outcomes, i.e. increased production and use of biofuels and biobased products.

In addition, this initiative strongly encourages research, extension and education activities that explicitly recognize, account for, and enhance the interaction among growers, processors, manufacturers, markets and the community. To increase profitability at the farm gate, applicants are encouraged to develop proposals which include post-harvest processing and manufacturing activities at the local level. To facilitate technology transfer and marketing of products, the product demonstration phase should be of sufficient size to generate data for the proposer to conduct a life cycle cost evaluation that includes product performance data, environmental attributes, as described in EPA's Guidelines for Environmentally Preferable Purchasing, and social impacts as appropriate (*e.g.* impact on economic development in the community).

To the extent possible, proposers are encouraged to incorporate instruction or other classroom-associated activities which strengthen students' knowledge and skill in the discovery, production and/or commercialization phases of new and alternative use systems. Similarly, proposers are encouraged to incorporate collaborative international activities which may lead to the discovery of new or alternative uses, or which improve the prospects for those uses through enhanced production or commercialization, thus improving the prospects for U.S. farmers in the global market.

5. Natural Resource Management, Including Precision Agriculture (Program Area 14.0)

Successful management of natural resources in an agricultural landscape should address environmental integrity, quality of life, and economic viability. Unfortunately, the interaction of these three conflicting concepts often does not result in an overall sustainable system. The purpose of this program area is to address how best to integrate the needs of production agriculture, the environment, and society, such that an acceptable sustainable system results.

This program area will focus on key environmental problems that are best addressed using a holistic systems approach. Priority will be given to proposals that explicitly address the interaction among production, the environment, and the well-being of producers and the general public. Preference will also be given to multi-state, multi-institutional, and multi-disciplinary projects. The emerging agricultural and natural resource issues to be addressed include: system-wide management of natural resources, particulary involving small and mid-sized tracts of privately owned land within a defined geographic area (watershed or eco-region); encroachment and subsequent environmental impact of invasive native and non-native species (all taxa); conservation of biodiversity; animal waste management; and development and evaluation of precision technologies for efficient and sustainable production and harvesting of agricultural and natural resources.

14.1 Alternative Natural Resource Management Practices for Private Lands. (For further information concerning this program sub-area, contact the Program Director, Larry Biles, at (202) 401–4926; e-mail: lbiles@reeusda.gov.)

As the world's population increases, the demands for delivery of natural resource goods and services will also increase. In addition, there is an increasing demand for diversity in the commodities being produced and an increased recognition that such production changes must be accomplished without adversely impacting our capacity to ensure the delivery of goods, services and a healthy environment to future generations.

This program will support integrated projects on the development of natural resource management systems (including forest, range, aquatic and wildlife) that improve our capacity to support natural resources. Proposals should present a scientific framework that qualitatively and quantitatively links production practices, societal preferences, demographics, and economic needs to the impacts on natural resources. Preference will be given to proposals that demonstrate the active participation of the user community that is expected to benefit. Proposals should include a plan for coordination among scientists, state and federal agencies, commodity organizations, environmental groups, and producers to deal with the integrated ecological, technological, economic, social and environmental issues in a specified geographic region.

This sub-area of the initiative is intended to provide the research, extension and education information needed to support the management needs of the small and mid-sized aquatic, range, wildlife, and forest systems owners and managers. Projects should address management practices and technologies that will increase the opportunities for the small to mid-sized manager to operate profitable enterprises that respond to the demands for: (a) Alternative natural resources production, (b) sustainable forestry certification, (c) agroforestry, (d) invasive species management across multiple ownerships, (e) wildlife control and management, (f) nutrient management, (g) maintaining or enhancing biodiversity and ecosystem integrity, including restoration of species and ecosystems, (h) coping with the demands imposed by environmental and regulatory requirements within the increasingly mixed distribution of urban, rural, and wildlands management systems, (i) development and enhancement of decision support tools linking regional databases with remote sensing technologies (with suitable resolution for use by the targeted user communities) and management options; and (j) training programs to enhance success and adoption of regionally-appropriate practices.

Proposals submitted to this sub-area will enhance our capacity to integrate regionally appropriate data and information to increase long-term, site-specific, and whole system efficiencies and profitability while both minimizing unintended impacts on natural

resources and enhancing environmental integrity. Proposals are encouraged that use a whole systems approach (economic, environmental, social and community development) to evaluate the practices most conducive to sustaining small and mid-sized land management systems in the U.S. Partnerships with existing regional and/or long-term projects (including those associated with public lands) also are strongly encouraged.

Proposals should contain a clear plan for technology transfer and adoption. Proposals should clearly describe the type (size and distribution) of the system being evaluated and should include provisions that demonstrate an interdisciplinary problem-solving approach to maintain natural resources sustainability and profitability.

Proposals focusing on the financial security and quality of life of small to mid-sized family-owned pastures should be submitted to Program Area 15.0 (Farm Efficiency and Profitability).

14.2 Invasive Species. (For clarification on this sub-area, contact the Program Director, John Obrycki, at (202) 401–4201; e-mail: jobrycki@reeusda.gov.)

The spread of invasive non-native pest species is one of the greatest threats to the long-term health and biological diversity of rural and urban areas. For this program, invasive species are defined as alien species whose introduction does or is likely to cause economic or environmental harm. The invasion of plant, animal, and microbial pests is an issue of critical importance to the nation's land and water resources. No land or water regime is immune and the nation is both losing income and incurring expenses to address these problems. Invasive species have reached the level of national concern because of adverse economic impacts and long-term threats to ecosystem sustainability. In addition, invasive species threaten the effectiveness of established pest management systems.

The invasive species sub-area is in part a response to the President's Executive Order (EO 13 112) on Invasive Species of February 3, 1999. The goal of the Executive Order is to increase coordination of Federal agencies to prevent introductions, provide for control, monitoring and study, and to restore native species and habitats in areas degraded by invasive species. A goal of this program is to coordinate and integrate research, education, and outreach aspects of invasive species problems.

This sub-area will emphasize application of fundamental knowledge to reduce societal losses due to invasive species. It is critical that proposals take a problem-solving approach to management of invasive species. This program will consider projects that address aspects of invasive species from discovery of novel means to detect, monitor, and manage invasive species to outreach and education activities that promote public awareness of invasive species. Proposals may address the prevention of introductions, as well as, the detection, monitoring, or management of existing invasive species. Proposals that develop mitigation plans to restore the biodiversity of native species and habitats negatively affected by invasive species are also encouraged. A high priority will be placed on proposals that include (a) multiple states, multiple disciplines and multiple institutions, (b) research, extension, or education components, or (c) both. Proposals will be considered that include partnerships with state and local organizations to address extension and educational needs for regional invasive species problems. One of the key elements of the proposal should consider how the approaches taken address the problem of a specific invasive species or group of species.

Taxa of invasive species that are considered in this program include animal, plant, and microbial species that affect the biodiversity of terrestrial and aquatic ecosystems, in agricultural, urban, or forest systems. Proposals submitted to this program could include, but are not limited to, projects that: (a) develop planning and communication strategies to encourage action on invasive species (these activities could be at several levels ranging from local to national scales); (b) evaluate and communicate the risks associated with invasive species introductions; (c) formulate strategies to prevent the introduction of invasive species; (d) develop and implement management systems to facilitate the early detection, monitoring, eradication, containment, or control of invasive species (particularly those cropping systems impacted by implementation of the Food Quality and Protection Act); or (e) provide and implement strategies to restore biodiversity of native species and habitat condition.

Proposals addressing restoration of specific habitats, communities, and ecosystems associated with privately-owned small-midsized forests, grasslands, wetlands, or riparian areas should submit to Program Area 14.1 (Alternative Natural Resource Management Practices for Private Lands).

14.3 Animal Manure Management. (For further information on this program sub-area, contact the Program Director, Richard Hegg at (202) 401-6550; e-mail: rhegg@reeusda.gov.)

There is a great deal of public pressure to prevent the degradation of air, soil, and water resources by food animal production systems and to protect the ecological integrity of forest, rangeland, cropland, aquatic, estuarine, and marine systems. Proper management of manure resulting from these production systems is one of the most critical issues facing the food animal industry. Animal feeding operations vary by region, species, size and management system, so that each operation is site-specific and must be managed accordingly. Physical, chemical and/or biological treatment techniques may be used to reduce the pollution potential of animal manure. Regulation of animal feeding operations at the local, state and federal level is undergoing rapid change.

Proposals for this section will support integrated research, education and extension on regional systems that will ultimately reduce adverse environmental and human health impacts of animal manure. Proposals will be considered that develop and evaluate manure management practices using soils, wetlands, riparian zones, and treatment systems for the protection of natural resources. Proposals taking a watershed, landscape-scale approach are encouraged and could include the transport and fate of nutrients and/or pathogens from animal manure through air, water and soil. The incorporation of comprehensive nutrient management planning in educational programs is encouraged, as is the development of partnerships with already established waste management centers (e.g., the National Center for Manure and Animal Waste Management).

Topic areas that this program sub-area will consider include: (a) Development of rates and methods of land application of manure that are most suitable for a given watershed; (b) determination of the effects of animal nutrition on manure content and quality, and extension of this knowledge to producers who may in turn modify their feed; (c) determination and prediction of odor, gas and particulate matter impacts on the atmosphere and society, and development of management strategies to alleviate such impacts; (d) understanding and predicting source, delivery and fate of pathogens as well as transferring this information to the general public to address concerns or inform them of potential health hazards; (e) resolving community and regulatory

concerns about siting, health and economic issues; (f) determination of water quality impacts of nutrients, pathogens, and other waste products, and the development of strategies to reduce such impacts, and the development of programs to educate the public on such water quality issues; (g) development and implementation of alternative waste treatment technologies; (h) development and marketing of value-added products from animal waste; (i) determination of the transport of antibiotics and/or endocrine disruptors (hormones) in the environment and their potential effects on the environment; and (j) development of alternative animal production systems.

Proposals should address one or more of the following animal groups: swine, dairy, beef, poultry or aquaculture.

14.4 Application of Precision Technologies. (For further information on this Program Area, contact the Program Directors, Preston Jones at (202) 401–1990; e-mail: jpjones@reeusda.gov; or Maurice Horton at (202) 401–4504; e-mail: mhorton@reeusda.gov).

Precision technologies can be valuable tools if their applicability to agriculture and natural resource management can be demonstrated and then adopted. Precision technologies range from defining simple field management zones to complex integration of multiple datasets with the goal of making production and harvesting more efficient and sustainable. Field-scale management using precision technologies is needed to address spatial and temporal variability that limits the efficient use of inputs. Farmers, ranchers, and natural resource managers need tools like decision support systems and sensors in their work places that quantify complex interactions between profitability and the natural resource base. Multidisciplinary partnerships with industry, producers, and the research/education community are encouraged because of the lack of understanding in the decision-making process and the high cost of doing field-scale research. Partnerships with other Federal agencies, such as NASA, and partnerships addressing the needs of small and medium-sized farms, are encouraged.

Proposals submitted to this section will enhance the Nation's capacity to integrate site-specific and whole system efficiency and profitability while minimizing deleterious impacts on natural resources and the environment. Proposals are solicited from, but not limited to, the following areas: (a) Site-specific yield prediction and resource management based on an improved understanding of how soils, water, nutrients, climate, landscapes, crops and other natural resources interact to influence productivity; (b) decision support systems for complex soil, crop, pest, landscape, irrigation and natural resource management interactions that integrate spatial and temporal variability; (c) Assessment of user needs and development of scientific capabilities, economic and environmental cost-benefit analysis, and documentation of adoption of precision technologies by the user community; (d) sensing of natural resource properties, using both ground-based and remote technologies, and other precision technology applications based on user needs; and (e) training of competent and skilled professionals to transfer precision technology to the user community.

Each proposal should clearly indicate the scope of the management system for which applications are being developed and evaluated. Decision support proposals should include a clear plan for evaluating the suitability (feasibility, efficacy, profitability, required infrastructure, and adoption strategies) of technologies proposed for operations of specified scope. Proposals should include a plan for the propagation of the databases developed or for the maintenance and training necessary for sensor and decision support tool use.

5. Farm Efficiency and Profitability (Program Area 15.0)

(For clarification of this program area, contact the Program Director, Don West, at (202) 720–5633; e-mail: dwest@reeusda.gov; or Denis Ebodaghe, at (202) 401–4385; e-mail: debodaghe@reeusda.gov.)

Dramatic changes in the global agricultural environment and in domestic farm programs have created new challenges for U.S. farmers as they strive to maintain the efficiency and profitability of their operations and the financial viability of their families and communities. This program emphasizes the use of existing data and emerging information to synthesize and deliver knowledge that improves profitability for families operating small and medium-sized farms. Proposals that address the concerns of family-owned farms with limited financial resources will be given priority. Proposals should indicate how target audiences will benefit from the proposed programs/projects.

All proposals submitted to this program area will undergo a peer review in which the efficiency and profitability of small and medium-sized farms is the most important criterion. New partnerships and new administrative mechanisms that involve universities, industry, profit/non-profit organizations and/or community colleges are also important criteria. Consideration will be given to system approaches useful in meeting the production, marketing, capital and human resource needs associated with dairy, livestock, crop and other commodity operations. This priority area recognizes linkages with natural resources and environmental issues and the importance of strengthening the financial viability of farm operations, families, and communities. Such proposals should provide information on the connections between the sustainability of small and medium-sized farms and the viability of their communities as well as linkages with natural resources and environmental issues.

Projects that utilize a systems approach and are national or regional in scope are encouraged as are those that incorporate research, extension, and educational functions. Proposals that incorporate farmer input in problem identification and have high scientific merit in project design, methodology and analytical procedures will be given priority. Appropriate innovative methodologies are encouraged, including those that make use of electronic technology in delivery of extension and formal education programs. Applicants with a strong track record of working with owners and managers of small and medium-sized farms are encouraged to apply.

Applicants are encouraged to submit research, extension, or education proposals that address one or more of the following areas: (a) development of management (e.g., pest, crop, animal, nutrient, economic) and marketing systems that improve efficiency and profitability, including the reduction of capital and input costs or the diversification of crop and livestock enterprises; (b) development of effective marketing programs, including the use of farmers' markets, community-supported agriculture, marketing to restaurants and schools, cooperative approaches to use of inputs and marketing, organic production and marketing, Internet marketing, global markets, and agritourism; (c) development of farm-based value-added processing and new high-return production and marketing niches; (d) development of improved methods of managing risks faced by farmers and ranchers, including production risks (enterprise diversification, crop insurance, contract production,

cropping systems at risk from implementation of the Food Quality and Protection Act, and new management systems), marketing risks (marketing plans and tools), financial risk (financial and investment analysis, family living costs and financial security), legal issues (contracts and environmental liability), and human resource issues (labor availability, occupational health and safety, managing people, and estate planning); (e) development of programs/projects that improve access to knowledge and decision-making tools. Examples include production decision tools, formal and informal education in entrepreneurship, business planning and marketing for new or modified enterprises, and farm and family financial planning and management. Access should allow producers to increase options for farm efficiency and profitability in regional and local economies, including planning and building community support; (f) development of programs/projects that improve access to and management of financial resources, including physical and production capital, financial services, innovative investment capital strategies, human capital (including availability and effective management of labor), and infrastructure and social capital (community resources and institutions); and (g) development of programs/projects that improve access to and management of environmental resources, including maintenance of environmental quality and conservation issues.

Part III—Preparation of a Proposal

A. Program Application Materials

Program application materials are available at our website (www.reeusda.gov/IFAFS). If you do not have access to our web page or have trouble downloading material, you may contact the Proposal Services Unit, Office of Extramural Programs, USDA/CSREES at (202) 401–5048. When calling the Proposal Services Unit, please indicate that you are requesting forms for IFAFS. These materials may also be requested via Internet by sending a message with your name, mailing address (not e-mail) and phone number to psb@reeusda.gov. State that you want a copy of the Program Description and application materials (orange book) for the Fiscal Year 2000 Initiative on Future Agriculture and Food Systems (IFAFS).

B. Content of Proposals

1. General

The proposal should follow these guidelines, enabling reviewers to more easily evaluate the merits of each proposal in a systematic, consistent fashion:

(a) The proposal should be prepared on only one side of the page using standard size (8½″ x 11″) white paper, one inch margins, typed or word processed using no type smaller than 12 point font, and single or double spaced. Use an easily readable font face (e.g., Geneva, Helvetica, Times Roman).

(b) Each page of the proposal, including the Project Summary, budget pages, required forms, and any appendices, should be numbered sequentially.

(c) The proposal should be stapled in the upper left-hand corner. Do not bind. An original and 14 copies (15 total) must be submitted in one package, along with 10 copies of the ''Project Summary'' as a separate attachment.

(d) If applicable, proposals should include original illustrations (photographs, color prints, etc.) in all copies of the proposal to prevent loss of meaning through poor quality reproduction.

Small or mid-sized institutions: An academic institution is eligible as small or mid-sized if the institution is under 15,000 in total enrollment (including part-time students) and is not listed in Appendix A (Most successful Universities and Colleges for Receiving Federal and/or National Research Initiative Funds.)

2. Cover Page

Each copy of each grant proposal must contain an ''Application for Funding'', Form CSREES–661. One copy of the application, preferably the original, must contain the pen-and-ink signature(s) of the proposing principal investigator(s)/project director(s)(PI/PD) and the authorized organizational representative who possesses the necessary authority to commit the organization's time and other relevant resources to the project. Any proposed PI/PD or co-PI/PD whose signature does not appear on Form CSREES–661 will not be listed on any resulting grant award. Complete both signature blocks located at the bottom of the ''Application for Funding'' form.

Form CSREES–661 serves as a source document for the CSREES grant database; it is therefore important that it be completed accurately. The following items are highlighted as having a high potential for errors or misinterpretations:

(a) Title of Project (Block 6). The title of the project must be brief (80-character maximum), yet represent the major thrust of the effort being proposed. Project titles are read by a variety of nonscientific people; therefore, highly technical words or phraseology should be avoided where possible. In addition, introductory phrases such as ''investigation of,'' ''research on,'' ''education for,'' or ''outreach that'' should not be used.

(b) Program to Which You Are Applying (Block 7). ''IFAFS''.

(c) Program Area and Number (Block 8). The name of the program component, *e.g.* Plant Genome, 10.1 or Behavior of Food Choice, 12.1. should be inserted in this block.

(d) Type of Award Request (Block 13). Check the block for ''new.''

(e) Principal Investigator(s)/Project Director(s) (PI/PD) (Block 15). The designation of excessive numbers of co-PI/PD's creates problems during final review and award processing. Listing multiple co-PI/PDs, beyond those required for genuine collaboration, is therefore discouraged. Note that providing a Social Security Number is voluntary, but is an integral part of the CSREES information system and will assist in the processing of the proposal.

(f) Type of Performing Organization (Block 18). A check should be placed in the box beside the type of organization which actually will carry out the effort. For example, if the proposal is being submitted by an 1862 Land-Grant institution but the work will be performed in a department, laboratory, or other organizational unit of an agricultural experiment station, box ''03'' should be checked. If portions of the effort are to be performed in several departments, check the box that applies to the individual listed as PI/PD #1 in Block 15.a.

(g) Other Possible Sponsors (Block 22). List the names or acronyms of all other public or private sponsors including other agencies within USDA and other programs funded by CSREES to whom your application has been or might be sent. In the event you decide to send your application to another organization or agency at a later date, you must inform the identified CSREES Program Director as soon as practicable. Submitting your proposal to other potential sponsors will not prejudice its review by CSREES; however, duplicate support for the same project will not be provided. Complete the ''Application for Funding,'' Form CSREES–661, in its entirety.

(h) One copy of the ''Application for Funding'' form must contain the signatures (in ink) of the PI/PDs and authorized organizational representative for the applicant organization.

3. Table of Contents

For consistency and ease in locating information, each proposal must contain a detailed Table of Contents just after the cover page. The Table of Contents should contain page numbers for each component of the proposal. Page numbers should begin with the first page of the Project Description.

4. Project Summary

The proposal must contain a Project Summary of 250 words or less on a separate page which should be placed immediately after the Table of Contents and should not be numbered. The names and institutions of all PI/PDs and co-PI/PDs should be listed on this form, in addition to the title of the project. The summary should be a self-contained, specific description of the activity to be undertaken and should focus on: overall project goal(s) and supporting objectives; plans to accomplish the project goal(s); and relevance of the project to IFAFS goals and to U.S. agriculture. The importance of a concise, informative Project Summary cannot be overemphasized. If the lead institution is eligible as a small or mid-sized institution as defined in Part I C., Definitions, of this document, include a separate sentence on the Project Summary page indicating that the institution is ''eligible for small and mid-sized consideration.''

5. Project Description

The written text may not exceed 15 single- or double spaced pages of written text for standard proposals and 20 single- or double-spaced pages for Consortia proposals including figures and tables, but excluding citations.

Standard Proposals. Each standard proposal's Project Description should contain the following:

a. Introduction—A clear statement of the long-term goal(s) and supporting objectives of the proposed activities should be included. Summarize the body of knowledge which substantiates the need for the proposed project. Describe ongoing or recently completed significant activities related to the proposed project including the work of key project personnel. Preliminary data/information pertinent to the proposed project should be included;

b. Relevance and significance—The objectives' specific relationship to the goals of the IFAFS and to the particular program area should be stated. Include a description of the significance of the activity and its value in improving agriculture through research, education and extension. Clearly describe the potential impact of the project.

c. Approach—The activities proposed or problems being addressed must be clearly stated and the approaches being applied clearly described. The following should be included: (1) A description of the activities proposed; (2) methods to be used in carrying out the project, including the feasibility of the methods; (3) expected outcomes; (4) means by which results will be analyzed, assessed, or interpreted; and (5) how results or products will be used.

d. Time Table—Provide an expected time line for completing the project in the requested duration.

e. Evaluation and Monitoring—Provide a plan for assessing and evaluating the accomplishments of the stated proposal objectives during the project and describe ways to determine the effectiveness of the end results during and upon termination of the project.

f. Collaborative Arrangements—Identify collaborations and provide a full explanation of the nature of the collaborations.

Consortia Proposals. Each Consortia Proposal should include all the above items required for a Standard Proposal, but should also include the following:

a. Substantiate the need for a Consortium as opposed to a single project approach including how the consortia will add value over funding of separate efforts.

b. Management Plan—It is expected that Consortia projects will require more extensive and complicated coordination and collaboration than is typically proposed for Standard Projects. Therefore, explain how the Consortia will be managed to ensure efficient administration of the grant and how activities will be integrated most effectively. Place this description after the Project Description.

c. *Evaluation and Monitoring of Project Administration.*—In addition to the evaluation and monitoring of accomplishments associated with the Consortium, evaluation and monitoring of the administration of the Consortium must also be included. This description should include how funds and resources will be allocated so that collaborative participation of all parties throughout the duration of the project is ensured. This description should be placed after the Evaluation and Monitoring Section described above under Standard Proposals.

6. Appendices to Project Description

Appendices to the Project Description are allowed if they are directly germane to the proposed project and are limited to a total of two of the following: reprints (papers that have been published in peer reviewed journals) and preprints (manuscripts in press for a peer reviewed journal; these must be accompanied by a letter of acceptance from the publishing journal).

7. Key Personnel

All senior personnel who are expected to be involved in the effort should be clearly identified. For each person the following should be included:

a. The roles and responsibilities of each PI/PD should be described;

b. An estimate of time commitment for each PI/PD; and

c. Vitae of each PI/PD, senior associate and other professional personnel. This section should include vitae of all key persons who are expected to work on the project, whether or not CSREES funds are sought for their support. The vitae should be limited to two (2) pages in length, excluding publication lists. A chronological list of all publications in refereed journals during the past four (4) years, including those in press, must be provided for each project member for which a curriculum vitae is provided. Also list those non-refereed technical publications which have relevance to the proposed project. All authors should be listed in the same order as they appear on each paper cited, along with the title and complete reference as these usually appear in journals.

8. Conflict-of-Interest List

A Conflict-of-Interest List must be provided for all individuals involved in the project (identified as key personnel). Each list should be on a separate page and include alphabetically the full names of the individuals in the following categories: (a) All collaborators on projects within the past four years, including current and planned collaborations; (b) all co-authors on publications within the past four years, including pending publications and submissions; (c) all persons in your field with whom you have had a consulting or financial arrangement within the past four years who stand to gain by seeing the project funded; and (d) all thesis or postdoctoral advisees/advisors within the past four years (some may wish to call these life-time conflicts). This form is necessary to assist program staff in excluding from proposal review those individuals who have conflicts-of-interest with the personnel in the grant proposal. The Program Director, under the specific area or sub-area, must be informed of any additional conflicts-of-interest that arise after the proposal is submitted.

9. Collaborative and/or Subcontractual Arrangements

If it will be necessary to enter into formal consulting or collaborative arrangements with others, such arrangements should be fully explained and justified. In addition, evidence should be provided that the collaborators involved have agreed to render these services. If the need for consultant services is anticipated, the proposal narrative should provide a justification for the use of such services, a statement of work to be performed, and a resume or curriculum vita for each consultant. For purposes of proposal development, informal day-to-day contacts between key project personnel and outside experts are not considered to be collaborative arrangements and thus do not need to be detailed.

All anticipated subcontractual arrangements also should be explained and justified in this section. A proposed statement of work and a budget for each arrangement involving the transfer of substantive programmatic work or the providing of financial assistance to a third party must be provided. Agreements between departments or other units of your own institution and minor arrangements with entities outside of your institution (e.g., requests for outside laboratory analyses) are excluded from this requirement.

If you expect to enter into subcontractual arrangements, please note that the provisions contained in 7 CFR Part 3019, USDA Uniform Administrative Requirements for Grant and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, and the general provisions contained in 7 CFR Part 3015.205, USDA Uniform Federal Assistance Regulations, flow down to subrecipients. In addition, required clauses from Sections 40—48 (''Procurement Standards'') and Appendix A (''Contract Provisions'') to 7 CFR Part 3019 should be included in final contractual documents, and it is necessary for the subawardee to make a certification relating to debarment/suspension.

10. Budget

a. Budget Form—Prepare the budget, Form CSREES–55, in accordance with instructions provided. A budget form is required for each year of requested support. In addition, a cumulative budget is required detailing the requested total support for the overall project period. The budget form may be reproduced as needed by applicants. Funds may be requested under any of the categories listed on the form, provided that the item or service for which support is requested is allowable under the authorizing legislation, the applicable Federal cost principles, and these program guidelines, and can be justified as necessary for the successful conduct of the proposed project. Applicants must also include a Budget Narrative to justify their budgets (see section 11 below.)

The following guidelines should be used in developing your proposal budget(s):

1. Salaries and Wages. Salaries and wages are allowable charges and may be requested for personnel who will be working on the project in proportion to the time such personnel will devote to the project. If salary funds are requested, the number of Senior and Other Personnel and the number of CSREES-Funded Work Months must be shown in the spaces provided. Grant funds may not be used to augment the total salary or rate of salary of project personnel or to reimburse them for time in addition to a regular full-time salary covering the same general period of employment. Salary funds requested must be consistent with the normal policies of the institution.

2. Fringe Benefits. Funds may be requested for fringe benefit costs if the usual accounting practices of your organization provide that organizational contributions to employee benefits (social security, retirement, etc.) be treated as direct costs. Fringe benefit costs may be included only for those personnel whose salaries are charged as a direct cost to the project.

3. Nonexpendable Equipment. Nonexpendable equipment means tangible nonexpendable personal property including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of $5,000 (or lower, depending on institutional policy) or more per unit. As such, items of necessary instrumentation or other nonexpendable equipment should be listed individually by description and estimated cost in the Budget Narrative. This applies to revised budgets as well, as the equipment item(s) and amount(s) may change.

4. Materials and Supplies. The types of expendable materials and supplies which are required to carry out the project should be indicated in general terms with estimated costs in the Budget Narrative.

5. Travel. The type and extent of travel and its relationship to project objectives should be described briefly and justified. If foreign travel is proposed, the country to be visited, the specific purpose of the travel, a brief itinerary, inclusive dates of travel, and estimated cost must be provided for each trip. Airfare allowances normally will not exceed round-trip jet economy air accommodations. U.S. flag carriers must be used when available. See 7 CFR Part 3015.205(b)(4) for further guidance.

6. Publication Costs/Page Charges. Include anticipated costs associated with publications in a journal (preparing and publishing results including page charges, necessary illustrations, and the cost of a reasonable number of coverless reprints) and audio-visual materials that will be produced. Photocopying and printing brochure, etc., should be shown in Section I., ''All Other Direct Costs'' of Form CSREES–55.

7. Computer (ADPE) Costs. Reimbursement for the costs of using specialized facilities (such as a university- or department-controlled computer mainframe or data processing center) may be requested if such services are required for completion of the work.

8. All Other Direct Costs. Anticipated direct project charges not included in other budget categories must be itemized with estimated costs and justified in the Budget Narrative. This also applies to revised budgets, as the item(s) and dollar amount(s) may change. Examples may include space rental at remote locations, subcontractual costs, and charges for consulting services, telephone, facsimile, shipping costs, and fees necessary for laboratory analyses. You are encouraged to consult the ''Instructions for Completing Form CSREES–55, Budget,'' of the Application Kit for detailed guidance relating to this budget category. Form AD–1048 must be completed by each subcontractor or consultant and retained by the grantee.

9. Indirect Costs—Section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310) limits indirect costs for this program to 19 percent of total Federal funds provided under each award. Therefore, the recovery of indirect costs under this program may not exceed the lesser of the institution's official negotiated indirect cost rate or the equivalent of 19 percent of total Federal funds awarded. If no rate has been negotiated, a reasonable dollar amount (equivalent to less than 19 percent of total Federal funds requested) in lieu of indirect costs may be requested, subject to approval by USDA.

b. Budget Narrative—All budget categories, with the exception of Indirect Costs for which support is

requested, must be individually listed (with costs) and justified on a separate sheet of paper and placed immediately behind the Budget Form. Explanations of matching funds or lack thereof on commodity-specific projects also are to be included in this section.

c. Matching Funds—If an applicant concludes that matching funds are not required as specified in Part I (e), a justification should be included in the Budget Narrative. CSREES will consider this justification when ascertaining final matching requirements. CSREES retains the right to make final determinations regarding matching requirements.

For those grants requiring matching funds as specified in Part I (e), proposals should include written verification of commitments of matching support (including both cash and in-kind contributions) from third parties. Written verification means:

(a) For any third party cash contributions, a separate pledge agreement for each donation, signed by the authorized organizational representatives of the donor organization and the applicant organization, which must include: (1) The name, address, and telephone number of the donor; (2) the name of the applicant organization; (3) the title of the project for which the donation is made; (4) the dollar amount of the cash donation; and (5) a statement that the donor will pay the cash contribution during the grant period; and

(b) For any third party in-kind contributions, a separate pledge agreement for each contribution, signed by the authorized organizational representatives of the donor organization and the applicant organization, which must include: (1) The name, address, and telephone number of the donor; (2) the name of the applicant organization; (3) the title of the project for which the donation is made; (4) a good faith estimate of the current fair market value of the third party in-kind contribution; and (5) a statement that the donor will make the contribution during the grant period.

The sources and amount of all matching support from outside the applicant institution should be summarized on a separate page and placed in the proposal immediately following the Budget Narrative. All pledge agreements must be placed in the proposal immediately following the summary of matching support.

The value of applicant contributions to the project shall be established in accordance with applicable cost principles. Applicants should refer to OMB Circulars A–21, Cost Principles for Educational Institutions, A–87, Cost Principles for State, Local, and Tribal Governments, A–122, Cost Principles for Non-Profit Organizations, and for for-profit organizations, the cost principles in the Federal Acquisition Regulation at 48 CFR Subpart 31.2 (see 7 CFR 3015.194).

11. Current and Pending Support

All proposals must contain Form CSREES–663 listing other current public or private support (including in-house support) to which key personnel identified in the proposal have committed portions of their time, whether or not salary support for person(s) involved is included in the budget. Analogous information must be provided for any pending proposals that are being considered by, or that will be submitted in the near future to, other possible sponsors, including other USDA Programs or agencies. Concurrent submission of identical or similar proposals to the possible sponsors will not prejudice proposal review or evaluation by the CSREES for this purpose. However, a proposal that duplicates or overlaps substantially with a proposal already reviewed and funded (or to be funded) by another organization or agency will not be funded under this program. Note that the project being proposed should be included in the pending section of the form.

12. Assurance Statement(s), (Form CSREES–662)

A number of situations encountered in the conduct of projects require special assurances, supporting documentation, etc., before funding can be approved for the project. In addition to any other situation that may exist with regard to a particular project, it is expected that some applications submitted in response to these guidelines will involve the following:

a. Recombinant DNA or RNA Research

As stated in 7 CFR Part 3015.205 (b)(3), all key personnel identified in the proposal and all endorsing officials of the proposing organization are required to comply with the guidelines established by the National Institutes of Health entitled, ''Guidelines for Research Involving Recombinant DNA Molecules,'' as revised. If your project proposes to use recombinant DNA or RNA techniques, you must so indicate by checking the ''yes'' box in Block 19 of Form CSREES–661 (the Cover Page) and by completing Section A of Form CSREES–662. For applicable proposals recommended for funding, Institutional Biosafety Committee approval is required before CSREES funds will be released.

b. Animal Care. Responsibility for the humane care and treatment of live vertebrate animals used in any grant project supported with funds provided by CSREES rests with the performing organization. Where a project involves the use of living vertebrate animals for experimental purposes, all key project personnel identified in a proposal and all endorsing officials of the proposing organization are required to comply with the applicable provisions of the Animal Welfare Act of 1966, as amended (7 U.S.C. 2131 et seq.) and the regulations promulgated thereunder by the Secretary in 9 CFR Parts 1,2, 3, and 4 pertaining to the care, handling, and treatment of these animals. If your project will involve these animals, you should check ''yes'' on block 20 of CSREES–661 and complete Section B of Form CSREES–662. In the event a project involving the use of live vertebrate animals results in a grant award, funds will be released only after the Institutional Animal Care and Use Committee has approved the project.

c. Protection of Human Subjects—Responsibility for safeguarding the rights and welfare of human subjects used in any grant project supported with funds provided by CSREES rests with the performing organization. Guidance on this issue is contained in the National Research Act, Pub. L. No. 93–348, as amended, and implementing regulations promulgated by the Department under 7 CFR Part 1c. If you propose to use human subjects for experimental purposes in your project, you should check the ''yes'' box in Block 21 of Form CSREES–661 and complete Section C of Form CSREES–662. In the event a project involving human subjects results in a grant award, funds will be released only after the appropriate Institutional Review Board has approved the project.

13. Certifications

Note that by signing Form CSREES–661 the applicant is providing certifications required by 7 CFR Part 3017, as amended, regarding Debarment and Suspension and Drug Free Workplace, and 7 CFR Part 3018, regarding Lobbying. The certification forms are included in the application package for informational purposes only. These forms should not be submitted with the proposal since by signing form CSREES–661 your organization is providing the required certifications. If the project will involve a subcontractor or consultant, the subcontractor/consultant should submit a form AD–1048 to the grantee

organization for retention in their records. This form should not be submitted to USDA.

14. Compliance with the National Environmental Policy Act (NEPA) Form CSREES–1234

As outlined in 7 CFR Part 3407 (the Cooperative State Research, Education, and Extension Service regulations implementing NEPA), the environmental data for any proposed project is to be provided to CSREES so that CSREES may determine whether any further action is needed. In some cases, however, the preparation of environmental data may not be required. Certain categories of actions are excluded from the requirements of NEPA.

In order for CSREES to determine whether any further action is needed with respect to NEPA, pertinent information regarding the possible environmental impacts of a particular project is necessary; therefore, Form CSREES–1234, ''NEPA Exclusions Form,'' must be included in the proposal indicating whether the applicant is of the opinion that the project falls within a categorical exclusion and the reasons therefore. If it is the applicant's opinion that the proposed project falls within the categorical exclusions, the specific exclusion must be identified. Form CSREES–1234 and supporting documentation should be included as the last page of this proposal.

Even though a project may fall within the categorical exclusions, CSREES may determine that an Environmental Assessment or an Environmental Impact Statement is necessary for an activity, if substantial controversy on environmental grounds exists or if other extraordinary conditions or circumstances are present which may cause such activity to have a significant environmental effect.

D. Submission of Proposals

1. When to Submit (Deadline Date)

Proposals must be transmitted by May 8, 2000, as indicated by postmark or date of courier bill of lading. Proposals transmitted after this date will not be considered for funding.

2. What to Submit

An original and 14 copies must be submitted. In addition submit 10 copies of the proposal's Project Summary. All copies of the proposals and the Project Summaries must be submitted in one package.

3. Where to Submit

Applicants are strongly encouraged to submit completed proposals via overnight mail or delivery service to ensure timely receipt by the USDA. The address for hand-delivered proposals or proposals submitted using an express mail or overnight courier service is: Initiative for Future Agriculture and Food Systems; c/o Proposal Services Unit; Cooperative State Research, Education, and Extension Service; U.S. Department of Agriculture; Room 303, Aerospace Center; 901 D Street, S.W.; Washington, D.C. 20024.

Proposals sent via the U.S. Postal Service must be sent to the following address: Initiative for Future Agriculture and Food Systems; c/o Proposal Services Unit; Cooperative State Research, Education, and Extension Service; U.S. Department of Agriculture; STOP 2245; 1400 Independence Avenue, S.W.; Washington, D.C. 20250–2245.

C. Acknowledgment of Proposals

The receipt of proposals will be acknowledged by e-mail. Therefore, applicants are encouraged to provide e-mail addresses, where designated, on the Form CSREES–661. If the applicant's e-mail address is not indicated, CSREES will acknowledge receipt of the proposal by letter.

Once the proposal has been assigned an identification number, please cite that number on all future correspondence. If the applicant does not receive an acknowledgment within 60 days of the submission deadline, please contact the Program Director.

Part IV—Review Process

A. General

All proposals, including standard and consortia projects (as well as small and mid-sized designated projects), will be reviewed together by a panel in the pertinent program area. Prior to technical examination, a preliminary review will be made for responsiveness to the program area. Proposals that do not fall within the guidelines as stated in the Program Area Description will be eliminated from program competition and will be returned to the applicant.

Individual written comments and in-depth discussions will be provided by a peer review panel prior to recommending applications for funding. Peer review panel members will be selected based upon their training and experience in relevant scientific, extension, or education fields taking into account the following factors: (a) The level of formal scientific, technical education, and extension experience of the individual, as well as the extent to which an individual is engaged in relevant research, education or extension activities; (b) the need to include as peer reviewers experts from various areas of specialization within relevant scientific, education, and extension fields; (c) the need to include as reviewers other experts (producers, range or forest managers/operators, consumers, etc.) who can assess relevance of the proposals to targeted audiences and to program needs; (d) the need to include as peer reviewers experts from a variety of organizational types (e.g., colleges, universities, industry, state and Federal agencies, private profit and non-profit organizations), and geographic locations; (e) the need to maintain a balanced composition of peer review groups with regard to minority and female representation and an equitable age distribution; and (f) the need to include members that can judge the effective usefulness to producers and the general public of each proposal.

B. Evaluation Factors

Priority will be given to projects that are multistate, multi-institutional, or multidisciplinary or projects that integrate agricultural research, education and extension.

The following evaluation factors apply to all proposals.

1. Relevance

All proposals will be judged as to their relevance to critical emerging agricultural issues related to future food production; environmental quality, and natural resource management; or farm income. Further factors include:

(a) Documentation that the research, extension and education activities are directed towards current or likely future problems or problems identified in this document;

(b) Evident linkage of research, extension and education functions.

(c) Evidence of involvement of stakeholders and/or communities of interest.

2. Merit

All proposals will be judged on their scientific, extension, or education merit including:

(a) Novelty, innovation, uniqueness, and originality;

(b) Conceptual adequacy of the research, extension and education components;

(c) Clarity and delineation of objectives;

(d) Adequacy of the description of the undertaking and suitability and feasibility of methodology;

(e) Demonstration of feasibility;

(f) Probability of success of the project;

3. Quality

All proposals will be judged on their quality including:

(a) Selection of most appropriate and qualified individuals to address the problem;

(b) Training and demonstrated awareness of previous and alternative approaches to the problem identified in the proposal, and performance record or potential for future accomplishments;

(c) Time allocated for systematic attainment of objectives;

(d) Institutional experience and competence in subject area;

(e) Adequacy of available or obtainable support personnel, facilities, and instrumentation;

(f) Adequacy of plans for reporting, assessing and monitoring of results of the project over its duration.

Consortia: In addition to the evaluation factors listed above the consortia proposals will be judged on the adequacy of: The planned administration of the consortium and its maintenance, partnerships, collaborative efforts, evaluation and monitoring efforts, and the planned dissemination of information over the duration of the project.

C. Conflicts-of-Interest and Confidentiality

During the peer evaluation process, extreme care will be taken to prevent any actual or perceived conflicts-of-interest that may impact review or evaluation. For the purpose of determining conflicts-of-interest, the academic and administrative autonomy of an institution shall be determined by reference to the January 1998 issue of the Codebook for Compatible Statistical Reporting of Federal Support to Universities, Colleges, and Nonprofit Institutions, prepared by Quantum Research Corporation for the National Science Foundation.

Names of submitting institutions and individuals, as well as proposal content and peer evaluations, will be kept confidential, except to those involved in the review process, to the extent permitted by law. In addition, the identities of peer reviewers will remain confidential throughout the entire review process. Therefore, the names of reviewers will not be released to applicants. At the end of the fiscal year, names of panelists will be made available in such a way that the panelists cannot be identified with the review of any particular proposal.

Part V—Additional Information

A. Access To Review Information

Copies of summary reviews, not including the identify of reviewers, will be sent to the applicant PI/PD after the review process has been completed.

B. Grant Awards

(1) General

Within the limit of funds available for such purpose, the awarding official of CSREES shall make grants to those responsible, eligible applicants whose proposals are judged most meritorious under the procedures set forth in this RFP. The date specified by the Administrator as the effective date of the grant shall be no later than September 30. It should be noted that the project need not be initiated on the grant effective date, but as soon thereafter as practical so that project goals may be attained within the funded project period. All funds granted by CSREES under this RFP shall be expended solely for the purpose for which the funds are granted in accordance with the approved application and budget, the regulations, the terms and conditions of the award, the applicable Federal cost principles, and the Department's assistance regulations (parts 3015, 3016, and 3019 of 7 CFR).

(2) Organizational Management Information

Specific management information relating to an applicant shall be submitted on a one-time basis as part of the responsibility determination prior to the award of a grant identified under this RFP, if such information has not been provided previously under this or another CSREES program. CSREES will provide copies of forms recommended for use in fulfilling these requirements as part of the preaward process.

(3) Grant Award Document and Notice of Grant Award

The grant award document shall include at a minimum the following:

(a) Legal name and address of performing organization or institution to whom the Administrator has awarded a grant under the terms of this request for proposals;

(b) Title of project;

(c) Name(s) and address(es) of principal investigator(s) chosen to direct and control approved activities;

(d) Identifying grant number assigned by the Department;

(e) Project period, specifying the amount of time the Department intends to support the project without requiring recompetition for funds;

(f) Total amount of Departmental financial assistance approved by the Administrator during the project period;

(g) Legal authority(ies) under which the grant is awarded;

(h) Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the grant award; and

(i) Other information or provisions deemed necessary by CSREES to carry out its respective granting activities or to accomplish the purpose of a particular grant.

The notice of grant award, in the form of a letter, will be prepared and will provide pertinent instructions or information to the grantee that is not included in the grant award document.

All grants awarded under this program will be awarded using a funding mechanism whereby CSREES agrees to support a specified level of effort for a predetermined time period without additional support at a future date.

C. Use of Funds; Changes

(1) Delegation of Fiscal Responsibility

Unless the terms and conditions of the grant state otherwise, the grantee may not in whole or in part delegate or transfer to another person, institution, or organization the responsibility for use or expenditure of grant funds.

(2) Changes in Project Plans

(a) The permissible changes by the grantee, PI/PD(s), or other key project personnel in the approved project grant shall be limited to changes in methodology, techniques, or other aspects of the project to expedite achievement of the project's approved goals. If the grantee and/or the PI/PD(s) are uncertain as to whether a change complies with this provision, the question must be referred to the CSREES Authorized Departmental Officer (ADO) for a final determination.

(b) Changes in approved goals or objectives shall be requested by the grantee and approved in writing by the CSREES ADO prior to effecting such changes. In no event shall requests for such changes be approved which are outside the scope of the original approved project.

(c) Changes in approved project leadership or the replacement or reassignment of other key project personnel shall be requested by the grantee and approved in writing by the awarding official of CSREES prior to effecting such changes.

(d) Transfers of actual performance of the substantive programmatic work in whole or in part and provisions for

payment of funds, whether or not Federal funds are involved, shall be requested by the grantee and approved in writing by the ADO prior to effecting such transfers, unless prescribed otherwise in the terms and conditions of the grant.

(e) Changes in Project Period: The project period may be extended by CSREES without additional financial support, for such additional period(s) as the ADO determines may be necessary to complete or fulfill the purposes of an approved project. Any extension of time shall be conditioned upon prior request by the grantee and approval in writing by the ADO, unless prescribed otherwise in the terms and conditions of a grant, but in no case shall a grant period of performance exceed 5 years.

(f) Changes in Approved Budget: Changes in an approved budget must be requested by the grantee and approved in writing by the ADO prior to instituting such changes if the revision will involve transfers or expenditures of amounts requiring prior approval as set forth in the applicable Federal cost principles, Departmental regulations, or in the grant award.

D. Applicable Federal Statutes and Regulations

Several other Federal statutes and regulations apply to grant proposals considered for review and to project grants awarded under this program. These include, but are not limited to:

7 CFR Part 1.1—USDA implementation of the Freedom of Information Act.

7 CFR Part 3—USDA implementation of OMB Circular No. A–129 regarding debt collection.

7 CFR Part 15, subpart A—USDA implementation of Title VI of the Civil Rights Act of 1964, as amended.

7 CFR Part 3015—USDA Uniform Federal Assistance Regulations, implementing OMB directives (i.e., Circular Nos. A–21 and A–122) and incorporating provisions of 31 U.S.C. 6301–6308 (formerly the Federal Grant and Cooperative Agreement Act of 1977, Pub. L. No. 95–224), as well as general policy requirements applicable to recipients of Departmental financial assistance.

7 CFR Part 3016—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

7 CFR Part 3017—USDA implementation of Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants).

7 CFR Part 3018—USDA implementation of Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans.

7 CFR Part 3019—USDA implementation of OMB Circular A–110, Uniform Administrative Requirements for Grants and Other Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.

7 CFR Part 3052—USDA implementation of OMB Circular No. A–133, Audits of States, Local Governments, and Non-profit Organizations.

7 CFR Part 3407—CSREES procedures to implement the National Environmental Policy Act of 1969, as amended.

29 U.S.C. 794 (section 504, Rehabilitation Act of 1973) and 7 CFR Part 15d (USDA implementation of statute)—prohibiting discrimination based upon physical or mental handicap in Federally assisted programs.

35 U.S.C. 200 *et seq.*—Bayh-Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in Federally assisted programs (implementing regulations are contained in 37 CFR Part 401).

E. Confidential Aspects of Proposals and Awards

When a proposal results in a grant, it becomes a part of the record of CSREES transactions, available to the public upon specific request. Information that the Secretary determines to be of a confidential, privileged, or proprietary nature will be held in confidence to the extent permitted by law. Therefore, any information that the applicant wishes to have considered as confidential, privileged, or proprietary should be clearly marked within the proposal. The original copy of a proposal that does not result in a grant will be retained by the CSREES for a period of one year. Other copies will be destroyed. Such a proposal will be released only with the consent of the applicant or to the extent required by law. A proposal may be withdrawn at any time prior to the final action thereon.

F. Regulatory Information

For the reasons set forth in the final Rule-related Notice to 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), this program is excluded from the scope of the Executive Order 12372 which requires intergovernmental consultation with State and local officials. Under the provisions of the Paperwork Reduction Act of 1995, as amended (44 U.S.C. chapter 35), the collection of information requirements contained in this Notice have been approved under OMB Document No. 0524–0022.

Done at Washington, D.C., this 1st day of March 2000.

Charles W. Laughlin,

Administrator Cooperative State Research, Education, and Extension Service.

APPENDIX A—Most Successful Universities and Colleges for Receiving Federal and/or National Research Initiative Funds [1]

Baylor College of Medicine
Boston University
Brown University
California Institute of Technology
Carnegie-Mellon University
Case Western Reserve University
Colorado State University
Columbia University
Cornell University
CUNY Mount Sinai School of Medicine
Dartmouth College
Duke University
Emory University
Florida State University
Georgetown University
Georgia Institute of Technology
Harvard University
Indiana University
Iowa State University of Science and Technology
Johns Hopkins University
*Kansas State University
Massachusetts Institute of Technology
Medical College of Wisconsin
Michigan State University
New York University
North Carolina State University
Northwestern University
Ohio State University

[1] Based on data from the table Federal obligations for science and engineering research and development to the 100 universities and colleges receiving the largest amounts, ranked by total amount received: in fiscal year 1997 of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions (National Science Foundation, accessible through the Internet at www.nsf.gov/sbe/srs/nsf99331/).

*Annotated institutions are not in the list for the most successful Federally funded, but were among the top 50th percentile of those funded by the National Research Initiative (Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) over the past three years (1997–1999).

[1] Based on data from the table Federal obligations for science and engineering research and development to the 100 universities and colleges receiving the largest amounts, ranked by total amount received: in fiscal year 1997 of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions (National Science Foundation, accessible through the Internet at www.nsf.gov/sbe/srs/nsf99331/).

*Annotated institutions are not in the list for the most successful Federally funded, but were among the top 50th percentile of those funded by the National Research Initiative (Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) over the past three years (1997–1999).

Oregon Health Sciences University
Oregon State University
Pennsylvania State University
Princeton University
Purdue University
Rockefeller University
Rutgers, The State University of New Jersey
Scripps Research Institute
Stanford University
State University of New York at Stony Brook
State University of New York at Buffalo
Texas A&M University, College Park
Thomas Jefferson University
Tufts University
Tulane University
University of Alabama Birmingham
University of Arizona
University of California Berkeley
University of California Davis
University of California Irvine
University of California Los Angeles
*University of California Riverside
University of California San Francisco
University of California Santa Barbara
University of Chicago
University of Cincinnati
University of Colorado
University of Florida
University of Georgia
University of Illinois Urbana-Champaign
University of Illinois Chicago

[1] Based on data from the table Federal obligations for science and engineering research and development to the 100 universities and colleges receiving the largest amounts, ranked by total amount received: in fiscal year 1997 of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions (National Science Foundation, accessible through the Internet at www.nsf.gov/sbe/srs/nsf99331/).

*Annotated institutions are not in the list for the most successful Federally funded, but were among the top 50th percentile of those funded by the National Research Initiative (Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) over the past three years (1997–1999).

University of Iowa
University of Kansas
University of Maryland Baltimore Prof Sch
University of Maryland College Park
University of Massachusetts Amherst
University of Massachusetts Medical School Worcester
University of Medicine and Dentistry of New Jersey
University of Miami
University of Michigan Ann Arbor
University of Minnesota Twin Cities
University of Missouri Columbia
*University of Nebraska—Lincoln
University of New Mexico
University of North Carolina Chapel Hill
University of Pennsylvania
University of Pittsburgh
University of Rochester
University of South Carolina
University of Southern California
University of Texas at Austin
University of Texas Health Science Center Houston
University of Texas Health Sci. Center San Antonio
University of Texas MD Anderson Cancer Center
University of Texas Medical Branch Galveston
University of Texas SW Medical Center Dallas

[1] Based on data from the table Federal obligations for science and engineering research and development to the 100 universities and colleges receiving the largest amounts, ranked by total amount received: in fiscal year 1997 of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions (National Science Foundation, accessible through the Internet at www.nsf.gov/sbe/srs/nsf99331/).

*Annotated institutions are not in the list for the most successful Federally funded, but were among the top 50th percentile of those funded by the National Research Initiative (Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) over the past three years (1997–1999).

University of Utah
University of Virginia
University of Washington
University of Wisconsin Madison
*Utah State University
Vanderbilt University
Virginia Commonwealth University
Wake Forest University
Washington University
*Washington State University
Wayne State University
Woods Hole Oceanographic Institute
Yale University
Yeshiva University, New York

[FR Doc. 00–5349 Filed 3–1–00; 3:24 pm]

BILLING CODE 3410–22–P

[1] Based on data from the table Federal obligations for science and engineering research and development to the 100 universities and colleges receiving the largest amounts, ranked by total amount received: in fiscal year 1997 of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions (National Science Foundation, accessible through the Internet at www.nsf.gov/sbe/srs/nsf99331/).

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The text of laws is not published in the **Federal Register** but may be ordered in ''slip law'' (individual pamphlet) form from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202–512–1808). The text will also be made available on the Internet from GPO Access at http://www.access.gpo.gov/nara/index.html. Some laws may not yet be available.

H.R. 1451/P.L. 106–173

Abraham Lincoln Bicentennial Commission Act (Feb. 25, 2000; 114 Stat. 14)

S. 632/P.L. 106–174

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Last List February 23, 2000

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CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, stock numbers, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

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Title	Stock Number	Price	Revision Date
1, 2 (2 Reserved)	(869–038–00001–6)	5.00	[5] Jan. 1, 1999
3 (1997 Compilation and Parts 100 and 101)	(869–038–00002–4)	20.00	[1] Jan. 1, 1999
4	(869–038–00003–2)	7.00	[5] Jan. 1, 1999
5 Parts:			
1–699	(869–038–00004–1)	37.00	Jan. 1, 1999
700–1199	(869–038–00005–9)	27.00	Jan. 1, 1999
1200–End, 6 (6 Reserved)	(869–038–00006–7)	44.00	Jan. 1, 1999
7 Parts:			
1–26	(869–038–00007–5)	25.00	Jan. 1, 1999
27–52	(869–038–00008–3)	32.00	Jan. 1, 1999
53–209	(869–038–00009–1)	20.00	Jan. 1, 1999
210–299	(869–038–00010–5)	47.00	Jan. 1, 1999
300–399	(869–038–00011–3)	25.00	Jan. 1, 1999
400–699	(869–038–00012–1)	37.00	Jan. 1, 1999
700–899	(869–038–00013–0)	32.00	Jan. 1, 1999
900–999	(869–038–00014–8)	41.00	Jan. 1, 1999
1000–1199	(869–038–00015–6)	46.00	Jan. 1, 1999
1200–1599	(869–038–00016–4)	34.00	Jan. 1, 1999
1600–1899	(869–038–00017–2)	55.00	Jan. 1, 1999
1900–1939	(869–038–00018–1)	19.00	Jan. 1, 1999
1940–1949	(869–038–00019–9)	34.00	Jan. 1, 1999
1950–1999	(869–038–00020–2)	41.00	Jan. 1, 1999
*2000–End	(869–042–00021–8)	31.00	Jan. 1, 2000
8	(869–038–00022–9)	36.00	Jan. 1, 1999
9 Parts:			
1–199	(869–038–00023–7)	42.00	Jan. 1, 1999
200–End	(869–038–00024–5)	37.00	Jan. 1, 1999
10 Parts:			
1–50	(869–038–00025–3)	42.00	Jan. 1, 1999
51–199	(869–038–00026–1)	34.00	Jan. 1, 1999
200–499	(869–038–00027–0)	33.00	Jan. 1, 1999
500–End	(869–038–00028–8)	43.00	Jan. 1, 1999
11	(869–038–00029–6)	20.00	Jan. 1, 1999
12 Parts:			
1–199	(869–038–00030–0)	17.00	Jan. 1, 1999
200–219	(869–038–00031–8)	20.00	Jan. 1, 1999
220–299	(869–038–00032–6)	40.00	Jan. 1, 1999
300–499	(869–038–00033–4)	25.00	Jan. 1, 1999
500–599	(869–038–00034–2)	24.00	Jan. 1, 1999
600–End	(869–038–00035–1)	45.00	Jan. 1, 1999
13	(869–038–00036–9)	25.00	Jan. 1, 1999
14 Parts:			
1–59	(869–038–00037–7)	50.00	Jan. 1, 1999
60–139	(869–038–00038–5)	42.00	Jan. 1, 1999
140–199	(869–038–00039–3)	17.00	Jan. 1, 1999
200–1199	(869–038–00040–7)	28.00	Jan. 1, 1999
1200–End	(869–038–00041–5)	24.00	Jan. 1, 1999
15 Parts:			
0–299	(869–038–00042–3)	25.00	Jan. 1, 1999
300–799	(869–038–00043–1)	36.00	Jan. 1, 1999
800–End	(869–038–00044–0)	24.00	Jan. 1, 1999
16 Parts:			
0–999	(869–038–00045–8)	32.00	Jan. 1, 1999
1000–End	(869–038–00046–6)	37.00	Jan. 1, 1999
17 Parts:			
1–199	(869–038–00048–2)	29.00	Apr. 1, 1999
200–239	(869–038–00049–1)	34.00	Apr. 1, 1999
240–End	(869–038–00050–4)	44.00	Apr. 1, 1999
18 Parts:			
1–399	(869–038–00051–2)	48.00	Apr. 1, 1999
400–End	(869–038–00052–1)	14.00	Apr. 1, 1999
19 Parts:			
1–140	(869–038–00053–9)	37.00	Apr. 1, 1999
141–199	(869–038–00054–7)	36.00	Apr. 1, 1999
200–End	(869–038–00055–5)	18.00	Apr. 1, 1999
20 Parts:			
1–399	(869–038–00056–3)	30.00	Apr. 1, 1999
400–499	(869–038–00057–1)	51.00	Apr. 1, 1999
500–End	(869–038–00058–0)	44.00	[7] Apr. 1, 1999
21 Parts:			
1–99	(869–038–00059–8)	24.00	Apr. 1, 1999
100–169	(869–038–00060–1)	28.00	Apr. 1, 1999
170–199	(869–038–00061–0)	29.00	Apr. 1, 1999
200–299	(869–038–00062–8)	11.00	Apr. 1, 1999
300–499	(869–038–00063–6)	50.00	Apr. 1, 1999
500–599	(869–038–00064–4)	28.00	Apr. 1, 1999
600–799	(869–038–00065–2)	9.00	Apr. 1, 1999
800–1299	(869–038–00066–1)	35.00	Apr. 1, 1999
1300–End	(869–038–00067–9)	14.00	Apr. 1, 1999
22 Parts:			
1–299	(869–038–00068–7)	44.00	Apr. 1, 1999
300–End	(869–038–00069–5)	32.00	Apr. 1, 1999
23	(869–038–00070–9)	27.00	Apr. 1, 1999
24 Parts:			
0–199	(869–038–00071–7)	34.00	Apr. 1, 1999
200–499	(869–038–00072–5)	32.00	Apr. 1, 1999
500–699	(869–038–00073–3)	18.00	Apr. 1, 1999
700–1699	(869–038–00074–1)	40.00	Apr. 1, 1999
1700–End	(869–038–00075–0)	18.00	Apr. 1, 1999
25	(869–038–00076–8)	47.00	Apr. 1, 1999
26 Parts:			
§§ 1.0-1–1.60	(869–038–00077–6)	27.00	Apr. 1, 1999
§§ 1.61–1.169	(869–038–00078–4)	50.00	Apr. 1, 1999
§§ 1.170–1.300	(869–038–00079–2)	34.00	Apr. 1, 1999
§§ 1.301–1.400	(869–038–00080–6)	25.00	Apr. 1, 1999
§§ 1.401–1.440	(869–038–00081–4)	43.00	Apr. 1, 1999
§§ 1.441-1.500	(869-038-00082-2)	30.00	Apr. 1, 1999
§§ 1.501–1.640	(869–038–00083–1)	27.00	[7] Apr. 1, 1999
§§ 1.641–1.850	(869–038–00084–9)	35.00	Apr. 1, 1999
§§ 1.851–1.907	(869–038–00085–7)	40.00	Apr. 1, 1999
§§ 1.908–1.1000	(869–038–00086–5)	38.00	Apr. 1, 1999
§§ 1.1001–1.1400	(869–038–00087–3)	40.00	Apr. 1, 1999
§§ 1.1401–End	(869–038–00088–1)	55.00	Apr. 1, 1999
2–29	(869–038–00089–0)	39.00	Apr. 1, 1999
30–39	(869–038–00090–3)	28.00	Apr. 1, 1999
40–49	(869–038–00091–1)	17.00	Apr. 1, 1999
50–299	(869–038–00092–0)	21.00	Apr. 1, 1999
300–499	(869–038–00093–8)	37.00	Apr. 1, 1999
500–599	(869–038–00094–6)	11.00	Apr. 1, 1999
600–End	(869–038–00095–4)	11.00	Apr. 1, 1999
27 Parts:			
1–199	(869–038–00096–2)	53.00	Apr. 1, 1999

Title	Stock Number	Price	Revision Date
200–End	(869–038–00097–1)	17.00	Apr. 1, 1999
28 Parts:			
0-42	(869–038–00098–9)	39.00	July 1, 1999
43-end	(869-038-00099-7)	32.00	July 1, 1999
29 Parts:			
0–99	(869–038–00100–4)	28.00	July 1, 1999
100–499	(869–038–00101–2)	13.00	July 1, 1999
500–899	(869–038–00102–1)	40.00	[8] July 1, 1999
900–1899	(869–038–00103–9)	21.00	July 1, 1999
1900–1910 (§§ 1900 to 1910.999)	(869–038–00104–7)	46.00	July 1, 1999
1910 (§§ 1910.1000 to end)	(869–038–00105–5)	28.00	July 1, 1999
1911–1925	(869–038–00106–3)	18.00	July 1, 1999
1926	(869–038–00107–1)	30.00	July 1, 1999
1927–End	(869–038–00108–0)	43.00	July 1, 1999
30 Parts:			
1–199	(869–038–00109–8)	35.00	July 1, 1999
200–699	(869–038–00110–1)	30.00	July 1, 1999
700–End	(869–038–00111–0)	35.00	July 1, 1999
31 Parts:			
0–199	(869–038–00112–8)	21.00	July 1, 1999
200–End	(869–038–00113–6)	48.00	July 1, 1999
32 Parts:			
1–39, Vol. I		15.00	[2] July 1, 1984
1–39, Vol. II		19.00	[2] July 1, 1984
1–39, Vol. III		18.00	[2] July 1, 1984
1–190	(869–038–00114–4)	46.00	July 1, 1999
191–399	(869–038–00115–2)	55.00	July 1, 1999
400–629	(869–038–00116–1)	32.00	July 1, 1999
630–699	(869–038–00117–9)	23.00	July 1, 1999
700–799	(869–038–00118–7)	27.00	July 1, 1999
800–End	(869–038–00119–5)	27.00	July 1, 1999
33 Parts:			
1–124	(869–038–00120–9)	32.00	July 1, 1999
125–199	(869–038–00121–7)	41.00	July 1, 1999
200–End	(869–038–00122–5)	33.00	July 1, 1999
34 Parts:			
1–299	(869–038–00123–3)	28.00	July 1, 1999
300–399	(869–038–00124–1)	25.00	July 1, 1999
400–End	(869–038–00125–0)	46.00	July 1, 1999
35	(869–038–00126–8)	14.00	[8] July 1, 1999
36 Parts			
1–199	(869–038–00127–6)	21.00	July 1, 1999
200–299	(869–038–00128–4)	23.00	July 1, 1999
300–End	(869–038–00129–2)	38.00	July 1, 1999
37	(869–038–00130–6)	29.00	July 1, 1999
38 Parts:			
0–17	(869–038–00131–4)	37.00	July 1, 1999
18–End	(869–038–00132–2)	41.00	July 1, 1999
39	(869–038–00133–1)	24.00	July 1, 1999
40 Parts:			
1–49	(869–038–00134–9)	33.00	July 1, 1999
50–51	(869–038–00135–7)	25.00	July 1, 1999
52 (52.01–52.1018)	(869–038–00136–5)	33.00	July 1, 1999
52 (52.1019–End)	(869–038–00137–3)	37.00	July 1, 1999
53–59	(869–038–00138–1)	19.00	July 1, 1999
60	(869–038–00139–0)	59.00	July 1, 1999
61–62	(869–038–00140–3)	19.00	July 1, 1999
63 (63.1–63.1119)	(869–038–00141–1)	58.00	July 1, 1999
63 (63.1200–End)	(869–038–00142–0)	36.00	July 1, 1999
64–71	(869–038–00143–8)	11.00	July 1, 1999
72–80	(869–038–00144–6)	41.00	July 1, 1999
81–85	(869–038–00145–4)	33.00	July 1, 1999
86	(869–038–00146–2)	59.00	July 1, 1999
87-135	(869–038–00146–1)	53.00	July 1, 1999
136–149	(869–038–00148–9)	40.00	July 1, 1999
150–189	(869–038–00149–7)	35.00	July 1, 1999
190–259	(869–038–00150–1)	23.00	July 1, 1999
260–265	(869–038–00151–9)	32.00	July 1, 1999
266–299	(869–038–00152–7)	33.00	July 1, 1999
300–399	(869–038–00153–5)	26.00	July 1, 1999
400–424	(869–038–00154–3)	34.00	July 1, 1999
425–699	(869–038–00155–1)	44.00	July 1, 1999
700–789	(869–038–00156–0)	42.00	July 1, 1999
790–End	(869–038–00157–8)	23.00	July 1, 1999
41 Chapters:			
1, 1–1 to 1–10		13.00	[3] July 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)		13.00	[3] July 1, 1984
3–6		14.00	[3] July 1, 1984
7		6.00	[3] July 1, 1984
8		4.50	[3] July 1, 1984
9		13.00	[3] July 1, 1984
10–17		9.50	[3] July 1, 1984
18, Vol. I, Parts 1–5		13.00	[3] July 1, 1984
18, Vol. II, Parts 6–19		13.00	[3] July 1, 1984
18, Vol. III, Parts 20–52		13.00	[3] July 1, 1984
19–100		13.00	[3] July 1, 1984
1–100	(869–038–00158–6)	14.00	July 1, 1999
101	(869–038–00159–4)	39.00	July 1, 1999
102–200	(869–038–00160–8)	16.00	July 1, 1999
201–End	(869–038–00161–6)	15.00	July 1, 1999
42 Parts:			
1–399	(869–038–00162–4)	36.00	Oct. 1, 1999
400–429	(869–038–00163–2)	44.00	Oct. 1, 1999
430–End	(869–038–00164–1)	54.00	Oct. 1, 1999
43 Parts:			
1–999	(869–038–00165–9)	32.00	Oct. 1, 1999
1000–end	(869–038–00166–7)	47.00	Oct. 1, 1999
44	(869–038–00167–5)	28.00	Oct. 1, 1999
45 Parts:			
1–199	(869–038–00168–3)	33.00	Oct. 1, 1999
200–499	(869–038–00169–1)	16.00	Oct. 1, 1999
500–1199	(869–038–00170–5)	30.00	Oct. 1, 1999
1200–End	(869–038–00171–3)	40.00	Oct. 1, 1999
46 Parts:			
1–40	(869–038–00172–1)	27.00	Oct. 1, 1999
41–69	(869–038–00173–0)	23.00	Oct. 1, 1999
70–89	(869–034–00173–4)	8.00	Oct. 1, 1998
90–139	(869–038–00175–6)	26.00	Oct. 1, 1999
140–155	(869–038–00176–4)	15.00	Oct. 1, 1999
156–165	(869–038–00177–2)	21.00	Oct. 1, 1999
166–199	(869–038–00178–1)	27.00	Oct. 1, 1999
200–499	(869–038–00179–9)	23.00	Oct. 1, 1999
500–End	(869–038–00180–2)	15.00	Oct. 1, 1999
47 Parts:			
0–19	(869–038–00181–1)	39.00	Oct. 1, 1999
20–39	(869–038–00182–9)	26.00	Oct. 1, 1999
40–69	(869–038–00183–7)	26.00	Oct. 1, 1999
70–79	(869–038–00184–5)	39.00	Oct. 1, 1999
80–End	(869–038–00185–3)	40.00	Oct. 1, 1999
48 Chapters:			
1 (Parts 1–51)	(869–038–00186–1)	55.00	Oct. 1, 1999
1 (Parts 52–99)	(869–038–00187–0)	30.00	Oct. 1, 1999
2 (Parts 201–299)	(869–038–00188–8)	36.00	Oct. 1, 1999
3–6	(869–038–00189–6)	27.00	Oct. 1, 1999
7–14	(869–038–00190–0)	35.00	Oct. 1, 1999
15–28	(869–038–00191–8)	36.00	Oct. 1, 1999
29–End	(869–038–00192–6)	25.00	Oct. 1, 1999
49 Parts:			
1–99	(869–038–00193–4)	34.00	Oct. 1, 1999
100–185	(869–038–00194–2)	53.00	Oct. 1, 1999
186–199	(869–038–00195–1)	13.00	Oct. 1, 1999
200–399	(869–038–00196–9)	53.00	Oct. 1, 1999
400–999	(869–038–00197–7)	57.00	Oct. 1, 1999
1000–1199	(869–038–00198–5)	17.00	Oct. 1, 1999
1200–End	(869–038–00199–3)	14.00	Oct. 1, 1999
50 Parts:			
1–199	(869–038–00200–1)	43.00	Oct. 1, 1999
200–599	(869–038–00201–9)	22.00	Oct. 1, 1999

Title	Stock Number	Price	Revision Date
600–End	(869–038–00202–7)	37.00	Oct. 1, 1999
CFR Index and Findings Aids	(869–038–00047–4)	48.00	Jan. 1, 1999
Complete 1998 CFR set		951.00	1998
Microfiche CFR Edition:			
Subscription (mailed as issued)		247.00	1998
Individual copies		1.00	1998
Complete set (one-time mailing)		247.00	1997
Complete set (one-time mailing)		264.00	1996

[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[5] No amendments to this volume were promulgated during the period January 1, 1998 through December 31, 1998. The CFR volume issued as of January 1, 1997 should be retained.

[7] No amendments to this volume were promulgated during the period April 1, 1998, through April 1, 1999. The CFR volume issued as of April 1, 1998, should be retained.

[8] No amendments to this volume were promulgated during the period July 1, 1998, through July 1, 1999. The CFR volume issued as of July 1, 1998, should be retained.