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RESERVATIONS: 202–523–4538

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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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–38]

Amendment to Class E Airspace; Ogallala, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace area at Ogallala, NE. The FAA has developed Area Navigation (RNAV) Runway (RWY) 08 ORIGINAL, VHF Omni-directional Range (VOR)/ Distance Measuring Equipment (DME) RWY 08 ORIGINAL, and VOR/DME RWY 26 ORIGINAL, Standard Instrument Approach Procedures (SIAP) to serve Searle Field, Ogallala, NE. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAPs and for other Instrument Flight Rules (IFR) operations at this airport. This action will also correct the geographical coordinates of Searle Field, Ogallala, NE.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the SIAPs and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

DATES: This direct final rule is effective on 0901 UTC, May 17, 2001.

Comments for inclusion in the Rules Docket must be received on or before March 15, 2001.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations and Airspace Branch, Air Traffic Division, ACE–530, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00–ACE–38, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Brenda Mumper, Air Traffic Division, Operations & Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

SUPPLEMENTARY INFORMATION: The FAA has developed RNAV RWY 08 ORIGINAL, VOR/DME RWY 08 ORIGINAL and VOR/DME RWY 26 ORIGINAL SIAP's to serve Searle Field, Ogallala, NE. The amendment to Class E airspace at Ogallala, NE, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAPs within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules (IFR). The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 17.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 00–ACE–38.'' The postcard

will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE NE E5 Ogallala, NE [Revised]

Searle Field, NE
(Lat. 41°07′11″N., long. 101°46′08″W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Searle Field.

* * * * *

Issued in Kansas City, MO, on December 28, 2000.

Donna R. Genest,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1280 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–37]

Amendment to Class E Airspace; Grant, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace area at Grant, NE. The FAA has developed Area Navigation (RNAV) Runway (RWY) 15 ORIGINAL, RNAV RWY 33 ORIGINAL, and VHF Omni-directional Range (VOR)/Distance Measuring Equipment (DME) Runway 15 ORIGINAL, Standard Instrument Approach Procedures (SIAP) to serve Grant Municipal Airport. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAPs and for other Instrument Flight Rules (IFR) operations at this airport. This action will also correct the geographical coordinates of Grant Municipal Airport, Grant, NE.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the SIAPs and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

DATES: This direct final rule is effective on 0901 UTC, May 17, 2001.

Comments for inclusion in the Rules Docket must be received on or before March 15, 2001.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations and Airspace Branch, Air Traffic Division, ACE–530, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00–ACE–37, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Brenda Mumper, Air Traffic Division, Operations & Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

SUPPLEMENTARY INFORMATION: The FAA has developed RNAV RWY 15 ORIGINAL, RNAV RWY 33 ORIGINAL, and VOR/DME RWY 15 ORIGINAL SIAP to serve the Grant Municipal Airport, Grant, NE. The amendment to Class E airspace at Grant, NE, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAPs within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules (IFR). The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA

does receive, within the comment period, and adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 00–ACE–37.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE NE E5 Grant, NE [Revised]

Grant Municipal Airport, NE
(Lat. 40°52′10″N., long. 101°43′58″W.)
Grant NDB
(Lat. 40°52′15″N., long. 101°43′50″W.)

That airspace extending upward from 700 feet above the surface with a 6.4-mile radius of Grant Municipal Airport and within 2.6 miles each side of the 156° bearing from the Grant NDB extending from the 6.4-mile radius to 7.4 miles southeast of the airport and within 2.6 miles each side of the 317° bearing from the Grant NDB extending from the 6.4-mile radius to 7.4 miles northwest of the airport.

* * * * *

Issued in Kansas City, MO, on December 28, 2000.

Donna R. Genest,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1279 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–36]

Amendment to Class E Airspace; Bowling Green, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace area at Bowling Green, MO. The FAA has developed Area Navigation (RNAV) Runway (RWY) 13 ORIGINAL and RNAV RWY 31 ORIGINAL, Standard Instrument Approach Procedures (SIAP) to serve Bowling Green Municipal Airport. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAPs and for other Instrument Flight Rules (IFR) operations at this airport. This action will also correct the geographical coordinates of Bowling Green Municipal Airport, Bowling Green, MO.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the SIAPs and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

DATES: This direct final rule is effective on 0901 UTC, May 17, 2001.

Comments for inclusion in the Rules Docket must be received on or before March 15, 2001.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations and Airspace Branch, Air Traffic Division, ACE–530, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00–ACE–36, 901 Locush, Kansas City, MO 64106.

The Official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours

at the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Brenda Mumper, Air Traffic Division, Operations & Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

SUPPLEMENTARY INFORMATION: The FAA has developed RNAV RWY 13 ORIGINAL and RNAV RWY 31 ORIGINAL SIAP to serve the Bowling Green Municipal Airport, Bowling Green, MO. The amendment to Class E airspace at Bowling Green, MO, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAPs within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules (IFR). The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will published a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register,** and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comment to Docket No. 00–ACE–36.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE MO E5 Bowling Green, MO [Revised]

Bowling Green Municipal Airport, MO
(Lat. 39°22′12″N., long. 91°13′09″W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Bowling Green Municipal Airport.

* * * * *

Issued in Kansas City, MO, on December 28, 2000.

Donna R. Genest,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1278 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–35]

Amendment to Class E Airspace; Council Bluffs, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace area at Council Bluffs, IA. The FAA has developed Area Navigation (RNAV) Runway (RWY) 13 ORIGINAL, a Standard Instrument Approach Procedure (SIAP) to serve Council Bluffs Municipal Airport. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate this SIAP and for other Instrument Flight Rules (IFR) operations at this airport. This action will also amend the geographical coordinates of Eppley Airfield, NE.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the SIAP and to segregate aircraft using instrument approach procedures in instrument conditions from aircraft operating in visual conditions.

DATES: This direct final rule is effective on 0901 UTC, May 17, 2001.

Comments for inclusion in the Rules Docket must be received on or before February 25, 2001.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations and Airspace Branch, Air Traffic Division, ACE–530, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00–ACE–35, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Operations & Airspace Branch, ACE–520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

SUPPLEMENTARY INFORMATION: The FAA has developed RNAV RWY 13 ORIGINAL, SIAP to serve the Council Bluffs Municipal Airport, Council Bluffs, IA. The amendment to Class E airspace at Council Bluffs, IA, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAP within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules (IFR). The amendment at Council Bluffs Municipal Airport, IA, will provide additional controlled airspace for aircraft operating under IFR procedures. The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register,** and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 00–ACE–35.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a significant regulatory action under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airport, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and Reporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE IA E5 Council Bluffs, IA [Revised]

Eppley Airfield, NE
(Lat. 41°18′10″N., long. 95°53′39″W.)
Offutt AFB, NE
(Lat. 41°07′06″N., long. 95°54′45″W.)
Council Bluffs Municipal Airport, IA
(Lat. 41°15′34″ N., Long. 95°45′36″W.)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Eppley Airfield, and within 3 miles each side of the Eppley Airfield Runway 14R ILS localizer course extending from the 6.9-mile radius to 12 miles northwest of the airport and within a 7-mile radius of Offutt AFB and within 4.3 miles each side of the Offutt ILS localizer course extending from the 7-mile radius to 7.4 miles southeast of the AFB and within a 6.4 mile radius of the Council Bluffs Municipal Airport.

* * * * *

Issued in Kansas City, MO, December 27, 2000.

Richard L. Day,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1548 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–32]

Amendment to Class E Airspace; Bloomfield, IA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Bloomfield, IA.

EFFECTIVE DATE: 0901 UTC, March 22, 2001.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on November 9, 2000 (65 FR 67256). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on March 22, 2001. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on January 2, 2001.

H. J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1547 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–39]

Amendment to Class E Airspace; Bassett, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends the Class E airspace at Bassett, NE. The FAA has developed Area Navigation (RNAV) Runway (RWY) 13 ORIGINAL, and RNAV RWY 31 ORIGINAL Standard Instrument Approach Procedures (SIAP) to serve Rock County Airport, Bassett, NE. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAPs and for other Instrument Flight Rules (IFR) operations at this airport. This action will also correct the geographical coordinates of Rock County Airport, Bassett, NE.

The intended effect of this rule is to provide controlled Class E airspace for aircraft executing the SIAPs and to segregate aircraft using instrumental approach procedures in instrument conditions from aircraft operating in visual conditions.

DATES: This direct final rule is effective on 0901 UTC, May 17, 2001.

Comments for inclusion in the Rules Docket must be received on or before March 15, 2001.

ADDRESSES: Send comments regarding the rule in triplicate to: Manager, Operations and Airspace Branch, Air Traffic Division, ACE–530, DOT Regional Headquarters Building, Federal Aviation Administration, Docket Number 00–ACE–39, 901 Locust, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

FOR FURTHER INFORMATION CONTACT: Brenda Mumper, Air Traffic Division, Operations & Airspace Branch, ACE–520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2524.

SUPPLEMENTARY INFORMATION: The FAA has developed RNAV RWY 13 ORIGINAL and RNAV RWY 31 ORIGINAL to serve Rock County Airport, Bassett, NE. The amendment to Class E airspace at Bassett, NE, will provide additional controlled airspace at and above 700 feet AGL in order to contain the new SIAPs within controlled airspace, and thereby facilitate separation of aircraft operating under Instrument Flight Rules (IFR). The area will be depicted on

appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environemtal, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 00–ACE–39.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will not have a substantial direct effect 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9H Airspace Designations and rRporting Points, dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ACE NE E5 Bassett, NE [Revised]

Rock County Airports, NE
(Lat. 42°34′11″N., long. 99°34′06″W.)
Rock County NDB
(Lat. 42°34′25″N., long. 99°34′40″W.)
That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Rock County Airport and within 2.2 miles each side of the 134° bearing from the Rock County NDB extending from the 6.4-mile radius to 7.4 miles southeast of the Rock County NDB.

* * * * *

Issued in Kansas City, MO, on January 2, 2001.

H.J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 01–1546 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 2000–ASW–19]

Revision of Class E Airspace, Atlanta, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This notice confirms the effective date of a direct final rule which revises the Class E Airspace at Atlanta, TX.

EFFECTIVE DATE: The direct final rule published at 65 FR 67625 is effective 0901 UTC, March 22, 2001.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Forth Worth, TX 76193–0520, telephone: 817–222–5593.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal**

Register on November 13, 2000, (65 FR 67625). The FAA uses the direct final rulemaking procedure for a noncontroversial rule where the FAA believes that there will be no adverse public comment. this direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on March 22, 2001. No adverse comments were received, and, thus, this action confirms that this direct final rule will be effective on that date.

Issued in Fort Worth, TX, on January 8, 2001.

Robert N. Stevens,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 01–1550 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 2000–ASW–21]

Revocation of Class E Airspace, Gage, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This amendment revokes the Class E airspace at Gage, OK. The cancellation of all Standard Instrument Approach Procedures (SIAP), at Gage Airport, Gage, OK, has made this rule necessary. This action is intended to relinquish control of airspace that is no longer needed at Gage Airport, Gage, OK.

DATES: Effective 0901 UTC, May 17, 2001. Comments must be received on or before March 19, 2001.

ADDRESSES: Send comments on the rule in triplicate to Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 2000–ASW–21, Fort Worth, TX 76193–0520. The official docket may be examined in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, Airspace Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193–0520, telephone 817–222–5593.

SUPPLEMENTARY INFORMATION: This amendment to 14 CFR part 71 revokes the Class E airspace at Gage OK. The cancellation of all SIAPs, at Gage Airport, Gage, OK, has made this rule necessary. This action is intended to relinquish control of airspace that is no longer needed at Gage Airport, Gage, OK.

Class E airspace designations are published in Paragraphs 6002 and 6005 of FAA Order 7400.9H, dated September 1, 2000, and effective September 16, 2000, which is incorporated by reference in 14 CFR § 71.1. The Class E airspace designation listed in this document will be published subsequently in the order.

The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and therefore is issuing it as a direct final rule. A substantial number of previous opportunities provided to the public to comment on substantially identical actions have resulted in negligible adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document will be published in the **Federal Register**. This document may withdraw the direct final rule in whole or in part. After considering the adverse or negative comment, we may publish another direct final rule or publish a notice of proposed rulemaking with a new comment period.

Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action is needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA–public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 2000–ASW–21.'' The postcard will be date stamped and returned to the commenter.

Agency Findings

The regulations adopted herein will 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. Therefore, it is determined that this final rule will not have federalism implications under Executive Order 13132.

Further, the FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments and only involves an established body of technical regulations that require frequent and routine amendments to keep them operationally current. Therefore, I certify that this regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act. Since this rule involves routine matters that will only affect air traffic procedures and air navigation, it does not warrant preparation of a Regulatory Flexibility Analysis because the anticipated impact is so minimal.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9H, *Airspace Designations and Reporting Points,* dated September 1, 2000, and effective September 16, 2000, is amended as follows:

Paragraph 6002 Class E airspace areas extending upward from the surface of the earth.

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ASW OK E2 Gage, OK [Revoked]
ASW OK E5 Gage, OK [Revoked]

* * * * *

Issued in Fort Worth, TX on January 8, 2001.

Robert N. Stevens,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 01–1549 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–ACE–33]

Amendment to Class E Airspace; Albia, IA

AGENCY: Federal Aviation Administration, DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of a direct final rule which revises Class E airspace at Albia, IA.

EFFECTIVE DATE: 0901 UTC, March 22, 2001.

FOR FURTHER INFORMATION CONTACT: Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on November 9, 2000 (65 FR 67254). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on March 22, 2001. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on January 5, 2001.

H.J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 01–2038 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

RIN 0720–AA57

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Methodology for Coverage of Phase II and Phase III Clinical Trials Sponsored by the National Institutes of Health

AGENCY: Office of The Secretary; DoD.

ACTION: Final rule.

SUMMARY: This final rule allows the Department of Defense to waive normal requirements so that covered beneficiaries can participate in Phase II and Phase III clinical trials sponsored or approved by the National Institutes of Health National Cancer Institute (NIH NCI). This waiver authority is expected to promote beneficiary access to promising new treatments and contribute to the development of such treatments.

EFFECTIVE DATE: March 2, 2001.

ADDRESSES: TRICARE Management Activity (TMA), Program Operations Directorate, Program Development, 5111 Leesburg Pike, Suite 810, Falls Church, VA 22041–3206.

FOR FURTHER INFORMATION CONTACT: Patricia Collins, Office of the Assistant Secretary of Defense (Health Affairs)/ TRICARE Management Activity, telephone (703) 681–0039. Questions regarding payment of specific claims under CHAMPUS should be addressed to the appropriate regional TRICARE/ CHAMPUS contractor.

SUPPLEMENTARY INFORMATION:

I. Overview of the Rule

Introduction and background

This final rule implements title 10, United States Code, section 1079(a)(13) which provides for a waiver of the general prohibition on coverage of unproven medical treatments or procedures in connection with clinical trials sponsored or approved by the National Institutes of Health-National Cancer Institute. This waiver is contingent upon the Secretary of Defense's determination that a waiver will promote access to promising new treatments and contribute to the development of such treatments. Based on the improved beneficiary access to these trials, and the contributions to the development of such treatments, it is in the best interest of the Department and its beneficiaries to continue to provide access through an authorized waiver as outlined in the proposed rule. The Department of Defense and the National Institutes of Health National Cancer Institute (NCI) established a partnership in 1994 for the purpose of conducting a demonstration project that allowed patients with breast cancer to be considered for NCI-sponsored bone marrow transplant clinical trials. This program expanded in 1996 to include all cancers and NCI-Sponsored Phase II and III cancer treatment clinical trials. The partnership was further expanded as of June 21, 1999 to include cancer prevention and treatment. Between January 1996 and January 2000, approximately 270 beneficiaries have participated in NCI-approved clinical trials under the waiver. The Department of Defense hopes that this permanent benefit will heighten the awareness among our cancer patients that clinical trials are a promising treatment option and encourage them to consider this.

Public Comments: The proposed rule was published in the **Federal Register** on May 31, 2000 (65 FR 34627). No public comments were received.

Provisions of the Final Rule: The final rule is consistent with the proposed rule.

II. Regulatory Procedures

Executive Order 12866 requires certain regulatory assessments for any significant regulatory action, defined as one which would result in an annual effect on the economy of $100 million or more, or have other substantial impacts.

The Regulatory Flexibility Act (RFA) requires that each Federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities.

The final rule will not impose additional information collection requirements on the public under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 55).

List of Subjects in 32 CFR Part 199

Administrative practice and procedure, Claims, Fraud, Health care, Health insurance, Military personnel.

PART 199—[AMENDED]

1. The authority citation for Part 199 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. Chapter 55.

2. Section 199.4 is amended by adding new paragraph (e)(21) and revising paragraph (g)(15) introductory text to read as follows:

§ 199.4 Basic program benefits.

* * * * *

(e) * * *

(21) *National Institutes of Health Clinical Trials.* By law, the general prohibition against CHAMPUS cost-sharing of unproven drugs, devices, and medical treatments or procedures may be waived in connection with clinical trials sponsored or approved by the National Institutes of Health National Cancer Institute if it is determined that such a waiver will promote access by covered beneficiaries to promising new treatments and contribute to the development of such treatments. A waiver shall only be exercised as authorized under this paragraph.

(i) *Demonstration Waiver.* A waiver may be granted through a demonstration project established in accordance with § 199.1(o) of this part.

(ii) *Continuous Waiver.* (A) *General.* As a result of a demonstration project under which a waiver has been granted in connection with a National Institutes of Health National Cancer Institute clinical trial, a determination may be made that it is in the best interest of the government and CHAMPUS beneficiaries to end the demonstration and continue to provide a waiver for CHAMPUS cost-sharing of the specific clinical trial. Only those specific clinical trials identified under paragraph (e)(2)(ii) of this section have been authorized a continuous waiver under CHAMPUS.

(B) *National Cancer Institute (NCI) Sponsored Cancer Prevention, Screening, and Early Detection Clinical Trials.* A continuous waiver under paragraph (e)(20) of this section has been granted for CHAMPUS cost-sharing for those CHAMPUS-eligible patients selected to participate in NCI sponsored Phase II and Phase III studies for the prevention and treatment of cancer.

(*1*) CHAMPUS will cost-share all medical care and testing required to determine eligibility for an NCI-sponsored trial, including the evaluation for eligibility at the institution conducting the NCI-sponsored study. CHAMPUS will cost-share all medical care required as a result of participation in NCI-sponsored studies. This includes purchasing and administering all approved chemotherapy agents (except for NCI-funded investigational drugs), all inpatient and outpatient care, including diagnostic and laboratory services not otherwise reimbursed under an NCI grant program if the following conditions are met:

(*i*) The provider seeking treatment for a CHAMPUS-eligible patient in an NCI approved protocol has obtained pre-authorization for the proposed treatment before initial evaluation; and,

(*ii*) Such treatments are NCI sponsored Phase II or Phase III protocols; and,

(*iii*) The patient continues to meet entry criteria for said protocol; and,

(*iv*) The institutional and individual providers are CHAMPUS authorized providers.

(*2*) CHAMPUS will not provide reimbursement for care rendered in the National Institutes of Health Clinical Center or costs associated with non-treatment research activities associated with the clinical trials.

(*3*) Cost-shares and deductibles applicable to CHAMPUS will also apply under the NCI-sponsored clinical trials.

(*4*) The Director, OCHAMPUS, shall issue procedures and guidelines establishing NCI sponsorship of clinical trials and the administrative process by which individual patients apply for and receive cost-sharing under NCI sponsored cancer clinical trials.

* * * * *

(g) * * *

(15) *Unproven drugs, devices, and medical treatments or procedures.* By law, CHAMPUS can only cost-share medically necessary supplies and services. Any drug, device, or medical treatment or procedure, the safety and efficacy of which have not been established, as described in this paragraph (g)(15), is unproved and cannot be cost-shared by CHAMPUS except as authorized under 199.4(e)(21) of this part.

* * * * *

Dated: January 25, 2001.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 01–2763 Filed 1–30–01; 8:45 am]

BILLING CODE 5001–10–M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024–AC82

Special Regulations; Areas of the National Park System: Delay of Effective Date

AGENCY: National Park Service, Interior.

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled ''Regulatory Review Plan,'' 66 FR 7701 (Jan. 24, 2001), this document temporarily delays for 60 days the effective date of the rule entitled Special Regulations; Areas of the National Park System, published in the **Federal Register** on January 22, 2001, (66 FR 7259). That rule concerns the restrictions on snowmobiles and other winter activities in Yellowstone and Grand Teton National Parks as well as the John D. Rockefeller, Jr., Memorial Parkway.

DATES: The effective date of the Special Regulations; Areas of the National Park System, published in the **Federal Register** on January 22, 2001, (62 FR 7259), is delayed for 60 days, from February 21, 2001 to a new effective date of April 22, 2001.

FOR FURTHER INFORMATION CONTACT: Kym Hall, Regulations Program Manager,

National Park Service, 1849 C Street, NW., Room 7413, Washington, DC 20240. Telephone (202) 208–4206.

SUPPLEMENTARY INFORMATION: To the extent that 5 U.S.C. section 553 applies to this action, the action is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the Department's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. 553(b)(3)(B) and 553(d)(3), in that seeking public comment is impractical, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as sell as contrary to the public interest in the orderly promulgation and implementation of regulations.

Dated: January 29, 2001.

Timothy S. Elliott,

Acting Deputy Solicitor.

[FR Doc. 01–2786 Filed 1–29–01; 2:32 pm]

BILLING CODE 4310–70–M

POSTAL SERVICE

39 CFR Part 111

Domestic Mail Manual; Miscellaneous Amendments

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This document describes the numerous amendments consolidated in the Transmittal Letter for Issue 56 of the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations, see 39 CFR 111.1. These amendments reflect changes in mail preparation requirements and other miscellaneous rules and regulations not previously published in the **Federal Register**.

EFFECTIVE DATE: January 7, 2001.

FOR FURTHER INFORMATION CONTACT: Anne Emmerth, (703) 292–3641.

SUPPLEMENTARY INFORMATION: The Domestic Mail Manual (DMM), incorporated by reference in title 39, Code of Federal Regulations, part 111, contains the basic standards of the U.S. Postal Service governing its domestic mail services, descriptions of the mail classes and special services and conditions governing their use, and standards for rate eligibility and mail preparation. The document is amended and republished about once a year, with each issue sequentially numbered. Interim updates of the DMM are posted monthly on the USPS Postal Explorer Web site (*http://pe.usps.gov*). DMM Issue 56, the next printed edition, is scheduled for release on January 7, 2001. Issue 56 will contain all changes previously published in the **Federal Register** (including the changes to implement the R2000–1 Omnibus Rate Case, published in 65 FR 78538) and all changes listed below. The following excerpt from section I010, Summary of Changes, of the transmittal letter for DMM Issue 56 covers the minor changes not previously described in interim or final rules published in the **Federal Register**. Announcements of these minor changes were first published in various issues of the Postal Bulletin, an official biweekly document published by the Postal Service. Where sections have been changed or reorganized since original publication, both current and former section numbers are listed.

In addition, the revised table of contents of DMM Issue 56 is presented.

Domestic Mail Manual Issue 56

Summary of Changes

C. Characteristics and Content

C022.3.7 is clarified to allow a limited number of attendant honeybees to accompany each queen honeybee when air transportation is used. Effective 10–5–00.

C031.2.0 is revised and C031.6.0, 7.0, 8.0, 9.0, and 10.0 are added as a result of the Deceptive Mail Prevention and Enforcement Act, Public Law 106–168, 39 U.S.C., sub-section 3001. Effective 5–4–00.

C031.3.2 and 3.3 are revised to include changes to the standards governing advertising for lawful gambling activity. Effective 12–14–00.

C200.1.4b is revised to eliminate the requirement that the subscription receipts, requests, and order forms permitted as enclosures at Periodicals rates be limited to the host publication or a combination including the host publication and other Periodicals of the host's publisher. Effective 8–10–00.

C200.3.5 and C820.6.2 are amended and C600.1.2 is added to provide an exception to allow for short covers on certain publications. Effective 12–30–99.

C700.2.0 (former E630.1.4) is revised to clarify that the nonmachinable surcharge does not apply to perishable parcels (*e.g.,* fruit) that meet the criteria for machinable parcels, provided that the packaging is sufficient to prevent both the contents and postal machinery from damage. Effective 12–14–00.

C820.4.3 is revised to remove the requirement that the polywrap product name appear as part of the marking on polywrapped automation flats. Effective 7–13–00.

C850.1.4 is amended to add information about integrated barcodes for special services. Effective 12–14–00.

D. Deposit, Collection, and Delivery

D010 is revised to allow on-call service for Parcel Post, to add a new payment option for pickup service fees, and to clarify existing standards for pickup service. Effective 2–10–00.

D010.3.2 is revised to correct the phone number for customers to request on-call pickup service. Effective 3–9–00.

D042.1.7g is amended to expand requirements for the hand stamp used by customers when signing for accountable mail. Effective 9–7–00.

D071.1.4 and 2.4 are added to clarify procedures for Priority Mail drop shipments. Effective 1–7–01.

E. Eligibility

E010.1.2 is amended to change the size limit of military space available mail (SAM) when mailed from an APO or FPO outside the contiguous 48 states. Effective 12–14–00.

E020.2.3 is revised to remove Delivery Confirmation service as an option for Department of State mail. Effective 5–4–00.

E060.11.1 and 12.2 (former 12.10) are amended to reflect changes in the way that federal agencies pay for business reply mail and merchandise return service. Effective 11–2–00.

E110.4.1, E140.1.1, E610.2.1 (former E612.2.1), E610.6.1 (former E612.4.7), E610.8.0 (former E612.4.9), and E640.1.1 are amended to support the 3-year NetPost Mailing Online experiment. Effective 9–1–00.

E110.4.1, E610.6.1, and E711.2.3 are revised to allow customers to renew fee payments at any time during the last 60 days of the current period. Effective 1–7–01.

E130.3.1, E140.1.1, E140.1.4, E140.2.2, E230.1.1, E230.2.1, E220.2.1 (former E230.3.0), E220.2.2 (former E230.4.0), E220.2.3 (former E230.5.0), E230.3.1, E240.1.1, E240.2.1, E240.2.2, E240.2.3, E250.2.1, E620.1.1, E620.2.0, E630.1.0 (former E620.2.1), E630.2.1 (former E620.2.8), E640.1.1, E640.1.4, E640.2.3, E650.6.2, and E650.7.2 are amended to implement combined automation rate and carrier route mail for Periodical and Standard Mail; to

revise pallet preparation standards for Periodicals, Standard Mail, and Package Services; to allow mailers of flat-size First-Class Mail, nonletter-size Periodicals, and flat-size Standard Mail to combine packages of automation rate mail and packages of Presorted rate mail in the same sack or tray under certain conditions; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages in the same sack (merged 5-digit scheme sack or merged 5-digit sack) or on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using the Carrier Route Indicators field in the City State Product; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using either a 5 percent threshold for 5-digit sorted mail or a combination of a 5 percent threshold for 5-digit sorted mail and the Carrier Route Indicators field in the City State Product. Effective 1–7–01.

E211.10.5e is revised to make optional the publication of a subscription price in the identification statement of a Periodicals publication. Effective 9–7–00.

E230.2.1 is revised to require that basic carrier route Periodicals be sequenced in line-of-travel (LOT) order. Effective 1–7–01.

E230.2.1 is revised to change preparation of nonautomation nonletter-size carrier route Periodicals prepared in sacks and the preparation of Periodicals packages and bundles on pallets. Effective 1–7–01.

E200 is reorganized into E220, E230, and E240 to show that Periodicals nonletter-size mailing jobs prepared in sacks that include both an automation flats mailing and a Presorted flats mailing must use the co-sacking method in M910. Under this co-sacking method, packages of automation flats and packages of Presorted rate mail that are part of the same mailing job are sorted into the same sacks for all sack presort levels. Standardized documentation or documentation produced by PAVE-certified software must be used. In addition, the sacks must be prepared with barcoded sack labels. Effective 1–7–01.

E612.3.4 is deleted to provide an exception to allow for short covers on certain publications. Effective 12–30–99.

Exhibit E711.2.2 (former E630.1.3) is amended to correct a ZIP Code for Parcel Post Intra-BMC rate eligibility. Effective 12–14–00.

E650.3.8 and E751.4.7 (former E652.4.7) are revised and E751.4.9 (former E652.4.9) is added to clarify procedures for making appointments for drop shipments. Effective 4–6–00.

E650.3.0 and E751.4.0 (former E652.4.0) are revised to change the minimum frequency for recurring appointments from once a month to once a week. Effective 3–12–00.

E751 Exhibit 7.0 (former E652 Exhibit 7.0) is amended to delete a ZIP Code for Parcel Post destination entry mailings. Effective 1–13–00, 5–4–00, 6–1–00, and 12–14–00.

E751 Exhibit 8.0 (former E652 Exhibit 8.0) is amended to add a ZIP Code for Parcel Post destination entry mailings. Effective 1–13–00, 4–6–00, 5–4–00, 8–10–00, 11–16–00, and 12–14–00.

E670.5.0 is amended to clarify the rules for substantially related advertising in Nonprofit Standard Mail. Effective 2–10–00.

E670.5.11 is revised to reflect an increase for low-cost products mailable at Nonprofit Standard Mail rates. Effective 1–1–00.

F. Forwarding and Related Services

F030.1.2 is amended to show that obsolete ancillary service endorsements are considered invalid. If discovered in the mailstream, pieces bearing an invalid ancillary service endorsement or conflicting endorsements are treated as unendorsed mail. Effective 1–1–01.

G. General Information

G043 is amended to add an address for Delivery Operations Systems. Effective 11–2–00.

G090 is deleted to provide for the bulk weight-averaging of nonletter-size business reply mail as a permanent classification. Effective 2–6–00.

G091 is added to support the 3-year NetPost Mailing Online experiment. Effective 9–1–00.

G094 is added to create a new classification and rate for the Periodicals Ride-Along experiment. Effective 2–26–00.

G094.1.3 is revised to reflect that Periodicals mailpieces that include a Ride-Along piece must maintain uniform thickness. Effective 5–4–00.

L. Labeling Lists

L001 is amended to implement combined automation rate and carrier route mail for Periodicals and Standard Mail; to revise pallet preparation standards for Periodicals, Standard Mail, and Package Services; to allow mailers of flat-size First-Class Mail, nonletter-size Periodicals, and flat-size Standard Mail to combine packages of automation rate mail and packages of Presorted rate mail in the same sack or tray under certain conditions; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages in the same sack (merged 5-digit scheme sack or merged 5-digit sack) or on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using the Carrier Route Indicators field in the City State Product; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using either a 5 percent threshold for 5-digit sorted mail or a combination of a 5 percent threshold for 5-digit sorted mail and the Carrier Route Indicators field in the City State Product. Effective 1–7–01.

L001, L002, L003, L004, and L801 are amended to reflect changes in mail processing operations. Effective 11–16–00.

L001, L002, L003, L004, L005, L601, L603, L605, L801, L802, and L803 are amended to reflect changes in mail processing operations. Effective 8–10–00.

L002, L004, L005, L601, L603, L604, and L802 are amended to reflect changes in mail processing operations. Effective 6–15–00.

L004, L601, L602, L603, L604, L605, L801, and L803 are amended to reflect changes in mail processing operations. Effective 5–4–00.

L001, L002, L004, L005, L801, and L803 are amended to reflect changes in mail processing operations. Effective 2–24–00.

M. Mail Preparation and Sortation

M011.1.2, M011.1.3, M031.4.4, M031.4.7, M031.4.8, M031.4.12, M031.5.0, M032.1.1, M032.1.2, Exhibit M032.1.3, M032.2.4, M033.1.7, M033.1.8, M041.5.1, M041.5.2, M041.5.6, M041.6.2, M041.6.3, M041.6.4, M045.3.0, M045.4.1, M045.4.2, M045.4.3, M045.4.4, M045.6.1, M045.6.2, M045.8.1, M045.8.4, M130.1.1, M210.1.0 (former M200.1.1), M610.1.1, M620.1.1, and M820.1.9 are amended and M130.1.6, M210.1.6 (former M200.1.6), M220.1.6 (former M200.1.7), M610.1.5, M610.1.6, M620.1.6, M820.1.10, M910, M920, M930, M940 are added to implement

combined automation rate and carrier route mail for Periodicals and Standard Mail; to revise pallet preparation standards for Periodicals, Standard Mail, and Package Services; to allow mailers of flat-size First-Class Mail, nonletter-size Periodicals, and flat-size Standard Mail to combine packages of automation rate mail and packages of Presorted rate mail in the same sack or tray under certain conditions; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages in the same sack (merged 5-digit scheme sack or merged 5-digit sack) or on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using the Carrier Route Indicators field in the City State Product; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using either a 5 percent threshold for 5-digit sorted mail or a combination of a 5 percent threshold for 5-digit sorted mail and the Carrier Route Indicators field in the City State Product. Effective 1–7–01.

M011.1.3, M020.2.1, and M810.2.1 are amended and M011.1.3z is added to allow the option for mailers to use a tic mark in lieu of separator cards for First-Class Mail and Standard Mail (A) automation mailings and separator cards or rubber bands in Periodicals and Standard Mail (A) nonautomation carrier route mailings prepared in full 5-digit carrier routes trays. Effective 4–6–00.

M012.2.1b is amended to clarify an alternative location for rate markings on First-Class Mail and Standard Mail (A). Effective 2–10–00.

M013.2.3 is deleted to remove the requirement that optional endorsement lines be right-justified. Effective 4–6–00.

M013.1.1, M032 Exhibit 1.3a, M130, and M610 are revised to add optional ''manual'' processing instructions for nonautomation mail. Effective 4–1–00.

M013.1.1, M050.3.4, M050.4.1, and M220.1.0 (former M200.1.3) are revised to require that basic carrier route Periodicals be sequenced in line-of-travel (LOT) order. Effective 1–7–01.

M031.1.3, M032.1.3c, M032 Exhibit 1.3a, M045.3.5, M073.1.6, M610.4.8, M610.5.3, M722.2.5 (former M630.2.6), M730.2.3 (former M630.4.6), M740.2.3 (former M630.5.6), and M710.4.3 (former M630.6.3) are amended and M031.4.10 is deleted to remove references to line 2 processing codes. Effective 8–10–00.

M041.3.1 and M041.5.5 are amended to lower the maximum pallet height from 77 inches to 72 inches for Periodicals, Standard Mail (A), and Standard Mail (B) entered at Fairbanks and Anchorage, Alaska. Effective 11–2–00.

M072 is revised to change and clarify procedures for Priority Mail drop shipments. Effective 1–7–01.

M810.1.8 is added and M810.1.3 is revised to implement standardized acceptance and verification (SAVE) procedures. Effective 7–13–00.

M011.1.3, M033.1.8, M041.5.2, M045.3.1, M210.1.5 (former M200.1.5), and M220.1.5 (former M200.3.1) are revised to change preparation of nonautomation nonletter-size carrier route Periodicals prepared in sacks and the preparation of Periodicals packages and bundles on pallets. Effective 1–7–01.

M820.1.8, M820.1.9, M820.3.0, M920.1.1, M920.1.2, M920.1.3, M930.1.1, M930.1.4, M940.1.1, and M940.1.4 are revised and M200 is reorganized into M210 and M220 to show that Periodicals nonletter-size mailing jobs prepared in sacks that include both an automation flats mailing and a Presorted flats mailing must use the co-sacking method in M910. Under this co-sacking method, packages of automation flats and packages of Presorted rate mail that are part of the same mailing job are sorted into the same sacks for all sack presort levels. Standardized documentation or documentation produced by PAVE-certified software must be used. In addition, the sacks must be prepared with barcoded sack labels. Effective 1–7–01.

P. Postage and Payment Methods

P012.2.2, P012.2.4, and P012.2.5 are amended to implement combined automation rate and carrier route mail for Periodical and Standard Mail; to revise pallet preparation standards for Periodicals, Standard Mail, and Package Services; to allow mailers of flat-size First-Class Mail, nonletter-size Periodicals, and flat-size Standard Mail to combine packages of automation rate mail and packages of Presorted rate mail in the same sack or tray under certain conditions; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages in the same sack (merged 5-digit scheme sack or merged 5-digit sack) or on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using the Carrier Route Indicators field in the City State Product; to allow mailers of nonletter-size Periodicals and flat-size Standard Mail to combine carrier route packages, 5-digit automation rate packages, and 5-digit Presorted rate packages on the same pallet (merged 5-digit scheme pallet or merged 5-digit pallet) under certain conditions using either a 5 percent threshold for 5-digit sorted mail or a combination of a 5 percent threshold for 5-digit sorted mail and the Carrier Route Indicators field in the City State Product. Effective 1–7–01.

P014.2.11 is amended to clarify the standards for business reply mail. Effective 11–2–00.

P014.2.4 is amended to allow refunds for mailing fees for all classes of mail. Effective 8–10–00.

P014.2.7 is revised to clarify that in some cases refunds may be made for unused adhesive stamps. Effective 3–9–00.

P014.5.0 is revised and S500.2.0 is deleted to rewrite standards for Express Mail postage refunds. Effective 7–13–00.

P040.5.1 is amended to add an exception to the minimum quantity required for a permit imprint mailing. Effective 11–2–00.

P960.2.3 is revised to implement standardized acceptance and verification (SAVE) procedures. Effective 7–13–00.

R. Rates and Fees

R600.5.4 (formerly R600.8.5) is added to include computed rates for the Standard Mail (A) weighted fee. Effective 6–1–00.

R900 is amended to provide for the bulk weight-averaging of nonletter-size business reply mail as a permanent classification. Effective 2–6–00.

R900.4.0 is amended to clarify the rates for business reply mail. Effective 11–2–00.

R900.22.0 is revised to add changes related to the new signature capture process and electronic record management system. Effective 5–4–00.

S. Special Services

S500.2.0 is deleted to rewrite standards for Express Mail postage refunds. Effective 7–13–00.

S911.2.2 is revised to clarify standards for registered pieces that are paid with permit imprint as part of a manifest mailing. Effective 6–1–00.

S913.2.5, S918.3.4, and S918.4.0 are amended to add information about integrated barcodes for special services. Effective 12–14–00.

S917.1.4 and 1.5 are deleted; S917.2.4, Exhibit S917.2.4, and S917.2.5 are added; and S911.3.4, S911 Exhibit

3.4, S911.3.5, S912.2.3, S912 Exhibit 2.3, S912.2.4, S913.2.3b, S913 Exhibit 2.3, S913.2.4, S921.2.1, and S921.3.2 are revised to include barcode requirements for new special service forms and labels. Effective 1–24–00.

S911.1.1, S912.1.1, S913.1.1, S915.1.1, S915.2.2, S915.4.0, S917.1.1, and S921.1.1 are revised to add changes related to the new signature capture process and electronic record management system. Effective 5–4–00.

S917.1.3, S918.1.6, and S923 are amended to allow the use of Delivery Confirmation service with certain other special services. Effective 1–13–00.

S918.1.3 is added to show the locations to which Delivery Confirmation service is not available. Effective 5–4–00.

S918.2.2 is amended to expand information on the placement of Delivery Confirmation labels. Effective 8–10–00.

S922 is amended to clarify the standards for business reply mail. Effective 11–2–00.

S922 is amended to provide for the bulk weight-averaging of nonletter-size business reply mail on a permanent basis. Effective 2–6–00.

S922.2.3, S922.3.3, S923.3.3, and S924.3.1 are revised to allow customers to renew fee payments at any time during the last 60 days of the current period. Effective 1–7–01.

S923.4.13 is added to clarify that merchandise return service permit holders may request pickup service. Effective 2–10–00.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

In consideration of the foregoing, 39 CFR part 111 is amended as set forth below:

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. The table at the end of § 111.3(f) is amended by adding at the end thereof a new entry to read as follows:

§ 111.3 Amendments to the Domestic Mail Manual.

* * * * *

(f) * * *

Transmittal letter for issue	Dated	Federal Register publication
* * * * * * *		
56	January 7, 2000	66 FR 8370

3. Section 111.5 is revised to read as follows:

§ 111.5 Contents of the Domestic Mail Manual.

A Addressing

A000 Basic Addressing

A010 General Addressing Standards
A040 Alternative Addressing Formats
A060 Detached Address Labels (DALs)

A800 Addressing for Automation

A900 Customer Support

A910 Mailing List Services
A920 Address Sequencing Services
A930 Other Services
A950 Coding Accuracy Support System (CASS)

C Characteristics and Content

C000 General Information

C010 General Mailability Standards
C020 Restricted or Nonmailable Articles and Substances
C021 Articles and Substances Generally
C022 Perishables
C023 Hazardous Materials
C024 Other Restricted or Nonmailable Matter
C030 Nonmailable Written, Printed, and Graphic Matter
C031 Written, Printed, and Graphic Matter Generally
C032 Sexually Oriented Advertisements
C033 Pandering Advertisements
C050 Mail Processing Categories

C100 First-Class Mail

C200 Periodicals

C500 Express Mail

C600 Standard Mail

C700 Package Services

C800 Automation-Compatible Mail

C810 Letters and Cards
C820 Flats
C830 OCR Standards
C840 Barcoding Standards for Letters and Flats
C850 Barcoding Standards for Machinable Parcels

D Deposit, Collection, and Delivery

D000 Basic Information

D010 Pickup Service
D020 Plant Load
D030 Recall of Mail
D040 Delivery of Mail
D041 Customer Mail Receptacles
D042 Conditions of Delivery
D070 Drop Shipment
D071 Express Mail and Priority Mail
D072 Metered Mail

D100 First-Class Mail

D200 Periodicals

D210 Basic Information
D230 Additional Entry

D500 Express Mail

D600 Standard Mail

D700 Package Services

D900 Other Delivery Services

D910 Post Office Box Service
D920 Caller Service
D930 General Delivery and Firm Holdout

E Eligibility

E000 Special Eligibility Standards

E010 Overseas Military Mail
E020 Department of State Mail
E030 Mail Sent by U.S. Armed Forces
E040 Free Matter for the Blind and Other Handicapped Persons
E050 Official Mail (Franked)
E060 Official Mail (Penalty)
E070 Mixed Classes
E080 Absentee Balloting Materials

E100 First-Class Mail

E110 Basic Standards
E120 Priority Mail
E130 Nonautomation Rates
E140 Automation Rates
E150 Qualified Business Reply Mail (QBRM)

E200 Periodicals

E210 Basic Standards
E211 All Periodicals
E212 Qualification Categories
E213 Periodicals Mailing Privileges
E214 Reentry
E215 Copies Not Paid or Requested by Addressee
E216 Publisher Records
E217 Basic Rate Eligibility
E220 Presorted Rates
E230 Carrier Route Rates
E240 Automation Rates
E250 Destination Entry
E270 Preferred Periodicals

E500 Express Mail

E600 Standard Mail

E610 Basic Standards
E620 Presorted Rates
E630 Enhanced Carrier Route Rates
E640 Automation Rates

E650 Destination Entry
E670 Nonprofit Standard Mail

E700 Package Services

E710 Basic Standards
E711 Parcel Post
E712 Bound Printed Matter
E713 Media Mail
E714 Library Mail
E715 Bulk Parcel Post
E750 Destination Entry
E751 Parcel Select
E752 Bound Printed Matter
E753 Combining Package Services Parcels

F Forwarding and Related Services

F000 Basic Services

F010 Basic Information
F020 Forwarding
F030 Address Correction, Address Change, FASTforward, and Return Services

G General Information

G000 The USPS and Mailing Standards

G010 Basic Business Information
G011 Post Offices and Postal Services
G013 Trademarks and Copyrights
G020 Mailing Standards
G030 Postal Zones
G040 Information Resources
G042 Rates and Classification Service Centers
G043 Address List for Correspondence
G090 Experimental Classifications and Rates
G091 NetPost Mailing Online
E094 Ride-Along Rate for Periodicals

G900 Philatelic Services

L Labeling Lists

L000 General Use

L001 5-Digit Scheme—Periodicals Flats and Irregular Parcels, Standard Mail Flats, and Bound Printed Matter Flats
L002 3-Digit ZIP Code Prefix Matrix
L003 3-Digit ZIP Code Prefix Groups—3–Digit Scheme Sortation
L004 3-Digit ZIP Code Prefix Groups—ADC Sortation
L005 3-Digit ZIP Code Prefix Groups—SCF Sortation

L600 Standard Mail and Package Services

L601 BMCs
L602 ASFs
L603 ADCs—Irregular Standard Mail Parcels
L604 Originating ADCs—Standard Mail Irregular Parcels
L605 BMCs/ASFs—Nonmachinable Parcel Post BMC Presort and OBMC Presort

L800 Automation Rate Mailings

L801 AADCs—Letter-Size Mailings
L802 BMC/ASF Entry—Periodicals and Standard Mail
L803 Non-BMC/ASF Entry—Periodicals and Standard Mail

M Mail Preparation and Sortation

M000 General Preparation Standards

M010 Mailpieces
M011 Basic Standards
M012 Markings and Endorsements
M013 Optional Endorsement Lines
M014 Carrier Route Information Lines
M020 Packages
M030 Containers
M031 Labels
M032 Barcoded Labels
M033 Sacks and Trays
M040 Pallets
M041 General Standards
M045 Palletized Mailings
M050 Delivery Sequence
M070 Mixed Classes
M071 Basic Information
M072 Express Mail and Priority Mail Drop Shipment
M073 Combined Mailings of Standard Mail and Package Services Parcels
M074 Plant Load Mailings

M100 First-Class Mail (Nonautomation)

M110 Single-Piece First-Class Mail
M120 Priority Mail
M130 Presorted First-Class Mail

M200 Periodicals (Nonautomation)

M210 Presorted Rates
M220 Carrier Route Rates

M500 Express Mail

M600 Standard Mail (Nonautomation)

M610 Presorted Standard Mail
M620 Enhanced Carrier Route Standard Mail

M700 Package Services

M710 Parcel Post
M720 Bound Printed Matter
M721 Single-Piece Bound Printed Matter
M722 Presorted Bound Printed Matter
M723 Carrier Route Bound Printed Matter
M730 Media Mail
M740 Library Mail

M800 All Automation Mail

M810 Letter-Size Mail
M820 Flat-Size Mail

M900 Advanced Preparation Options for Flats

M910 Co-Traying and Co-Sacking Package of Automation and Presorted Mailings
M920 Merged Containerization of Packages Using the City State Product
M930 Merged Palletization of Packages Using a 5% Threshold
M940 Merged Palletization of Packages Using the City State Product and a 5% Threshold

P Postage and Payment Methods

P000 Basic Information

P010 General Standards
P011 Payment
P012 Documentation
P013 Rate Application and Computation
P014 Refunds and Exchanges
P020 Postage Stamps and Stationery
P021 Stamped Stationery
P022 Postage Stamps
P023 Precanceled Stamps
P030 Postage Meters and Meter Stamps
P040 Permit Imprints
P070 Mixed Classes

P100 First-Class Mail

P200 Periodicals

P500 Express Mail

P600 Standard Mail

P700 Package Services

P900 Special Postage Payment Systems

P910 Manifest Mailing System (MMS)
P920 Optional Procedure (OP) Mailing System
P930 Alternate Mailing Systems (AMS)
P950 Plant-Verified Drop Shipment (PVDS)
P960 First-Class or Standard Mail Mailings With Different Payment Methods

R Rates and Fees

R000 Stamps and Stationery

R100 First-Class Mail

R200 Periodicals

R500 Express Mail

R600 Standard Mail

R700 Package Services

R900 Services

S Special Services

S000 Miscellaneous Services

S010 Indemnity Claims
S020 Money Orders and Other Services
S070 Mixed Classes

S500 Special Services for Express Mail

S900 Special Postal Services

S910 Security and Accountability
S911 Registered Mail
S912 Certified Mail
S913 Insured Mail
S914 Certificate of Mailing
S915 Return Receipt
S916 Restricted Delivery
S917 Return Receipt for Merchandise
S918 Delivery Confirmation
S919 Signature Confirmation
S920 Convenience
S921 Collect on Delivery (COD) Mail
S922 Business Reply Mail (BRM)
S923 Merchandise Return Service
S924 Bulk Parcel Return Service
S930 Handling

I INDEX INFORMATION

I000 Information

I010 Summary of Changes
I020 References
I021 Forms Glossary
I022 Subject Index

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 01–2231 Filed 1–30–01; 8:45am]

BILLING CODE 7710–12–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 213

[Docket No. RST–90–1, Notice No. 12]

RIN 2130–AB32

Track Safety Standards; Correction

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule; corrections.

SUMMARY: The Federal Railroad Administration published in the **Federal Register** of January 10, 2001 (66 FR 1894), a final rule to amend the Track Safety Standards contained in 49 CFR part 213. This correction document corrects inadvertent errors in the final rule.

DATES: Effective on April 10, 2001.

FOR FURTHER INFORMATION CONTACT: Allison H. MacDowell, Office of Safety Assurance and Compliance, Federal Railroad Administration, 1120 Vermont Avenue, NW., Mail Stop 25, Washington, DC 20590 (telephone: 202–493–6236), or Nancy Lummen Lewis, Office of Chief Counsel, Federal Railroad Administration, 1120 Vermont Avenue, NW., Mail Stop 10, Washington, DC 20590 (telephone: 202–493–6047).

SUPPLEMENTARY INFORMATION: FRA published a final rule in the **Federal Register** of January 10, 2001 (66 FR 1894), which, effective April 10, 2001, amends the Track Safety Standards in 49 CFR part 213 by adding procedures for track owners to follow when using Gage Restraint Measuring Systems to assess the ability of their track to maintain proper gage. The final rule, however, contained several inadvertent errors which are corrected with this document.

In the final rule published on January 10, 2001, (66 FR 1894), make the following corrections:

Corrections to Preamble

1. On page 1894, third column, in the heading, following ''Docket No. RST–90–1,'', remove ''Notice No. 9'' and replace with ''Notice No. 11.''

2. On page 1894, third column, remove the last sentence of the section designated as **SUMMARY**, which states: ''Individuals employed by the track owner to inspect track must be permitted to exercise their discretion in judging whether the track segment should also be visually inspected by a qualified track inspector.''

3. On page 1896, third column, remove the paragraph under the section titled ''*Paragraph (j),*'' and replace with the following paragraph:

''The track owner is required to institute procedures that will ensure the integrity of data collected by the GRMS and PTLF systems. Daily GRMS instrument verification procedures should ensure that measurements made on the ground of loaded and unloaded gage parameters correlate to those recorded by the instrumentation. Track owners shall maintain documented calibration procedures on each GRMS vehicle and make them available upon request from an FRA representative. Track owners shall also develop and implement the necessary PTLF inspection and maintenance procedures so that the 4,000-pound reading is accurate within plus/minus five percent.''

4. On page 1897, second column, remove the first paragraph under the section titled ''*Paragraph (m),*'' and replace with the following paragraph:

''While the remedial action table in paragraph (l) requires the use of the PTLF to measure compliance with the lateral restraint and gage requirements at identified exception locations in GRMS territory, paragraph (m) also provides for the use of a PTLF as an additional analytical tool by fully qualified § 213.7 individuals at other locations in GRMS territory. Paragraph (m) also describes the manner in which a PTLF must be used in GRMS territory, whether it is being used as an additional analytical tool or being used to meed the remedial action requirements set forth in paragraph (l). Compliance with §§ 213.109 and 213.127 will be demonstrated when a PTLF is applied and (1) the total gage widening at that location does not exceed 5/8 inch when increasing the applied force from 0 to 4,000 pounds, and (2) the gage of the track measured under 4,000 pounds of applied force does not exceed the allowable gage prescribed in § 213.53(b) of this section for the class of track involved. Gage widening in excess of 5/8 inch shall constitute a deviation from Class 1 standards.''

Corrections to Rule

PART 213—[CORRECTED]

§ 213.110 [Corrected]

5. On page 1900, second column, in § 213.110, correct paragraph (j)(1) to read as follows:

§ 213.110 Gage restraint measurement systems.

* * * * *

(j) * * *

(1) Maintain and make available to the Federal Railroad Administration documented calibration procedures on each GRMS vehicle which, at a minimum, shall specify a daily instrument verification procedure that will ensure correlation between measurements made on the ground and those recorded by the instrumentation with respect to loaded and unloaded gage parameters; and

* * * * *

6. On page 1901, first column, in § 213.110(m), correct the introductory text to read as follows:

* * * * *

(m) Between GRMS inspections, the PTLF may be used as an additional analytical tool to assist fully qualified § 213.7 individuals in determining compliance with the crosstie and fastener requirements of §§ 213.109 and 213.127. When the PTLF is used, whether as an additional analytical tool or to fulfill the requirements of paragraph (l), it shall be used subject to the following criteria—

* * * * *

Dated: January 17, 2001.

John V. Wells,

Acting Federal Railroad Administrator.

[FR Doc. 01–1973 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF COMMERCE

National Oceanic and atmospheric Administration

50 CFR Parts 300 and 679

[Docket No. 000616184-0290-02; I.D. 050500A]

RIN 0648-AK74

Fisheries of the Exclusive Economic Zone Off Alaska; Sitka Pinnacles Marine Reserve; Correction

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

ACTION: Final rule; correction.

SUMMARY: This document corrects a coordinate in the regulatory text of 50 CFR part 300 to correspond with a coordinate in Figure 18 to 50 CFR part 679. This corrects the final rule that implements Amendment 59 to the Fishery Management Plan for the Groundfish of the Gulf of Alaska (FMP), which was published November 9, 2000. Also, in the Code of Federal Regulations (CFR), this document corrects a misspelled acronym in the

heading for a paragraph in 50 CFR part 679.

DATES: Effective December 11, 2000.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, 907-586-7008.

SUPPLEMENTARY INFORMATION:

Background

A final rule was published in the **Federal Register** on November 9, 2000 (65 FR 67305), to implement Amendment 59 to the FMP. A coordinate in § 300.63 of the regulatory text is incorrect and does not match its corresponding coordinate in Figure 18 to 50 CFR part 679.

Correction

In the final rule to implement Amendment 59 to the FMP, which designates a 2.5 square nm area as the Sitka Pinnacles Marine Reserve, published at 65 FR 67305, November 9, 2000, FR Doc. 00-28676, the following correction is made:

§ 300.63 [Corrected]

On page 67308, column 2, § 300.63(e), the first latitude coordinate ''56°55.0' N. lat.'' is corrected to read ''56°55.5' N lat.''

Dated: January 11, 2001.

Bruce C. Morehead,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 01–2693 Filed 1–30–01; 8:45 am]

BILLING CODE: 3510–22–S

Proposed Rules

Federal Register
Vol. 66, No. 21
Wednesday, January 31, 2001

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.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket No. 96–45, FCC 01–31]

Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rule.

SUMMARY: In this document, the Commission seeks comment on implementation of the Children's Internet Protection Act (CHIP Act), Public Law 106–554. The CHIP Act provides that in order to be eligible to receive discounted Internet access, Internet services, and internal connection services, schools and libraries that have computers with Internet access must have in place certain Internet safety policies.

DATES: Comments are due on or before February 15, 2001. Reply comments are due on or before February 22. 2001. Written comments by the public on the proposed and/or modified information collections discussed in this Further Notice of Proposed Rulemaking are due on or before February 15, 2001. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before April 2, 2001.

ADDRESSES: All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collection(s) contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1–C804, 445 12th Street, SW., Washington, DC 20554, or via the Internet to jboley@fcc.gov and to Edward C. Springer, OMB Desk Officer, 10236 NEOB, 725 17th Street, NW., Washington, DC 20503, or via the Internet to vhuth@omb.eop.gov. Parties should also send three paper copies of their filings to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, SW., Room 5–B540, Washington, DC 20554. Parties who choose to file by paper should also submit their comments on diskette. These diskettes should be submitted to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, SW., Room 5–B540, Washington, DC 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: Jonathan Secrest, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418–7400.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Further Notice of Proposed Rulemaking (FPRM) in CC Docket No. 96–45 released on January 23, 2001. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 Twelfth Street, SW., Washington, DC 20554.

This NPRM contains proposed information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed information collections contained in this proceeding.

Paperwork Reduction Act

The FNPRM contains a proposed information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and OMB to comment on the information collection(s) contained in this NPRM, as required by the PRA, Public Law 104–13. Public and agency comments on the proposed and/or modified information collections discussed in this Notice of Proposed Rulemaking are due on or before February 15, 2001. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before April 2, 2001. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

1. *OMB Control Number:* 3060–0853.
Title: Receipt of Service Confirmation Form and Adjustment of Funding Commitment and Modification to Receipt of Service Confirmation Form—Universal Service for Schools and Libraries.
Form No.: FCC Form 486.
Type of Review: Proposed Revised Collection.
Respondents: Business or other for-profit; Not-for-Profit Institutions.
No. of Respondents: 30,000.
Est. Time Per Response: 35* hours.
Total Annual Burdern: 1,050,000 hours.
Cost to Respondents: $0.

2. *OMB Control Number:* 3060–0806.
Title: Universal Service—Schools and Libraries Universal Service Program.
Form No.: FCC Form 471.
Type of Review: Proposed Revised Collection.
Respondents: Business or other for-profit; Not-for-Profit Institutions.
No. of Resondents: 60,000.
Est. Time Per Response: 4.5 hours.
Total Annual Burden: 270,000 hours.
Cost to Respondents: $0.
Needs and Uses: In this Further Notice of Proposed Rulemaking, the Commission is seeking comment on the implementation of the Children's Internet Protection Act (CHIP Act) that provides that in order to be eligible under section 254 of the Communications Act of 1934, as amended, to receive discounted Internet access, Internet services, and internal connection services, schools and libraries that have computers with Internet access must have in place certain Internet safety policies. All schools and libraries receiving Internet

*First year only. 1.5 hours subsequent years.

access and internal connection services supported by the schools and libraries support mechanism must certify that they are enforcing a policy of Internet safety and enforcing the operation of a technology prevention measure. The Commission is also seeking comment on whether to use a modified FCC Form 486, the Receipt of Service Confirmation Form (OMB 3060–0853), to serve as the appropriate means of certification pursuant to the CHIP Act. In future years, the Commission contemplates using FCC Form 471 for the certification.

Synopsis of FNPRM

I. Introduction

1. On December 21, 2000, the President signed into law the Children's Internet Protection Act (the CHIP Act), included as part of the Consolidated Appropriations Act, 2001. Section 1721 and related sections of the CHIP Act provide that in order to be eligible under section 254 of the Communications Act of 1934, as amended (the Act), to receive discounted Internet access, Internet services, and internal connection services, schools and libraries that have computers with Internet access must have in place certain Internet safety policies. In this Further Notice of Proposed Rulemaking (Notice), we seek comment on implementation of the legislation.

II. Issues for Comment

2. In this Notice, we seek comment generally on implementation of the CHIP Act as it affects section 254 of the Communications Act of 1934, as amended. We seek comment in particular on the following issues.

3. We tentatively conclude that the most efficient and effective way of obtaining the certifications required under the legislation, while imposing the least burden on recipients, is to modify an existing FCC Form to include a certification that the recipient is in compliance with the requirements of the legislation, or that the statute does not apply. We propose that recipients use one of the following certifications: ''I certify that the recipient complies with all relevant provisions of the Children's Internet Protection Act, 42 U.S.C. 254(h).'' Or, ''I certify that the requirements of the Children's Internet Protection Act, 42 U.S.C. 254(h), do not apply.'' We seek comment on this proposal.

4. We contemplate for funding year 4 that FCC Form 486, the Receipt of Service Confirmation Form, could serve as the appropriate means of certification pursuant to the CHIP Act when modified to include the required certification. In future years, we contemplate adding the certification to the Form 471. We invite comment on use of these forms for this purpose.

5. Under the schools and libraries universal service funding mechanism, applicants often include entire school districts, comprising numerous schools, or consortia that include eligible schools and libraries. We therefore seek comment on which entities in these and other situations may make the certifications required under the CHIP Act.

6. Although the CHIP Act specifies when eligible entities must make the certifications under 254(h) for enforcing, for both minors and adults, a policy of Internet safety that includes operation of a technology protection measure, the statute does not similarly specify when eligible entities must certify that they are in compliance with the separate Internet safety policy described in section 254(l). We seek comment on whether the timing requirements under section 254(h)(5)(E) and 254(h)(6)(E) also apply to certifications by schools and libraries regarding the adoption and implementation of an Internet safety policy as required by section 254(l).

7. Sections 254(h)(5)(F) and 254(h)(6)(F) set forth consequences for schools or libraries that fail to submit certifications or fail to comply with the CHIP Act certifications. These sections also set forth procedures for remedying noncompliance. We seek comment on whether any rules are necessary to implement these remedial provisions of the statute, and how these provisions can be implemented in a way that is administratively efficient and fair to applicants. We invite comment on how these provisions should be implemented in light of the annual funding cycle, our rule imposing a cap on the amount of federal universal service support for schools and libraries, and our rule that provides priority for applicants that file within a specified filing period. Finally, we invite commenters to address any additional issues regarding effective implementation of the CHIP Act by the Commission.

III. Procedural Matters and Ordering Clauses

8. As required by the Regulatory Flexibility Act (RFA), the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in this Notice. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the Notice provided. The Commission will send a copy of the Further Notice, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA). In addition, the Notice and IRFA (or summaries thereof) will be published in the **Federal Register**.

1. Need for, and Objectives of, the Proposed Rules

9. The Children's Internet Protection Act, included as part of the Consolidated Appropriations Act, 2001, Public Law 106–554, requires the Commission to prescribe regulations in order to implement the legislation. This Notice seeks to obtain comments about procedures that may be implemented in accordance with those requirements.

2. Legal Basis

10. The legal basis for this Notice is contained in the Children's Internet Protection Act, included as part of the Consolidated Appropriations Act, 2001, Public Law 106–554, and in sections 1 through 4, 201 through 205, 254, 303(r), and 403 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. 1–4, 201–205, 254, 303(r), and 403, and § 1.411 of the Commission's rules.

3. Description and Estimate of the Number of Small Entities To Which Rules Will Apply

11. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A small business concern is one that: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). A small organization is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.'' Nationwide, as of 1992, there were approximately 275,801 small organizations. ''Small governmental jurisdiction'' generally means ''governments of cities, counties, towns, townships, villages, school districts, or special districts, with a

population of less than 50,000.'' As of 1992, there were approximately 85,006 such jurisdictions in the United States. This number includes 38,978 counties, cities, and towns; of these, 37,566, or 96 percent, have populations of fewer than 50,000. The Census Bureau estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, we estimate that 81,600 (96 percent) are small entities.

12. Under the schools and libraries universal service support mechanism, which provides support for elementary and secondary schools and libraries, an elementary school is generally ''a non-profit institutional day or residential school that provides elementary education, as determined under state law.'' A secondary school is generally as ''a non-profit institutional day or residential school that provides secondary education, as determined under state law,'' and not offering education beyond grade 12. For-profit schools and libraries, and schools and libraries with endowments in excess of $50,000,000, are not eligible to receive discounts under the program, nor are libraries whose budgets are not completely separate from any schools. Certain other statutory definitions apply as well. The SBA has defined as small entities elementary and secondary schools and libraries having $5 million or less in annual receipts. In funding year 2 (July 1, 1999 to June 20, 2000) approximately 83,700 schools and 9,000 libraries received funding under the schools and libraries universal service mechanism. Although we are unable to estimate with precision the number of these entities that would qualify as small entities under SBA's definition, we estimate that fewer than 83,700 schools and 9,000 libraries would be affected annually by the rules proposed in this Notice, under current operation of the program.

4. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

13. The measures under consideration in this Notice would, if adopted, result in minimal additional reporting. Specifically, the Notice proposes to require eligible schools and libraries receiving federal universal service support for Internet access or internal connections to make one of the following certifications: ''I certify that the recipient complies with all relevant provisions of the Children's Internet Protection Act, 42 U.S.C. 254(h);'' or, ''I certify that the requirements of the Children's Internet Protection Act, 42 U.S.C. 254(h), do not apply.'' The Commission proposes modifying FCC Form 486 to include a certification for funding year 4, and modifying FCC Form 471 to include the certification for future years. These forms are already completed on a regular basis, and the modification would merely require the checking of one additional box prior to signing the form. We estimate that it would take no more than one minute to review and check the appropriate certification box. The Commission tentatively concludes that this approach would be the most effective procedure for implementation of the CHIP Act's requirements, and the least burdensome to applicants.

5. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

14. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance and reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or part thereof, for small entities.

15. This requirement is legislatively mandated, and the Commission is merely attempting to implement it in most effective and least burdensome manner possible. Given that a certification is required by the legislation, we considered the alternative of having each school and library submit separate documentation, including the appropriate certification, but such an approach would likely be unnecessarily burdensome on these entities. As discussed, the Commission tentatively concludes that adding a certification requirement to an existing FCC form is the least burdensome alternative for implementing the requirements of the CHIP Act. The Commission will consider other options as well, based in part on input from commenters.

6. Federal Rules that may Duplicate, Overlap, or Conflict with the Proposed Rules

16. None.

Comment Due Dates and Filing Procedures

17. We invite comment on the issues and questions set forth in the Further Notice of Proposed Rulemaking and Initial Regulatory Flexibility Analysis contained herein. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's rules, interested parties may comment on or before February 15, 2001 and reply comment on or before February 22, 2001. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24,121, May 1, 1998.

18. Comments filed through the ECFS can be sent as an electronic file via the Internet to *http://www.fcc.gov/e-file/ecfs.html.* Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, ''get form (your e-mail address).'' A sample form and directions will be sent in reply.

19. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. Parties also should send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, SW., Room 5–B540, Washington, DC 20554.

20. Parties who choose to file by paper should also submit their comments on diskette to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, SW., Room 5–B540, Washington, DC 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM-compatible format using Microsoft Word 97 for Windows or a compatible software. The

diskette should be accompanied by a cover letter and should be submitted in ''read-only'' mode. The diskette should be clearly labeled with the commenter's name, proceeding, including the lead docket number in the proceeding (CC Docket No. 96–45), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase (''Disk Copy Not an Original.'') Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037.

IV. Ordering Clauses

21. Pursuant to the authority contained in the Children's Internet Protection Act, included as part of the Consolidated Appropriations Act, 2001, Public Law 106–554, and in sections 1–4, 201–205, 254, 303(r), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151–154, 201–205, 254, 303(r), 403, and § 1.411 of the Commission's rules, this Further Notice of Proposed Rulemaking is adopted, as described herein.

22. The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of this Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 54

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 01–2744 Filed 1–30–01; 8:45 am]

BILLING CODE 6712–01–U

Notices

Federal Register
Vol. 66, No. 21
Wednesday, January 31, 2001

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.

BROADCASTING BOARD OF GOVERNORS

Meeting: Sunshine Act

DATE AND TIME: February 7, 2001; 8:00 a.m.–10:15 a.m.

PLACE: Office of Cuba Broadcasting, 4201 N.W. 77th Avenue, Miami, Florida 33166.

CLOSED MEETING: The members of the Broadcasting Board of Governors (BBG) will meet in closed session to review and discuss a number of issues relating to U.S. Government-funded non-military international broadcasting. They will address internal procedural, budgetary, and personnel issues, as well as sensitive foreign policy issues relating to potential options in the U.S. international broadcasting field. This meeting is closed because if open it likely would either disclose matters that would be properly classified to be kept secret in the interest of foreign policy under the appropriate executive order (5 U.S.C. 552b.(c)(1)) or would disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. (5 U.S.C. 552b.(c)(9)(B)). In addition, part of the discussion will relate solely to the internal personnel and organizational issues of the BBG or the International Broadcasting Bureau. (5 U.S.C. 552b.(c)(2) and (6)).

CONTACT PERSON FOR MORE INFORMATION: Persons interested in obtaining more information should contact either Brenda Hardnett or Carol Booker at (202) 401–3736.

Dated: January 29, 2001.

Carol Booker,

Legal Counsel.

[FR Doc. 01–2769 Filed 1–29–01; 1:01 pm]

BILLING CODE 8230–01–M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1141]

Expansion of Foreign-Trade Zone 50 Long Beach, California, Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas the Board of Harbor Commissioners of the City of Long Beach, grantee of Foreign-Trade Zone 50, submitted an application to the Board for authority to expand FTZ 50 to include Site 5 on a permanent basis and to include two new sites in the San Gabriel Valley area, within the Los Angeles/Long Beach Customs port of entry area (FTZ Docket 27–2000; filed 6/5/00);

Whereas, notice inviting public comment was given in the **Federal Register** (65 FR 37113, 6/13/00) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest;

Now, Therefore, the Board hereby orders:

The application to expand FTZ 50 is approved, subject to the Act and the Board's regulations, including Section 400.28, and further subject to the Board's standard 2,000-acre activation limit for the overall zone project.

Signed at Washington, DC, this 16th day of January 2001.

Troy H. Cribb,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 01–2204 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 24–99]

Foreign-Trade Zone 76—Bridgeport, Connecticut; Withdrawal of Application for Subzone Status; Davidoff of Geneva (CT), Inc. Facility, Stamford, Connecticut

Notice is hereby given of the withdrawal of the application submitted by the City of Bridgeport, Connecticut, grantee of FTZ 76, requesting special-purpose subzone status at the Davidoff of Geneva (CT), Inc. facility in Stamford, Connecticut. The application was filed on May 12, 1999 (64 FR 27958, 5/24/99), and the case was closed on January 16, 2001.

Dated: January 17, 2001.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 01–2205 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part

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

ACTION: Notice of initiation of antidumping and countervailing duty administrative reviews and request for revocation in part.

SUMMARY: The Department of Commerce (the Department) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates. In accordance with our regulations, we are initiating those administrative reviews. The Department also received a request to revoke one antidumping duty order in part.

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Holly A. Kuga, Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW.,

Washington, DC 20230, telephone: (202) 482–4737.

SUPPLEMENTARY INFORMATION:

Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b)(2000), for administrative reviews of various antidumping and countervailing duty orders and findings with December anniversary dates. The Department also received a timely request to revoke in part the antidumping duty order on Porcelain-on-Steel Cooking Ware from the People's Republic of China.

Initiation of Reviews

In accordance with section 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than December 31, 2001.

	Period to be reviewed
Antidumping Duty Proceedings	
Chile: Certain Preserved Mushrooms, A–337–804	12/1/99–11/30/00
Nature's Farm Products	
Ravine Foods	
Compania Envasadora del Atlantico	
India: Stainless Steel Wire Rod, A–533–808	12/1/99–11/30/00
Viraj Group, Ltd.	
Japan: Polychloroprene Rubber, A–588–046	12/1/99–11/30/00
Denki Kagaku Kogyo Kabushiki Kaisha	
Tosoh Corporations	
Mexico:	
Circular Welded Non-Alloy Steel Pipe,[1] A–201–805	11/1/99–10/31/00
Tuberias Procarsa, S.A. de C.V.	
Tuberia Nacional S.A. de C.V.	
Porcelain-On-Steel Cooking Ware, A–201–504	12/1/99–11/30/00
Cinsa, S.A. de C.V.	
Esmaltaciones de Norte America, S.A. de C.V.	
The People's Republic of China:	
Certain Cased Pencils,[2] A–570–827	12/1/99–11/30/00
China First Pencil Company, Ltd.	
China Second Pencil Company, Ltd.	
Shanghai Three Star Stationery Company, Ltd.	
Beijing Pencil Factory	
Dalian Pencil Factory	
Donghua Pencil Factory	
Harbin Pencil Factory	
Jiangsu Pencil Factory	
Jinan Pencil Factory	
Juihai Pencil Factory	
Julong Pencil Factory	
Kaiyuan Group Corporation	
Qingdao Pencil Factory	
Shenyiang Pencil Factory	
Songnan Pencil Factory	
Tianjin Pencil Factory	
Xinbang Joint Venture Pencil Factory	
Anhui Bengbu Pencil Factory	
Anhui Stationery Company	
Anhui Import/Export Group Corporation	
Anhui Light Industrial Products I/E Corporation	
Anhui Provincial Imports & Exports Corporation	
Beijing Light Industrial Products I/E Corp.	
China National Light Industrial Products Import & Export Corporation (all branches)	
Dalian Light Industrial Products Import/Export Corporation	
Guangdong Provincial Stationery & Sporting Goods Import & Export Corporation	
Guangdong Textile Factory	
Jiangsu Light Industrial Products Import/Export Group Corp.	
Jilin Provincial Machinery & Equipment Import & Export Corporation	
Liaoning Light Industrial Products Import/Export Corporation	
New Century	
Qingdao Light Industrial Products Import/Export Corporation	
Shandong Light Industrial Products Import/Export Corporation	
Shanghai JV Stationery Co., Ltd./Shanghai Jay-Vee Stationery Co., Ltd.	
Shanghai Three Star Stationery Company, Ltd.	
Sichuan Light Industrial Products Import/Export Corporation	
Tianjin Stationery and Sporting Goods Import/Export Corporation	
Zhenjiang Foreign Trade Corporation	
Laizhou City Guangming Pencil-Making Lead Co., Ltd.	
Porcelain-on-Steel Cooking Ware,[3] A–570–506	12/1/99–11/30/00

	Period to be reviewed
Clover Enamelware Enterprise Ltd. Lucky Enamelware Factory, Ltd.	
Countervailing Duty Proceedings	
None.	
Suspension Agreements	
None.	

[1] Inadvertently omitted from previous initiation notice.
[2] If one of the above named companies does not qualify for a separate rate, all other exporters of certain cased pencils from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.
[3] If one of the above named companies does not qualify for a separate rate, all other exporters of porcelain-on-steel cooking ware from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 351.211 or a determination under 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 USC 1675(a)), and 19 CFR 351.221(c)(1)(i).

Dated: January 25, 2001.

Gary Taverman,

Acting Deputy Assistant Secretary, Group II for Import Administration.

[FR Doc. 01–2685 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–809]

Certain Forged Stainless Steel Flanges from India: Preliminary Results of New Shipper Review

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

ACTION: Notice of preliminary results of new shipper review: certain forged stainless steel flanges from India.

SUMMARY: The Department of Commerce (the Department) is conducting a new shipper review of the antidumping duty order on certain forged stainless steel flanges from India in response to a request by an Indian exporter of subject merchandise, Snowdrop Trading PVT LTD (Snowdrop). As indicated in the Department's initiation of this review (65 FR 17485), the review covers sales of the subject merchandise to the United States during the period of review (POR), February 1, 1999 through February 29, 2000.

We have preliminarily determined that Snowdrop made sales below normal value (NV). If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service not to assess antidumping duties on entries subject to this review.

Interested parties are invited to comment on these preliminary results, and are requested to submit with the argument: (1) A statement of the issue; and (2) a brief summary of the argument.

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Thomas Killiam or Robert James, Office 8, AD/CVD Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–5222 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

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

Background

The Department published an antidumping duty order on certain forged stainless steel flanges from India on February 9, 1994 (59 FR 5994). Having received a timely request for a new shipper review from Snowdrop, the Department initiated this review on March 28, 2000 (65 FR 17485 (April 3, 2000)), in accordance with section 751(a)(2)(B) of the Tariff Act and section 351.214(b) of the Department's regulations. Snowdrop provided responses to the Department's questionnaires on April 24, 2000 (Section A), May 15, 2000 (Sections B and C), and August 28, 2000 (supplemental). The Department's analysis of Snowdrop's data is presented in a Memorandum from Thomas Killiam to the file, dated January 19, 2001 (Analysis Memorandum).

Scope of Review

The products under review are certain forged stainless steel flanges both

finished and not-finished, generally manufactured to specification ASTM A–182, and made in alloys such as 304, 304L, 316, and 316L. The scope includes five general types of flanges. They are weld neck, used for butt-weld line connections, threaded, used for threaded line connections, slip-on and lap joint, used with stub-ends/butt-weld line connections, socket weld, used to fit pipe into a machined recession, and blind, used to seal off a line. The sizes of the flanges within the scope range generally from one to six inches; however, all sizes of the above-described merchandise are included in the scope. Specifically excluded from the scope of this order are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM A–351. The flanges subject to this order are currently classifiable under subheadings 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule of the United States (HTS). Although the HTS subheadings are provided for convenience and customs purposes, the written description of the scope of this order remains dispositive.

Verification

On November 28, 2000, the Department visited Snowdrop's headquarters in Bandra West, Mumbai, India, and conducted a verification of its questionnaire responses. Our findings are discussed in a January 19, 2001 memorandum from Thomas Killiam to the file, subject ''Sales Verification of Snowdrop Trading PVT. LTD.—Stainless Steel Flanges from India.''

Home Market Viability

In its April 24, 2000 submission, Snowdrop indicated that it had made no sales of certain forged stainless steel flanges (flanges) in the home market during the POR, and submitted sales to Canada as the comparison, or third country, market. In order to determine whether there is a sufficient volume of sales in the comparison market to serve as a viable basis for calculating normal value (NV), we compared Snowdrop's volume (by weight) of third country market sales of the foreign like product to the volume (by weight) of U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Tariff Act. Because Snowdrop's aggregate volume of Canadian sales of the foreign like product was greater than five percent of its aggregate volume of U.S. sales for the subject merchandise, we determined that the Canadian market was viable for Snowdrop. The record of this review does not indicate that there was another viable third country market, so we used the Canadian market sales as a basis for NV.

Product Comparisons

Because Snowdrop made a contemporaneous sale to the Canadian market of merchandise that we matched to the merchandise which Snowdrop sold in the U.S. market, and there were no differences in the reported variable cost of manufacturing (based on Snowdrop's reported cost of acquisition), it was not necessary to make any adjustments for physical differences in the merchandise as called for by section 773(a)(6)(C)(ii) of the Tariff Act.

Normal Value Comparisons

To determine whether Snowdrop's sales of flanges to the United States were made at less than NV, we compared export price (EP) to the NV, as described in the ''U.S. Price'' and ''Normal Value'' sections of the notice, below. Because there were only single instances of sales of particular models in the comparison market, it was not appropriate to calculate weighted average NVs; instead, we compared the EP of the U.S. sale to the NV of the most similar merchandise sold in the third country contemporaneously.

Level of Trade

In accordance with section 773(a)(1)(B) of the Tariff Act, to the extent practicable, we determine NV based on sales in the comparison market at the same level of trade (LOT) as the EP or constructed EP (CEP) transaction. The LOT in the comparison market is that of the starting-price sales in the comparison market or, when NV is based on constructed value (CV), that of the sales from which we derive selling, general and administrative (SG&A) expenses and profit. With respect to U.S. price for EP transactions, the LOT is also the level of the starting-price sale, which is usually from the exporter to the importer. For CEP, the LOT is the level of the constructed sale from the exporter to the importer.

To determine whether NV sales are at a different LOT than EP or CEP, we examine stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison-market sales are at a different LOT and the difference affects price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and third country market sales at the LOT of the export transaction, we make a LOT adjustment under section 773(a)(7)(A) of the Tariff Act. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from South Africa*, 62 FR 61731 (November 19, 1997).

Snowdrop reported one customer category and one channel of distribution (*i.e.*, sales to unaffiliated distributors) for its third country market sales. Snowdrop reported EP sales in the U.S. market. For EP sales, Snowdrop also reported one customer category and one channel of distribution (*i.e.*, direct sales to importer distributors). Snowdrop stated in its response that its EP sales were made at the same LOT as third country market sales to unaffiliated importer distributors, and did not request a LOT adjustment. We have determined that there is one LOT for all EP sales and that it is the same LOT as that in the third country market. Accordingly, because we find the U.S. sales and third country market sales to be at the same LOT, no LOT adjustment under section 773(a)(7)(A) is warranted.

United States Price

Snowdrop reported as EP transactions sales of subject merchandise to unaffiliated U.S. customers prior to importation. We calculated EP in accordance with section 772(a) of the Tariff Act, because CEP methodology was not indicated by other facts on the record. We based EP on the price to the unaffiliated foreign purchaser. We made deductions from the starting price for movement expenses, in accordance with section 772(c)(2)(A) of the Tariff Act. *See* the Analysis Memorandum.

We have asked Snowdrop to clarify several remaining uncertainties in regards to the U.S. transaction. We may incorporate additional information in the final results.

Normal Value

We calculated NV based on C&F prices to unaffiliated customers, and made adjustments under section 773(a)(6)(C)(iii) of the Tariff Act for differences in circumstances of sale for imputed credit expenses. We deducted movement expenses and bank charges from NV, in accordance with sections 773(a)(6)(A) and (B) of the Tariff Act. Snowdrop reported that it incurred no packing costs *per se*, because packing costs were included in the prices which Snowdrop's suppliers' charged it. We added U.S. credit expense and deducted third country credit expense. *See* the Analysis Memorandum.

Currency Conversion

Pursuant to section 773A(a) of the Tariff Act, we made currency conversions into U.S. dollars based on the exchange rates in effect on the dates

of the U.S. sales as certified by the Federal Reserve Bank of New York.

Preliminary Results

As a result of this review, we preliminarily determine that for the period February 1, 1999 through February 29, 2000, the weighted-average dumping margin for Snowdrop is 24.79 percent.

In accordance with section 351.224(b) of our regulations, we will disclose to the relevant parties the calculations performed for these preliminary results. An interested party may request a hearing within thirty days of publication of this notice. *See* 19 CFR 351.310(c). Any hearing, if requested, will be held 37 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs within 30 days of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed no later than 35 days after the date of publication of this notice. In accordance with 351.214(i)(1) of our regulations, the Department will issue the final results of this new shipper review, which will include the results of its analysis of issues raised in the briefs, within 90 days of issuance of these preliminary results, unless the time limit is extended.

Upon completion of this new shipper review, the Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to Customs. Snowdrop did not report entered value; we will calculate Snowdrop's duty assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales, calculated as the difference between NV and EP, to the total quantity of examined sales. The rate will be assessed uniformly on all entries made during the POR. The Department will issue appraisement instructions directly to Customs.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this new shipper review for all shipments of flanges from India entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this new shipper review, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for Snowdrop will be the rate established in the final results of this new shipper review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less-than-fair-value (LTFV) investigation or a previous review, 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, or the original 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 this or any previous review, the cash deposit rate will be 162.14 percent, the ''all-others'' rate established in the less-than-fair-value investigation.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative or new shipper review for a subsequent review period.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 new shipper review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act.

Dated: January 22, 2001.

Bernard T. Carreau,

Acting Assistant Secretary for Import Administration.

[FR Doc. 01–2681 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–848]

Notice of Extension of Time Limit for Final Results of Antidumping Administrative Review and New Shipper Reviews: Freshwater Crawfish Tail Meat From the People's Republic of China

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

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Samantha Denenberg or Abdelali Elouaradia, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1386 and (202) 482–1374, respectively.

The Applicable Statute

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

Background

On September 30, 1999, in accordance with 19 CFR 351.213(b), respondents and petitioner submitted their requests for administrative reviews. On October 28, 1999, the Department published its initiation of this administrative review for the period September 1, 1998 through August 31, 1999 (64 FR 60161). On September 19, 1999 and September 30, 1999, pursuant to section 751(a)(2)(B) of the Act and section 351.214(b) of the Department's regulations, several Chinese companies requested new shipper reviews for the same period. On November 15, 1999, the Department published its initiation of the new shipper reviews (64 FR 61833). On August 2, 2000, the deadlines for the new shipper reviews were aligned with those of the administrative review (65 FR 48466). On October 11, 2000, the Department published the preliminary results of the combined reviews (65 FR 60399).

Extension of Time Limits for Final Results

Due to the complex issue of selecting surrogate country values for the factors of production, we find that it is not practicable to make a final determination by the current deadline of February 8, 2001. Therefore, in accordance with section 751(a)(3)(A) of the Act and section 351.213(h)(2) of the Department's regulations, the Department is extending the time period for issuing the final results of these reviews for 60 days, until no later than April 9, 2001.

Dated: January 25, 2001.

Joseph A. Spetrini,

Deputy Assistant Secretary AD/CVD Enforcement Group III.

[FR Doc. 01–2686 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–836]

Glycine from the People's Republic of China: Final Results of New Shipper Administrative Review

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

ACTION: Notice of final results in the antidumping duty new shipper administrative review of glycine from the People's Republic of China.

SUMMARY: On September 7, 2000, the Department of Commerce (''Department'') published the preliminary results of the administrative review of the antidumping duty order on glycine from the People's Republic of China. This review covers one manufacturer/exporter. The period of review (''POR'') is March 1, 1999 through August 30, 1999.

Based on our analysis of the comments received, we have made changes to the margin calculation. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled ''Final Results of Review.''

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Robert Bolling or Rick Johnson, Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482–3434, and (202) 482–3818, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930 (''Act'') are references 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 are to the regulations at 19 CFR Part 351 (2000).

Background

The Department published in the **Federal Register** an antidumping duty order on glycine from the PRC on March 29, 1995 (60 FR 16116). On September 30, 1999, the Department received a request from Nantong Dongchang Chemical Industry Corporation (''Nantong'') for a new shipper review pursuant to section 751(a)(2)(B) of the Act and section 351.214(b) of the Department's regulations. These provisions state that, if the Department receives a request for review from an exporter or producer of the subject merchandise which states that it did not export the merchandise to the United States during the period covered by the original less-than-fair-value (''LTFV'') investigation and that such exporter or producer is not affiliated with any exporter or producer who exported the subject merchandise during that period, the Department shall conduct a new shipper review to establish an individual weighted-average dumping margin for such exporter or producer who exported, if the Department has not previously established such a margin for the exporter or producer. The regulations require that the exporter or producer shall include in its request, with appropriate certifications: (1) The date on which the merchandise was first entered, or withdrawn from the warehouse, for consumption, or, if it cannot certify as to the date of the first entry, the date on which it first shipped the merchandise for export to the United States, or if the merchandise has not yet been shipped or entered, the date of sale; (2) a list of the firms with which it is affiliated; (3) a statement from such exporter or producer, and from each affiliated firm, that it did not, under its current or a former name, export the merchandise during the POI, and (4) in an antidumping proceeding involving inputs from a nonmarket economy country, a certification that the export activities of such exporter or producer are not controlled by the central government. *See* 19 CFR 351.214(b)(2)(ii), (iii), and (iv).

Nantong's request was accompanied by information and certifications establishing the date on which it first shipped the subject merchandise. Nantong also claimed it had no affiliated companies which exported glycine from the PRC during the POI. In addition, Nantong certified that its export activities are not controlled by the central government. Based on the above information, the Department initiated a new shipper review covering Nantong (*see Glycine from the People's Republic of China: Initiation of New Shipper Administrative Review* (64 FR 61834, November 15, 1999)). Due to extraordinarily complicated issues in this case, the Department extended the deadline for completion of the preliminary results of the new shipper review, first on April 17, 2000 (*see Notice of Extension of Time Limit for Preliminary Results of New Shipper Antidumping Review: Glycine from the People's Republic of China*, 65 FR 20431), and then on May 26, 2000 (*see Notice of Extension of Time Limit for Preliminary Results of New Shipper Antidumping Review: Glycine from the People's Republic of China*, 65 FR 34147). Additionally, due to complicated issues in this case, the Department extended the deadline for completion of the final results of the new shipper review, to January 24, 2001 (*see Notice of Extension of Time Limit for Final Results of New Shipper Antidumping Review: Glycine from the People's Republic of China*, 65 FR 70549, November 24, 2000). The Department has now completed this administrative review in accordance with section 751 of the Act.

Scope of the Review

The product covered by this review is glycine, which is a free-flowing crystalline material, like salt or sugar. Glycine is produced at varying levels of purity and is used as a sweetener/taste enhancer, a buffering agent, reabsorbable amino acid, chemical intermediate, and a metal complexing agent. Glycine is currently classified under subheading 2922.49.4020 of the Harmonized Tariff Schedule of the United States (''HTSUS''). This proceeding includes glycine of all purity levels. Although the HTSUS subheading is provided for convenience and Customs purposes, the written description of the scope of this review is dispositive. This review covers the period March 1, 1999 through August 31, 1999.

Separate Rates

In the preliminary results, the Department determined that Nantong was entitled to a separate rate. No interested party contested our finding during our briefing stage of this proceeding. Therefore, for the final results, we continue to determine that Nantong is entitled to a separate rate.

Normal Value Comparisons

To determine whether respondent's sales of the subject merchandise to the United States were made at Normal Value (''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 the final results, we calculated United States price as we did in the preliminary results. No interested party contested our finding during our briefing stage of this proceeding.

Normal Value

For the final results, we calculated NV as we did in the preliminary results, except for the changes we made based on interested party comments. *See* Changes Since the Preliminary Results section of this notice for a brief description of our changes.

Currency Conversion

We made currency conversions in accordance with section 773A of the Act based on the rates certified by the Federal Reserve Bank.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties this new shipperr administrative review are addressed in the ''Issues and Decision Memorandum'' (''*Decision Memorandum*'') from Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration, to Bernard T. Carreau, Acting Assistant Secretary for Import Administration, dated January 24, 2001, which is hereby adopted by 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 at the U.S. Department of Commerce, in the Central Records Unit, in room B–099. In addition, a complete version of the Decision Memo, accessible in B–099 and on the web at http://ia.ita.doc.gov. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made changes to the margin calculation. For the final results, we have made the following three changes: (1) We have corrected our formula to calculate methyl alcohol in our calculation worksheet; (2) we have corrected our worksheet by calculating a weighted average for chloroacetic acid (''MCA''), and have used the full range of MCA import prices from *Chemical Weekly* for the POR to value MCA; and (3) we used the surrogate value information on hexamine for the POR from the ''General Market Information'' of *Chemical Weekly*. 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 http://ia.ita.doc.gov.

Final Results of Review

We determine that the following percentage weighted-average margin exists for the period March 1, 1999 through August 31, 1999:

GLYCINE

Producer/manufacturer/exporter	Weighted-average margin (percent)
Nantong Dongchang Chemical Industry Corp	17.99

The Department shall determine, and the U.S. Customs Service (''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. 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 margin against the entered Customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of the new shipper administrative review for all shipments of glycine from the People's Republic of China 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 rate for the reviewed company will be the rate shown above; (2) the cash deposit rate for PRC exporters who received a separate rate in a prior segment of the proceeding but for whom a review was not requested for this POR will continue to be the rate assigned in that segment of the proceeding; (3) the cash deposit rate for the PRC NME entity (*i.e.*, all other exporters, which have not been reviewed) will continue to be 155.89 percent; and (4) the cash deposit rate for non-PRC exporters of subject merchandise from the PRC will be the rate applicable to the PRC supplier of that exporter.

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 in the subsequent assessment of doubled antidumping duties.

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 sanctions.

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

Dated: January 24, 2001.

Bernard T. Carreau,

Acting Assistant Secretary for Import Administration.

Appendix

Changes Since the Preliminary Results

1. Methyl Alcohol
2. Chloroacetic acid (''MCA'')
3. Hexamine

Discussion of the Issues

1. Factors of Production

a. Choloracetic Acid
b. Hexamine
c. The Valuation of Water
d. Electricity
e. Coal
f. SG&A, Overhead, and Profit

2. Other Issues

a. Eligibility for a New Shipper Review
b. No Sales and Entries during the POR
c. Ministerial Errors

[FR Doc. 01–2688 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–802]

Gray Portland Cement and Clinker From Mexico; Notice of Extension of Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limits for final results of antidumping duty administrative review.

SUMMARY: The Department of Commerce is extending the time limit for the final

results of the antidumping duty administrative review of the antidumping order on gray portland cement and clinker from Mexico. The review covers one manufacturer/exporter, CEMEX, S.A. de C.V (CEMEX), and its affiliate, Cementos de Chihuahua, S.A. de C.V. (CDC). The period of review is August 1, 1998, through July 31, 1999.

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: David Dirstine or Minoo Hatten, AD/CVD Enforcement Group I, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–4033 and (202) 482–1690, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references 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 of Commerce's (the Department's) regulations are to 19 CFR Part 351 (1999).

Extension of Time Limits for Final Results

The Department published the preliminary results of this administrative review on September 7, 2000 (64 FR 54220). Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of an administrative review if it determines that it is not practicable to complete the review within the statutory time limit. On January 5, 2001, the Department published in the **Federal Register** an extension of the time limit for the final results of this review until February 5, 2001 (66 FR 1078). However, due to the complexity of the issues in this case, such as whether certain sales are outside the ordinary course of trade and how difference-in-merchandise adjustments are calculated, and to administrative constraints, the Department determines that it is not practicable to complete the final results of this review within this time limit. Therefore, the Department is fully extending the deadline for the final results in this review to 180 days from the date on which the notice of preliminary results was published. The fully extended deadline for the final results is March 6, 2001.

Dated: January 25, 2001.

Susan H. Kuhbach,

Acting Deputy Assistant Secretary for AD/CVD Enforcement I.

[FR Doc. 01–2684 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–845]

Extension of Time Limit for the Preliminary Results of the Antidumping Duty Administrative Review: Stainless Steel Sheet and Strip in Coils from Japan

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

ACTION: Notice of extension of time limit for the preliminary results of antidumping duty administrative review.

SUMMARY: The Department of Commerce (''Department'') is extending the time limit for the preliminary results of the review of stainless steel sheet and strip in coils from Japan. This review covers the period January 4, 1999 through June 30, 2000.

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Juanita H. Chen at 202–482–0409; Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20230.

The 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 (''Act'') by the Uruguay Round Agreements Act.

Extension of Time Limit for Preliminary Results

Because of the complex issues enumerated in the Memorandum from Edward C. Yang to Joseph A. Spetrini, *Request to Extend Preliminary Results in the Administrative Review of the Antidumping Order on Stainless Steel Sheet and Strip in Coils from Japan* (January 2001), on file in the Central Records Unit of the Main Commerce Building, Room B–099, we find that it is not practicable to complete this review by the scheduled deadline of April 2, 2001. Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time period for issuing the preliminary results of review by 90 days until July 2, 2001.

Dated: January 25, 2001.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 01–2683 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Initiation of New Shipper Antidumping Duty Reviews

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

ACTION: Notice of initiation of new shipper antidumping duty reviews.

SUMMARY: The Department of Commerce has received two requests to conduct new shipper reviews of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended, and 19 CFR 351.214, we are initiating these new shipper reviews.

EFFECTIVE DATE: January 31, 2001.

FOR FURTHER INFORMATION CONTACT: Jarrod Goldfeder or Melani Miller, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–0189 or (202) 482–0116, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Act''), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, all references to the Department of Commerce's (''the Department's'') regulations are to 19 CFR Part 351 (April 2000).

SUPPLEMENTARY INFORMATION:

Background

On December 28 and December 29, 2000, the Department received separate requests from Peer Bearing Company—Changshan (''CPZ'') and Yantai Timken Company Limited (''Yantai Timken''), respectively, pursuant to section

751(a)(2)(B) of the Act, and in accordance with 19 CFR 351.214, for new shipper reviews of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (''TRBs''), from the People's Republic of China (''PRC''). This order has a December semi-annual anniversary month.

Initiation of Review

In accordance with 19 CFR 351.214(b)(2), CPZ and Yantai Timken each provided certification that (1) they did not export subject merchandise to the United States during the period of investigation (''POI''); (2) that, since the investigation was initiated, they never have been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation; and (3) that their export activities are not controlled by the central government. Also, in accordance with 19 CFR 351.214(b)(2), CPZ and Yantai Timken submitted documentation establishing (1) the date on which their TRBs were first entered, or withdrawn from warehouse, for consumption, or if the exporter or producer could not establish the date of first entry, the date on which they first shipped the subject merchandise for export to the United States; (2) the volume of those and subsequent shipments; and (3) the dates of the first sales to unaffiliated customers in the United States.

Therefore, in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214, we are initiating new shipper reviews of the antidumping duty order on TRBs from the PRC. In accordance with 19 CFR 351.214(h)(i), we intend to issue the preliminary results of these reviews not later than 180 days from the date of publication of this notice. All provisions of 19 CFR 351.214 will apply to CPZ and to Yantai Timken throughout the duration of these new shipper reviews.

The standard period of review (''POR'') in a new shipper review initiated in the month immediately following the semi-annual anniversary month is the six-month period immediately preceding the semi-annual anniversary month. Therefore, the POR for these new shipper reviews is June 1, 2000 through November 30, 2000.

Concurrent with publication of this notice, and in accordance with 19 CFR 351.214(e), we will instruct the Customs Service to suspend liquidation of any unliquidated entries of the subject merchandise from the relevant exporter or producer, and to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise exported by the companies listed above.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

This initiation notice is in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.214.

Dated: January 24, 2001.

Richard W. Moreland,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 01–2682 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

University of Colorado; Notice of Decision on Application for Duty-Free Entry of Electron Microscope

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 00–038. *Applicant:* University of Colorado, Boulder, CO 80309–0347. *Instrument:* Electron Microscope, Model Tecnai F30. *Manufacturer:* FEI Company, The Netherlands. *Intended Use:* See notice at 65 FR 81488, December 26, 2000. *Order Date:* September 27, 2000.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as the instrument is intended to be used, was being manufactured in the United States at the time the instrument was ordered. Reasons: The foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of the instrument.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs Staff.

[FR Doc. 01–2687 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review; Notice of Application

SUMMARY: The Office of Export Trading Company Affairs (''OETCA''), International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Vanessa M. Bachman, Acting Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482–5131 (this is not a toll-free number) or by E-mail at oetca@ita.doc.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five copies, plus two copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1104H, Washington, DC 20230, or transmit by E-mail at oetca@ita.doc.gov. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552).

However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as ''Export Trade Certificate of Review, application number 01–00001.'' A summary of the application follows.

Summary of the Application

Applicant: Ginseng Board of Wisconsin, Inc.(''GBW''), 16H Menard Plaza, Wausau, Wisconsin 54401.

Contact: Joan Eckes, Manager.

Telephone: (715) 845–7300.

Application No.: 01–00001.

Date Deemed Submitted: January 16, 2001.

GBW is a non-stock, non-profit corporation established to administer the Wisconsin Ginseng Marketing Order (Chapter Ag. 148, Wis. Adm. Code). Members (in addition to applicant): Ginseng Research Institute of America, Inc. (''GRIA''), Wausau, WI; Ginseng & Herb Co-op (''GHC''), Wausau, WI; and Ms. Mechthild Handke, Dusseldorf, Germany (representative for GBW and GHC).

Export Trade:

1. Products

Ginseng and ginseng products; golden seal and golden seal products; echinacea and echinacea products.

2. Services

All services related to the export of Products.

3. Technology Rights

All intellectual property rights associated with Products or Services, including, but not limited to, patents, trademarks, service marks, trade names, copyrights, neighboring (related) rights, trade secrets, know-how, and sui generis forms of protection for databases and computer programs.

4. Export Trade Facilitation Services (as they Relate to the Export of Products, Services and Technology Rights)

Export Trade Facilitation Services, including, but not limited to: foreign market development, consulting, international market research, all product research and design, development of trade strategy, legal assistance, marketing, promotion, sales, distribution, trade documentation, trade shows, freight forwarding, consolidation of export shipments, transportation, communication and processing of export orders; warehousing, foreign exchange, financing, taking title to goods, customs, duties, taxes, insurance, billing collection, inspection and quality control.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

The proposed Export Trade Certificate of Review would extend antitrust protection to GBW and the Members cited above in connection with the following Export Trade related activities:

1. Design and execute foreign marketing strategies for Export Markets;

2. Establish base prices at which the Products will be sold for export, and set all or other terms of export sales;

3. Agree on quantities of Product to be sold. GHC and GBW shall not require any Product supplier to export a minimum quantity. Grower names will be in a lottery draw and as names are drawn, this is the order in which growers will be contacted to see if they want to sell. If the grower decides not to sell, his name is put at the end. Growers also have an ''option out'' feature with the coop, should they decide to discontinue;

4. GBW and/or Mechthild and GHC may refuse to quote prices for Products, or to market or sell Products to/or for any customers in the Export Markets, or any countries or geographical areas in the Export Markets;

5. GBW and GHC may conduct promotional activities such as: design, develop and use promotional material using trademarked seal and/or other material. GBW, GHC may design, develop and market generic or other corporate labels for use in Export Markets. GBW and GHC may arrange trade shows, marketing trips, advertising services, conduct international market and Product research;

6. GBW and GHC may conduct marketing and distribution of the Products;

7. GBW and GHC may enter into exclusive agreements appointing one or more export trade intermediaries for the sale of products with price, quantity, territory, country and/or customer restrictions. (''Exclusive'' means that GBW and GHC may agree not to sell Products into designated Export Markets through any other foreign distributor and that the foreign distributor may agree to represent only GBW and GHC in the Export Markets and none of GBW and GHC competitors.);

8. Conduct product and packaging research and development exclusively for export in order to meet foreign regulatory requirements, foreign buyer specifications, and foreign consumer preferences;

9. Negotiate and enter into agreements with governments and other foreign persons regarding non-tariff barriers in Export Markets;

10. Advise and cooperate with the United States Government in establishing procedures regulating the export of the Products;

11. Participate in negotiations and enter into agreements with foreign buyers (including governments and private persons) regarding fumigating, packing and other quality control and/or phytosanitary procedures, and/or funding requirements to be followed in the export of the Products. Such procedures may include activities related to insect and disease detection, certification, inspection, storage and treatment protocols required to qualify Products for export and to meet the import requirements of the foreign government. GBW and/or its Members may establish and operate fumigation facilities for use in the export of the Products;

12. Negotiate or enter into purchase agreements with buyers in Export Markets regarding terms and conditions of sales;

13. Broker or take title to Products and research data intended for Export Markets;

14. Jointly undertake the administrative tasks of processing export orders;

15. Engage in joint promotional activities (such as advertising or trade shows) for developing existing or new markets;

16. Procure, negotiate, contract, and administer transportation services for Products in the course of export, including overseas freight transportation, inland freight transportation from portal to embarkment, leasing of transportation equipment and facilities, storing/warehousing, stevedoring, wharfage, handling, insurance, freight forwarder services;

17. Arrange for trade documentation, services, customs clearance, financial instruments, and foreign exchange;

18. Compile and discuss information regarding expenses specific to exporting the Products to and within the Export Markets, including without limitation, all modes of transportation, port storage, export sales, commissions, documentation, duties and taxes;

19. Operate and establish jointly owned subsidiaries or other joint venture entities, owned exclusively by GBW and/or its Members, to export Products to Export Markets; operate warranty, service, and training centers in Export Markets; and to provide Export Trade Facilitation Services to Members and nonmember suppliers of Products. Member and nonmember Wisconsin suppliers may ship Products through GHC;

20. Require the licensing of and license any intellectual property resulting from the research conducted by the GRIA. The use of this research data in conjunction with the sale of Products shall be determined by negotiations between the export customer, GBW and GRIA;

21. Arrange financing through private and public financial entities;

22. Bill and collect monies from foreign buyers; perform or arrange for all legal and financial services in relation to Export Trade Activities and Methods of Operation;

23. Require the use of the Wisconsin Ginseng Seal for Products sold in the Export Markets;

24. Provide marketing and/or health benefit research data to customers, distributors and other export trade intermediaries in the Export Markets for use in promotion of Products, and enter into licensing arrangements of such data with export trade intermediaries and buyers in the Export Markets;

25. Wisconsin Ginseng Seal: GBW and/or its Members can require that the seal emblem only be used to identify and signify that the product is grown in United States—Wisconsin and contains 100% pure Wisconsin Ginseng;

26. Negotiate and enter into agreements with governments and foreign persons to develop counter-trade arrangements, provided that this Certificate does not protect any conduct related to the sale of goods in the U.S. that are imported as part of any counter trade transactions;

27. Apply for and utilize applicable export assistance and incentive programs available within governmental sectors;

28. Open, operate and staff overseas sales and distribution offices to facilitate the sales and distribution of Products to and within Export Markets; and

29. Exchange information as necessary to carry out Export Trade Activities and Methods of Operation between GBW, GRIA, GHC and other entities. Bring together from time to time GBW, its Members, and export trade intermediaries in the Export Markets to discuss and plan how to fulfill the Product, Service, and/or Technology requirements of specific export customers or Export Markets.

Dated: January 26, 2001.

Vanessa M. Bachman,

Acting Director, Office of Export Trading Company Affairs.

[FR Doc. 01–2674 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–DR–U

DEPARTMENT OF COMMERCE

International Trade Administration

2001 Trade Missions—Applications Opportunity

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce invites U.S. companies to participate in the following overseas trade missions that they also explain at the following website: *http://www.usatrade.gov/matchmaker.* For a comprehensive description of the trade mission, obtain a copy of the mission statement from the project officer listed below. The recruitment and selection of private sector participants will be conducted according to the Statement of Policy Governing Department of Commerce Overseas Trade Missions announced by Secretary Daley on March 3, 1997.

Telecommunications Matchmaker

India

February 26–March 2, 2001

FOR FURTHER INFORMATION CONTACT: Daniel Edwards at the Department of Commerce in Washington, DC. Telephone number: (202) 482–4331 or Fax: (202) 482–5834.

U.S. Franchising Matchmaker

New Zealand and Australia

March 18–23, 2001

FOR FURTHER INFORMATION CONTACT: Sam Dhir at the Department of Commerce in Washington, DC. Telephone number: (202) 482–4756 or Fax: (202) 482–0178.

Safety & Security Matchmaker

Tijuana and Mexico City, Mexico

July 16–20, 2001

FOR FURTHER INFORMATION CONTACT: Molly Costa at the Department of Commerce in Washington, DC. Telephone number: (202) 482–4756 or Fax: (202) 482–0178.

ACE/Infrastructure Matchmaker

Manila, Philippines & Hanoi and Ho Chi Minh City, Vietnam

September 10–15, 2001

FOR FURTHER INFORMATION CONTACT: Sam Dhir at the Department of Commerce in Washington, DC. Telephone number: (202) 482–4756 or Fax: (202) 482–0178.

Manufacturing Matchmaker

Monterrey and Mexico City, Mexico

September 17–21, 2001

FOR FURTHER INFORMATION CONTACT: Molly Costa at the Department of Commerce in Washington, DC. Telephone number: (202) 481–4756 or Fax: (202) 482–0178.

John Klingelhut,

Director, Office of Public and Private Initiatives.

[FR Doc. 01–815 Filed 1–30–01; 8:45 am]

BILLING CODE 3510–FP–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Due Dates for Applications for Assistance Under AmeriCorps*State/National, AmeriCorps Education Awards Program, and AmeriCorps Promise Fellows

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service announces the timeline for applications for assistance under AmeriCorps*State/National, AmeriCorps Education Awards Program, and AmeriCorps Promise Fellows.

FOR FURTHER INFORMATION CONTACT: Shelly Ryan, (202) 606–5000, ext. 549 or sryan@cns.gov. T.D.D. (202) 565–2799. For individuals with disabilities, we will make this information available in alternative formats upon request.

SUPPLEMENTARY INFORMATION: Pursuant to the National and Community Service Act of 1990, as amended (42 U.S.C. 12501 *et. seq.*), we announce the following timeline for applications for assistance under AmeriCorps*State/National, AmeriCorps Education Awards Program, and AmeriCorps Promise Fellows.

- AmeriCorps*State:
  Competitive, February 20, 2001
  Formula, May 15, 2001
  Programs in North and South Dakota, May 15, 2001
  U.S. Territories, May 15, 2001

Indian Tribes (new), March 28, 2001

Indian Tribes (continuations), March 12, 2001

- AmeriCorps*National (new), May 3, 2001
- AmeriCorps*National (continuations), April 17, 2001
- AmeriCorps*Education Awards Program, May 15, 2001 and November 8, 2001
- AmeriCorps Promise Fellows, June 15, 2001

The application guidelines for each program contain information concerning available funds and program requirements as well as information about the application process itself. If you are an organization that applies directly to us, you may download the application guidelines from our website at: *http://americorps.org/resources* or you can obtain a hard copy by calling (202) 606–5000 ext. 163.

Organizations interested in applying under the AmeriCorps*National application guidelines may participate in one of two conference calls to be held on February 22, 2001 and March 22, 2001, respectively, during which Corporation staff will provide technical assistance to potential applicants. The calls will begin at 2:30 p.m. and conclude at 4:00 p.m., Eastern Standard Time. Please call (202) 606–5000 ext. 386 to register for the conference call. Upon registration for one of the calls, you will be provided with the applicable 800 number needed for participation.

For organizations that apply directly to a State Commission, you may obtain contact information at *http://www.nationalservice.org/contactus.html/*

Dated: January 26, 2001.

Peter Heinaru,

*Director, AmeriCorps*State/National.*

[FR Doc. 01–2673 Filed 1–30–01; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP01–66–000]

Egan Hub Partners, L.P.; Notice of Application

January 25, 2001.

Take notice that on January 16, 2001, Egan Hub Partners, L.P. (Egan Hub) 5400 Westheimer Court, Houston, Texas 77056–5310, filed, in Docket No. CP01–66–000, an application pursuant to Section 7(c) of the Natural Gas Act and Part 157 of the Federal Energy Regulatory Commission's (Commission) regulations for a certificate of public convenience and necessity authorizing: (1) The installation of additional compression and appurtenant facilities, and (2) the expansion of storage capacity at Egan Hub's existing salt dome storage facility located in Acadia Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be viewed at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Specifically, Egan Hub proposes to increase the total maximum operating capacity of its existing two-cavern facility from the currently certificated 15.5 Bcf capacity to a proposed 21 Bcf capacity, and install an additional 18,365 hp of compression. Egan Hub states that the existing 1,500,000 Mcfd of deliverability from the storage field will be unchanged, but the aggregate maximum average injection rate will be increased from 600,000 Mcfd to approximately 800,000 Mcfd. Egan Hub requests continued authorization to charge market-based rates.

Egan Hub requests certificate authorization on or before June 1, 2001, in order to provide access to an increment of the new storage capacity during the 2001–2002 heating season. Egan Hub also requests that the certificate provide for a construction period ending October 31, 2005, to accommodate the four year construction period that will be required if cavern expansion is created through the ''solution mining under gas'' technique which allows both caverns to remain in service while capacity is increased.

Questions regarding the details of this proposed project should be directed to Mr. Steven E. Tillman, Director of Regulatory Affairs, P.O. Box 1642, Houston, Texas 77251–1642 or call (713) 627–5113 or FAX (713) 627–5947.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before February 15, 2001, file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, a motion to intervene 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 NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this

proposal, it is important either to file comments or to intervene as early in the process as possible.

Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at *http://www.ferc.fed.us/efi/doorbell.htm.*

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that process. At the end of the Commission's review process, a final Commission order approving or denying a certificate will be issued.

David P. Boergers,

Secretary.

[FR Doc. 01–2593 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2055–010]

Idaho Power Company; Notice of Extension of time

January 25, 2001.

By a Motion dated January 17, 2001, the Regional Solicitor, U.S. Department of the Interior (Interior) requested an extension of time for the filing of comments in response to the Commission's Notice of Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions issued December 5, 2000. Interior stated that because of the scope of the project, personnel changes, staff work load and time constraints imposed on Interior's U.S. Fish and Wildlife Service, additional time is needed in order to prepare and file its comments. Interior has requested an extension of time until March 3, 2001.

Upon consideration, notice is hereby given that an extension of time for the filing of comments, recommendations, terms and conditions, and prescriptions is granted to Interior and all parties in this proceeding until and including March 3, 2001.

David P. Boergers,

Secretary.

[FR Doc. 01–2599 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–549–001]

Illinois Power Company; Notice of Filing

January 25, 2001.

Take notice that on January 12, 2001, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 65251–2200, tendered for filing with the Commission an amendment to its December 1, 2000 filing in the above-referenced docket.

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, 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). All such motions and protests should be filed on or before February 2, 2001. Protests will be considered by the Commission to determine 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. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance). Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc.fed.us/efi/doorbell.htm.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–2634 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–179–001]

PJM Interconnection, L.L.C.; Notice of Filing

January 25, 2001.

Take notice that on January 11, 2001, PJM Interconnection, L.L.C. (PJM), on behalf of, and at the request of Allegheny Electric Cooperative, Inc., in response to the Commission's December 18, 2000 Letter Order, tendered for filing revised Schedule 7, Schedule 8, and Attachment H–8 to PJM's Open Access Transmission Tariff.

Copies of this filing were served upon all parties listed on the official service list in Docket No. ER01–179–000.

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, 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). All such motions and protests should be filed on or before February 2, 2001. Protests will be considered by the Commission to determine 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. This filing may also be viewed on the Internet at *http://www.ferc.fed.us/online/rims.htm* (call 202–208–2222 for assistance). Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at *http://www.ferc.fed.us/efi/doorbell.htm.*

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–2600 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL00–95–012]

San Diego Gas & Electric Company Complainant, v. Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; Notice of Subdocket for Market Monitoring and Mitigation Plan

January 25, 2001.

Take notice that a subdocket has been established for all filings relevant to the market monitoring and mitigation issues involving the wholesale electric market in the state of California. All filings related to the technical conference held on January 23, 2001, and the issues discussed there should be filed in Docket No. EL00–95–012. Documents previously filed in Docket No. EL00–95–000, *et al.* need not be refiled in this subdocket and no additional petitions for intervention are required for parties

in Docket No. EL00–95–000, *et al.* to participate in this subdocket.

David P. Boergers,

Secretary.

[FR Doc. 01–2598 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

FEDERAL ENERGY REGULATORY COMMISSION

Notice of Meeting

January 26, 2001.

[Docket Nos. EL00–95–000, EL00–95–004, EL00–95–005, EL00–95–006, EL00–95–007, EL00–95–008, EL00–95–009, EL00–95–010 and EL00–95–11; EL00–98–000, EL00–98–004, EL00–98–005, EL00–98–006, EL00–98–007, EL00–98–008, EL00–98–009, EL00–98–010 and EL00–98–011; EL00–97–000, EL00–104–000; EL01–1–000; EL01–2–000; EL01–10–000; RT01–15–000; RT01–35–000; RT01–82–000; RT01–83–000; RT01–85–000; RT01–92–000; RT01–93–000; RP01–180–000; RP99–507–004; RP99–507–005, RP99–507–006, RP99–507–007, RP99–507–008, RP99–507–009 and RP99–507–010; RP00–139–001; and RP00–139–002; RP00–241–000; RP00–241–001 and RP00–241–002; RP01–27–000; CP01–31–000, CP01–22–000; CP01–23–000; CP01–24–000 and CP01–25–000, ER01–607–000, ER01–607–001, ER01–889–000, ER01–902–000, CP00–68–000]

San Diego Gas & Electric Company, Complainant, v. Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; Investigation of Practices of the California Independent System Operator and the California Power Exchange; Reliant Energy Power Generation, Inc., Dynegy Power Marketing, Inc., and Southern Energy California, L.L.C., Complainants, v. California Independent System Operator Corporation, Respondent; California Electricity Oversight Board, Complainant, v. All Sellers of Energy and Ancillary Services Into the Energy and Ancillary Services Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; California Municipal Utilities Association, Complaint v. All Jurisdictional Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; Californians for Renewable Energy, Inc. (CARE), Complainant, v. Independent Energy Producers, Inc., and All Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange; All Scheduling Coordinators Acting on Behalf of the Above Sellers; California Independent System Operator Corporation; and California Power Exchange Corporation, Respondents; Puget Sound Energy, Inc., Complainant, v. All Jurisdictional Sellers of Energy and/or Capacity at wholesale Into Electric Energy and/or Capacity Markets in the Pacific Northwest, Including Parties to the Western Systems Power Pool Agreement, Respondents; Avista Corporation, *et al.;* Avista Corporation, *et al.;* San Diego Gas & Electric Company; Pacific Gas and Electric Company; California Independent System Operator Corporation; Southern California Edison Company; California Power Exchange Corporation; San Diego Gas & Electric Company; Amoco Energy Trading Corporation, Amoco Production Company and Burlington Resources Oil & Gas Company v. El Paso Natural Gas Company; KN Marketing, LP v. El Paso Natural Gas Company; Public Utilities Commission of the State of California v. El Paso Natural Gas Company; El Paso Merchant Energy-Gas L.P.; and El Paso Merchant Energy Company; Southern California Gas Company v. El Paso Natural Gas Company; Kern River Gas Transmission Company; North Baja Pipeline LLC; California Independent System Operator Corporation; California Independent System Operator Corporation; California Power Exchange Corporation; Questar Pipeline Company.

Take notice that the Commissioners have been invited and one or more Commissioners and Commission staff expect to attend a conference called by the Western Governors' Association to discuss comprehensive energy policy in the western United States.

The conference will be held Thursday and Friday, February 1 and 2, 2001, at the Hilton Portland in Portland, Oregon. During the course of this meeting, discussion of issues pending in the above-listed cases could arise. Any person having an interest in energy policy in the Western United States, including any party in the above-listed cases, is invited to attend, although there is limited seating and paid registration will be processed on a first come, first served basis. Information discussed or disseminated in the meeting will not constitute part of the decisional record in the above-listed cases. Additional information about the meeting may be obtained from the Western Governors' Association website, *http://www.westgov.org/.*

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–2633 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 10482–042]

Woodstone Lakes Development, LLC, Woodstone Toronto Development, LLC v. Southern Energy NY-Gen, L.L.C.; Notice of Complaint

January 25, 2001.

Take notice that on January 23, 2001, Woodstone Lakes Development, LLC and Woodstone Toronto Development, LLC (individually or collectively, Woodstone) filed a complaint pursuant to Rule 206 of the Commission's Rules of Practice and Procedure and Part I of the Federal Power Act (FPA) against Southern Energy NY-GEN, L.L.C. (Southern NY), licensee of the Swinging Bridge Project No. 10482, located on the Mongaup River in Sullivan County, New York. Woodstone alleges that the licensee, in operating the project's Toronto Reservoir, has ''abused its discretion under the FPA.'' Woodstone further alleges that the licensee has violated its license by failing to construct certain recreational facilities at Toronto Reservoir required by Article 405 of the license; [1] file FERC Form 80 as required by Section 18.11 of the Commission's regulations, 18 CFR 8.11; and publicize recreational facilities at Toronto Reservoir as required by Sections 8.1 and 8.2 of the Commission's regulations, 18 CFR 8.1 and 8.2.

Woodstone states that copies of its filing were served upon the service list for Project No. 10482.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before February 12, 2001. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to

[1] *See* 59 FERC ¶ 62,034 at p. 63,089 (1992), as amended by 65 FERC ¶ 62,175 at p. 64,393 (1993).

the proceeding. 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 also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222) for assistance. Answers to the complaint shall also be due on or before February 12, 2001. Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc.fed.us/efi/doorbell.htm.

David P. Boergers,

Secretary.

[FR Doc. 01–2597 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–1012–000, et al.]

Sierra Pacific Power Company, et al.; Electric Rate and Corporate Regulation Filings

January 24, 2001.

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

1. Sierra Pacific Power Company

[Docket No. ER01–1012–000]

Take notice that on January 19, 2001, Sierra Pacific Power Company (Sierra) tendered for filing Service Agreements (Service Agreements) with El Paso Merchant Energy, L.P., and Tri-State Generation and Transmission Assoc., Inc., for Non-Firm and Short-Term Firm Point-to-Point Transmission Service under Sierra Pacific Resources Operating Companies FERC Electric Tariff, First Revised Volume No. 1, Open Access Transmission Tariff (Tariff):

Sierra is filing the executed Service Agreements with the Commission in compliance with sections 13.4 and 14.4 of the Tariff and applicable Commission regulations. Sierra also submitted revised Sheet Nos. 195 and 196 (Attachment E) to the Tariff, which is an updated list of all current subscribers. Sierra requests waiver of the Commission's notice requirements to permit an effective date of January 22, 2001 for Attachment E, and to allow the Service Agreements to become effective according to their terms.

Copies of this filing were served upon the Public Utilities Commission of Nevada, the Public Utilities Commission of California and all interested parties.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

2. Minnesota Power, Inc.

[Docket No. ER01–1013–000]

Take notice that on January 19, 2001, Minnesota Power, Inc. and Superior Water, Light and Power tendered for filing signed Service Agreements for Non-Firm and Short-Term Point-to-Point Transmission Service with OTPWholesaleMarketing under its Transmission Service Agreement to satisfy its filing requirements under this tariff.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

3. Redbud Energy LP

[Docket No. ER01–1011–000]

Take notice that on January 19, 2001, Redbud Energy LP (Redbud), tendered for filing an application for waivers and blanket approvals under various regulations of the Commission and for an order accepting Redbud's Electric Rate Schedule FERC No. 1 to be effective on February 1, 2001.

Redbud intends to engage in electric power and energy transactions as a marketer and a broker. In transactions where Redbud sells electric energy, it proposes to make such sales on rates, terms and conditions to be mutually agreed to with the purchasing party. Redbud's proposed Rate Schedule also permits it to reassign transmission capacity.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

4. Trigen-Syracuse Energy Corporation

[Docket No. ER01–1010–000]

Take notice that on January 19, 2001, Trigen-Syracuse Energy Corporation (Trigen-Syracuse), tendered for filing with the Federal Energy Regulatory Commission (Commission) a First Revised Rate Schedule FERC No. 1, containing a proposed amendment (the Amendment) to its power purchase agreement with Sempra Energy Trading Corp. The Amendment would change the term thereof and permit sales of excess energy by Trigen-Syracuse.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

5. Puget Sound Energy, Inc.

[Docket No. ER01–1009–000]

Take notice that on January 19, 2001, Puget Sound Energy, Inc., tendered for filing an executed Special Storage Agreement with Avista Corporation (AVISTA).

A copy of the filing was served upon AVISTA.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

6. Exelon Generation Company L.L.C.

[Docket No. ER01–1008–000]

Take notice that on January 19, 2001, Exelon Generation Company, L.L.C. (Exelon), tendered for filing a power sales agreement between Exelon and CNG Energy Services Corporation (CNG).

Exelon states that a copy of the filing was served on CNG.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

7. PJM Interconnection, L.L.C.

[Docket No. ER01–1007–000]

Take notice that on January 19, 2001, PJM Interconnection, L.L.C. (PJM), tendered for filing the following executed agreements: (i) A service agreement for network integration transmission service for Allegheny Energy Supply Company, LLC (Allegheny); (ii) a service agreement for long-term firm point-to-point transmission service for Cargill-Alliant, LLC (Cargill-Alliant); (iii) a service agreement for long-term firm point-to-point transmission service for The Cincinnati Gas & Electric Company, PSI Energy, Inc. (collectively Cinergy Operating Companies) and Cinergy Services, Inc. as agent for and on behalf of the Cinergy Operating Companies (Cinergy Operating Cos.); (iv) a service agreement for long-term firm point-to-point transmission service for PECO Energy Power Team (PECO); and (v) a service agreement for long-term firm point-to-point transmission service for PECO.

Copies of this filing were served upon Allegheny, Cargill-Alliant, Cinergy Operating Cos., PECO, and the state commissions within the PJM control area.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

8. Consumers Energy Company

[Docket No. ER01–1005–000]

Take notice that on January 19, 2001, Consumers Energy Company

(Consumers), tendered for filing executed and Non-Firm Point to Point Transmission Service Agreements with Engage Energy America Corp. (Customer) pursuant to the Joint Open Access Transmission Service Tariff filed on December 31, 1996 by Consumers and The Detroit Edison Company (Detroit Edison).

Both Agreements have effective dates of January 1, 2001.

Copies of the agreements were served upon the Michigan Public Service Commission, Detroit Edison, and the Customer.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

9. PJM Interconnection, L.L.C.

[Docket No. ER01–1006–000]

Take notice that on January 19, 2001, PJM Interconnection, L.L.C. (PJM), tendered for filing the following executed agreements: (i) an umbrella service agreement for short-term firm point-to-point transmission service for BGE Home Products & Services, Inc. (BGE); and (ii) an umbrella service agreement for short-term non-firm point-to-point transmission service for BGE.

Copies of this filing were served upon BGE, and the state commissions within the PJM control area.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

10. Consumers Energy Company

[Docket No. ER01–1004–000]

Take notice that on January 19, 2001, Consumers Energy Company (Consumers), tendered for filing an executed Network Integration Transmission Service Agreement with Municipal Cooperative Coordinated Pool (Customer) pursuant to the Joint Open Access Transmission Service Tariff filed on December 31, 1996 by Consumers and The Detroit Edison Company (Detroit Edison).

The Agreement has an effective date of January 1, 2001.

Copies of the filed agreement were served upon the Michigan Public Service Commission, Detroit Edison, and the Customer.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

11. American Transmission Company LLC

[Docket No. ER01–1003–000]

Take notice that on January 19, 2001, American Transmission Company LLC (ATCLLC), tendered for filing a Network Operating Agreement and Network Integration Transmission Service Agreement between ATCLLC and the City of Kiel Utilities.

ATCLLC requests an effective date of January 1, 2001.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

12. Dearborn Industrial Generation, L.L.C.

[Docket No. ER01–570–001]

Take notice that on January 19, 2001, Dearborn Industrial Generation, L.L.C. (DIG), tendered for filing pursuant to Rule 205, 18 CFR 385.205, an amendment to its December 1, 2000 petition for waivers and blanket approvals under various regulations of the Commission and for an order accepting its FERC Electric Tariff No. 2, to be effective at the earliest possible time.

DIG proposes to amend its December 1, 2000 petition by including a service agreement for sales to its public utility affiliate, Consumers Energy Company (CECo). This service agreement was inadvertently omitted from DIG's original filing.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

13. Carolina Power & Light Company

[Docket No. ER01–498–001]

Take notice that on January 19, 2001, Carolina Power & Light Company (CP&L), tendered for filing a revised copy of the Market Based Rates Tariff, FERC Electric Volume No. 4, as Ordered by The Commission.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

14. Xcel Energy Operating Companies, Northern States Power Company, Northern States Power Company (Wisconsin)

[Docket No. ER01–278–001]

Take notice that on January 16, 2001, Northern States Power Company and Northern States Power Company (Wisconsin) (jointly NSP), wholly-owned utility operating company subsidiaries of Xcel Energy Inc., tendered for filing an Appendix Cover Sheet for the Connection Agreement between NSP and Great River Energy.

NSP requests that the Commission accept the Appendix Cover Sheet effective October 1, 2000, and requests waiver of the Commission's notice requirements in order for the agreements to be accepted for filing on the date requested.

Comment date: February 6, 2001, in accordance with Standard Paragraph F at the end of this notice.

15. Xcel Energy Operating Companies,

Northern States Power Company, Northern States Power Company (Wisconsin)

[Docket No. ER01–277–001]

Take notice that on January 16, 2001, Northern States Power Company and Northern States Power Company (Wisconsin) (jointly NSP), wholly-owned utility operating company subsidiaries of Xcel Energy Inc., tendered for filing an Appendix Cover Sheet for the Firm Point-to-Point Transmission Service Agreement between NSP and Madison Gas & Electric Company.

NSP requests that the Commission accept the Appendix Cover Sheet effective October 1, 2000, and requests waiver of the Commission's notice requirements in order for the agreements to be accepted for filing on the date requested.

Comment date: February 6, 2001, in accordance with Standard Paragraph E at the end of this notice.

16. Rockingham Power, L.L.C.

[Docket No. ER01–245–001]

Take notice that on January 18, 2001, Rockingham Power, L.L.C. (Rockingham) tendered for filing pursuant to section 205 of the Federal Power Act (FPA) (16 U.S.C. 824(d) (1998)), and part 35 of the Commission's Regulations, a First Revised Sheet No. 6 to its tariff for Emergency Redispatch Service in compliance the Commission's December 26, 2000 Order in the above-referenced docket. *Rockingham Power, L.L.C.,* 93 FERC 61,310 (2000).

Comment date: February 8, 2001, in accordance with Standard Paragraph E at the end of this notice.

17. Ouachita Power, LLC

[Docket Nos. EC01–59–000 and ER00–2235–001]

Take notice that on January 18, 2001, Ouachita Power, LLC (Ouachita) tendered for filing an application under section 203 of the Federal Power Act for approval of the transfer of a 50 percent non-managing membership interest in Ouachita to MEP–I LLC, which is an indirect, wholly-owned subsidiary of GE Capital Services Structured Financial Group (GE Capital). Ouachita is a limited liability company organized under the Delaware Limited Liability

Company Act for the purpose of developing, owning, and operating an approximately 816 MW electric generation facility near the city of Sterlington, Ouachita Parish, Louisiana. In accordance with an earlier Commission order accepting for filing Ouachita's market-based rate tariff, the application also reports under section 205 of the FPA that the transaction is a change in status insofar as Ouachita will become a non-controlled affiliate of GE Capital as a result of the transfer of interest.

Comment date: February 8, 2001, in accordance with Standard Paragraph E at the end of this notice.

18. American Transmission Company LLC

[Docket No. ER01–1020–000]

Take notice that on January 19, 2001, American Transmission Company LLC (ATCLLC), tendered for filing a Network Operating Agreement and Network Integration Transmission Service Agreement between ATCLLC and Wisconsin Public Power Inc.

ATCLLC requests an effective date of January 1, 2001.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

19. Consumers Energy Company

[Docket No. ER01–1021–000]

Take notice that on January 19, 2001, Consumers Energy Company (Consumers), tendered for filing executed amendments to Transmission Service Agreements with L. Perrigo Company and Brunswick Bowling & Billiards Corporation (jointly Customers) pursuant to Consumers' Open Access Transmission Service Tariff filed on July 9, 1996 by Consumers. The amendments extend the term of the Service Agreements.

Both amendments have effective dates of January 1, 2001.

Copies of the filed agreements were served upon the Michigan Public Service Commission and the Customers.

Comment date: February 9, 2001, in accordance with Standard Paragraph E at the end of this notice.

20. American Transmission Company LLC

[Docket Nos. ER01–366–001, ER01–380–001, ER01–381–001, ER01–392–001, ER01–483–001, ER01–484–001, ER01–488–001, ER01–521–001, ER01–610–001, ER01–679–001, ER01–795–001, ER01–825–001, and ER01–835–001]

Take notice that on January 17, 2001, American Transmission Company LLC (ATCLLC), tendered for filing designations for the interconnection agreements with American Transmission Company LLC, which were inadvertently omitted when the Agreements were originally filed. ATCLLC requests an effective date of January 1, 2001.

Comment date: February 7, 2001, in accordance with Standard Paragraph E at the end of this notice.

21. Xcel Energy Operating Companies, Northern States Power Company, Northern States Power Company (Wisconsin)

[Docket No. ER01–1014–000]

Take notice that on January 19, 2001, Northern States Power Company (NSP) and Northern States Power Company (Wisconsin) (NSP) (jointly the NSP Companies), tendered for filing a ''Restated Agreement to Coordinate Planning and Operations and Interchange Power and Energy between Northern States Power Company and Northern States Power Company (Wisconsin)'' (hereafter Restated Interchange Agreement), dated January 18, 2001. The Restated Interchange Agreement does not substantively change the currently effective Interchange Agreement between NSP(Minnesota) and NSPW dated September 17, 1984, but is being restated to comply with Order No. 614 filing requirements. The Restated Interchange Agreement also includes annual revisions to certain rate formula exhibits, as required by the 1984 Interchange Agreement.

The applicants request the Restated Interchange Agreement be effective January 1, 2001. Pursuant to Order No. 614, the NSP Companies propose the Restated Interchange Agreement be designated as NSP Electric Rate Schedule FERC No. 2, to be contained in the Xcel Energy Operating Companies FERC Electric Tariff, Original Volume No. 3.

Comment date: February 9, 2001, 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, 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). 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. 01–2632 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Request to Transfer License and Soliciting Comments, Motions To Intervene, and Protests

January 25, 2001.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Request for Approval to Transfer License.

b. *Project No.:* 10674–012.

c. *Date Filed:* December 29, 2000.

d. *Applicants:* Consolidated Papers, Inc. and Stora Enso North American Corporation.

e. *Name of Project:* Kimberly Hydroelectric Project.

f. *Location:* The project is located at the south end of the United States-owned Cedars Lock and Dam, on the Fox River in Outagamie County, Wisconsin.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicants Contact:* Mark E. Anderson, Resources Coordinator, Consolidated Water Power Company, 610 High Street, P.O. Box 8050, Wisconsin Rapids, WI 54495–8050, (715) 422–3111.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Lynn R. Miles, Sr. at (202) 219–2671, or e-mail address: *lynn.miles@ferc.fed.us.:*

j. *Deadline for filing comments and or motions:* March 1, 2001.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc.fed.us/efi/doorbell.htm.

Please include the project number (10674–012) on any comments or motions filed.

k. *Description of Request:* Consolidated Papers, Inc. (CPI) and Stora Enso North American Corporation (SENAC) jointly and severally apply for written approval to transfer the license for the Kimberly Hydroelectric Project from CPI to SENAC. CPI and SENAC also request that the transfer be made effective as of the date of conveyance of the project's properties.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, D.C. 20426, or by calling (202) 208–1371. This filing may be viewed on http://www.ferc.fed.us/online/rims.htm (call (202) 208–222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title ''COMMENTS'', RECOMMENDATIONS FOR TERMS AND CONDITIONS'', ''PROTEST'', OR ''MOTION TO INTERVENE'', as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 01–2594 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Tendered for Filing with the Commission Soliciting Additional Study Requests and Establishing Procedures for Relicensing and a Deadline for Submission of Final Amendments

January 25, 2001.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* New Minor License.

b. *Project No.*: P–6059–006.

c. *Date Filed*: January 2, 2001.

d. *Applicant*: Hydro Development Group, Inc.

e. *Name of Project*: Fowler #7.

f. *Location*: On the Oswegatchie River in St. Lawrence County, near the Town of Gouverneur, New York.

g. *Filed Pursuant to*: Federal Power Act 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact*: Kevin M. Webb, Hydro Development Group, Inc., 200 Bulfinch Drive, Andover, MA 01810, (978) 681–1900 ext. 1202.

i. *FERC Contact:* Charles T. Raabe (202) 219–2811 or E-mail address at Charles.Raabe@FERC.fed.us.

j. *Comment Date*: April 2, 2001.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc.fed.us/efi/doorbell.htm.

k. *Description of Project*: The existing, operating Fowler #7 Project consists of: (1) A concrete gravity-type dam surmounted by flashboards comprising; (i) the 75-foot-long, 25-foot-high Dam #1; (ii) the 192-foot-long, 20-foot-high Dam #2; and (iii) the 154–foot-long, 15–foot-high Dam #3; (2) a reservoir having a 3.0-acre surface area and a gross storage volume of 30-acre-feet at normal water surface elevation 542 feet NGVD; (3) an intake structure having trashracks; (4) a powerhouse containing three 300-kW generating units for a total installed capacity of 900-kW; (5) a 1,000-kVA 2.3/23-kV transformer; (6) a 4,000-foot-long, 23-kV overhead transmission line; (7) a trailrace; and (8) appurtenant facilities. The applicant estimates that the total average annual generation would be 6.0 MWh. All generated power is sold to Niagara Mohawk Power Corporation.

l. With this notice, we are initiating consultation with the *New York State Historic Preservation Officer (SHPO)*, as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

m. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the filing date of this application and serve a copy of the request on the applicant.

n. *Procedural Schedule and Final Amendments*: The application will be processed according to the following milestones, some of which may be combined to expedite processing:

Notice of application has been accepted for filing
Notice of NEPA Scoping
Notice of application is ready for environmental analysis
Final amendments to the application must be filed with the Commission*
Notice of the availability of the draft NEPA document
Notice of the availability of the final NEPA document
Order issuing the Commission's decision on the application

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

David P. Boergers,

Secretary.

[FR Doc. 01–2595 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Intent To File an Application for a New License

January 25, 2001.

Take notice that the Notice of Intent has been filed with the commission and is available for public inspection.

a. *Type of Filing:* Notice of Intent to File An Application for a New License.

b. *Project No.:* 1893.

c. *Date Filed:* December 29, 2000.

d. *Submitted By:* Public Service of New Hampshire—current licensee.

e. *Name of Project:* Merrimack River Hydroelectric Project.

f. *Location:* On the Merrimack River, in Hillsborough and Merrimack Counties, New Hampshire. The project does not occupy federal lands of the United States.

g. *Filed Pursuant:* Section 15 of the Federal Power Act.

h. *Licensee Contact:* James Kearns, Northeast Generation Services, 273 Dividend Road, Rocky Hill, CT 06067 (860) 665–5936.

i. *FERC Contact:* Allan Creamer, allan.creamer@ferc.fed.us, (202) 219–0365.

j. *Effective date of current license:* May 1, 1980.

k. *Expiration date of current license:* December 31, 2005.

1. *Description of the Project:* The project consists of the following three developments:

The Amoskeag Development consists of the following existing facilities: (1) A 29-foot-high, 710-foot-long concrete gravity dam comprised of: (i) A low crest section with 5-foot-high flashboards; and (ii) a high crest section with 3-foot-high flashborads; (2) a 7-mile-long, 478-acre reservoir; (3) a powerhouse, integral with the dam, containing three generating units with a total installed capacity of 16,000 kW, (4) a 415-foot-long, 34.5–kV double circuit transmission line;; and (5) other appurtenances.

The Hooksett Development consists of the following existing facilities: (1) A dam comprised of: (i) A 340-foot-long stone masonry section with 2-foot-high flashboards connected to; (ii) a 250-foot-long concrete section with 2-foot-high flashboards; (2) a 15-foot by 20-foot Taintor gate; (3) a 5.5-mile-long, 405-acre reservoir; (4) a powerhouse containing a single generating unit with an installed capacity of 1,600 kW; and (5) other appurtenances.

The Garvins Falls Development consists of the following existing facilities: (1) An 18-foot-high, 550-foot-long concrete and granite gravity dam comprised of: (i) A low crest section with 3-foot-high flashboards; and (ii) a high crest section with 1.2-foot-high flashboards; (2) an 8-mile-long reservoir; a 500-foot-long water-canal with a 10-foot-wide waste gate; (4) a powerhouse containing four generating units with a total installed capacity of 12,100 kW, (5) a 340-foot-long, 34.5–kV transmission line, and (6) other appurtenances.

m. Each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by December 31, 2002.

David P. Boergers,

Secretary.

[FR Doc. 01–2596 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Request to Transfer License and Soliciting Comments, Motions to Intervene, and Protests

January 25, 2001.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Request for Approval to Transfer License.

b. *Project No:* 2536–047.

c. *Date Filed:* December 29, 2000.

d. *Applicants:* Consolidated Papers, Inc. and Stora Enso North America Corporation.

e. *Name of Project:* Little Quinnesec Falls Hydroelectric Project.

f. *Location:* On the Menominee River, in Dickerson County, Michigan, and Marinette County, Wisconsin.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicants Contact:* Mark E. Anderson, Resources Coordinator, Consolidated Water Power Company, 610 High street, P.O. Box 8050, Wisconsin Rapids, WI 54495–8050, (715) 422–3111.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Lynn R. Miles, Sr., at (202) 219–2671, or e-mail address: *lynn.miles@ferc.fed.us.*

j. *Deadline for filing comments and or motions:* March 1, 2001.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments and protests may be filed with electronically via the internet in lieu of paper. See, 18 CFR 385.200(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc.fed.us/efi/doorbell.htm.

Please include the project number (2536–037) on any comments or motions filed.

k. *Description of Request:* Consolidated Papers, Inc., (CPI) and Stora Enso North American Corporation (SENAC) jointly and severally apply for written approval to transfer the license for the Little Quinnesec Hydroelectric Project from CPI to SENAC. CPI and SENAC also request that the transfer be made effective as of the date of conveyance of the project's properties.

l. *Locations of the Application:* A copy of the application is 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. This filing may be viewed on http://www.ferc.fed.us/online/rims.htm (call (202) 208–2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit commnets, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received or or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title ''COMMENTS'', ''RECOMMENDATIONS FOR TERMS AND CONDITIONS'', ''PROTESTS'', OR ''MOTION TO INTERVENE'', as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application.

A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 01–2601 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Extension of Time for Notice of Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

January 25, 2001.

In light of newspaper publication problems, the Commission hereby extends the comment date to February 26, 2001.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Proposed Recreation and Land Management Plan.

b. *Project No.:* 400–033.

c. *Date Filed:* October 16, 2000.

d. *Applicant:* Public Service Company of Colorado.

e. *Name of Project:* Tacoma-Ames Hydroelectric Project.

f. *Location:* The Tacoma-Ames Hydroelectric Project is on the Animas River in LaPlata and San Juan Counties, Colorado. Lands within the San Juan and Uncompahgre National Forests and under the jurisdiction of the Bureau of Land Management are located with the project boundary. No Indian Tribal lands are located within the project boundary.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Randy Rhodes, Public Service Company of Colorado, 550 15th Street, Suite 900, Denver, CO 80202–4256; (303) 571–7211.

i. *FERC Contact:* Jon Cofrancesco at (202) 219–0079 or *jon.cofrancesco@ferc.fed.us.*

j. Deadline for filing comments, terms and conditions, motions to intervene, and protests: February 26, 2001.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at *http://www.ferc.fed.us/efi/doorbell.htm.*

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. Public Service Company of Colorado (licensee) filed a proposed recreation and land management plan for the Tacoma Development of the Tacoma-Ames Hydroelectric Project. The Tacoma Development includes Electra Lake (a project reservoir) and the surrounding lands within the project boundary. Under a long-standing lease agreement with the licensee, the Electra Sporting Club (ESC) occupies portions of project lands at Electra Lake and, pursuant to the project's existing recreation plan, is responsible for the management of public recreation use and development at Electra Lake. The licensee filed the proposed plan in response to a condition of a previously executed land acquisition agreement involving a portion of project lands.

The proposed plan establishes the licensee's future management practices and guidelines for public recreation and private development at Electra Lake and the adjoining project lands. The proposed plan is intended to ensure that recreation use and private development at Electra Lake is consistent with hydroelectric operations, the terms and conditions of the project license, including the project's existing recreation plan, the lease agreement between the licensee and the ESC, and all other applicable Federal, state, and local laws and regulations. The proposed plan contains provisions addressing existing and future private development, public recreation use and opportunities, and the preservation of natural resources, including scenic and environmental values, at Electra Lake and the adjoining project lands.

l. A copy of the proposed plan is available for inspection and reproduction at the Commission's Public Reference Room at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 208–1371. The application may be viewed on the web at http://www.ferc.fed.us/online/rims.htm. Call (202) 208–2222 for assistance. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Any filings must bear in all capital letters the title ''COMMENTS,'' ''RECOMMENDATIONS FOR TERMS AND CONDITIONS,'' ''PROTEST,'' or ''MOTION TO INTERVENE,'' as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

Federal, state, and local agencies are invited to file comments on the described application. A copy of the proposed plan may be obtained by agencies directly from the applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 01–2635 Filed 1–30–01; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00696; FRL–6764–1]

Worker Protection Standard Training and Notification; Renewal of Pesticide Information Collection Activities and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*) this notice announces that EPA is seeking public

comment on the following Information Collection Request (ICR): ''Worker Protection Standard Training and Notification'' (EPA ICR No. 1759.03, OMB No. 2070–0148). This is a request to renew an existing ICR that is currently approved and due to expire September 30, 2001. The ICR describes the nature of the information collection activity and its expected burden and costs. Before submitting this ICR to the Office of Management and Budget (OMB) for review and approval under the PRA, EPA is soliciting comments on specific aspects of the collection.

DATES: Written comments, identified by the docket control number OPP–00696, must be received on or before April 2, 2001.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–00696 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: By mail: Nancy Vogel, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 305–6475; fax number: (703) 305–5884; e-mail address: vogel.nancy@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be potentially affected by this action if you are an employer in a farm, nursery, forestry or greenhouse establishment. Potentially affected categories and entities may include, but are not limited to:

Category	NAICS code	SIC code	Examples of potentially affected entities
Agricultural production-crops	111	01	Agricultural workers, pesticide handlers, employers in farms, nurseries, forestry, and greenhouse establishments
Agricultural services	111	07	Agricultural workers, pesticide handlers, employers in farms, nurseries, forestry, and greenhouse establishments
Forestry	113	08	Agricultural workers, pesticide handlers, employers in farms, nurseries, forestry, and greenhouse establishments

This table 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 this table could also be affected. The North American Industrial Classification System (NAICS) codes and the Standard Industrial Classification (SIC) codes are 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**.

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

A. 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/. On the Home Page select ''Laws and Regulations,'' ''Regulations and Proposed Rules,'' 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/.

B. Fax-on-Demand

Using a faxphone call (202) 401–0527 and select item 6086 for a copy of the ICR.

C. In Person

The Agency has established an official record for this action under docket control number OPP–00696. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, 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.

III. How Can I Respond to this Action?

A. How and to Whom Do I Submit the Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–00696 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through

Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. You may submit your comments and/or data electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described in Units III.A.1. and III.A.2. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–00696. Electronic comments may also be filed online at many Federal Depository Libraries.

B. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI 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. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

C. What Should I Consider when I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

D. What Information is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collections of information are 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 estimates of the burdens of the proposed collections of information.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated or electronic collection technologies or other forms of information technology, e.g., permitting electronic submission of responses.

IV. What Information Collection Activity or ICR Does this Action Apply to?

EPA is seeking comments on the following ICR:

Title: Worker Protection Standard Training and Notification.

ICR numbers: EPA ICR No. 1759.03, OMB No. 2070–0148.

ICR status: This ICR is a renewal of an existing ICR that is currently approved by OMB and is due to expire September 30, 2001.

Abstract: This data collection program is designed to provide the EPA with information from agricultural employers regarding training agricultural workers and pesticide handlers in the safe handling of pesticides used on farms, on forests, in nurseries and in greenhouses. The workplace practices are designed to reduce or eliminate exposure to pesticides and establish procedures for responding to exposure-related emergencies. Employers are required to inform state regulatory agencies of measures taken to train workers, display basic pesticide safety information and application information, provide agricultural workers, pesticide handlers, agricultural employers, and medical personnel with basic information so they are able to take precautionary or responsive measures, as appropriate. This training and notification is targeted to agricultural workers who perform tasks related to the cultivation and harvesting of plants in areas treated with pesticides and pesticide handlers who mix, load, and apply pesticides for use in these areas.

V. What are EPA's Burden and Cost Estimates for this ICR?

Under the PRA, ''burden'' means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal Agency. For this collection it includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The ICR provides a detailed explanation of this estimate, which is only briefly summarized in this notice. The annual public burden is estimated to be 2,242,442 hours. The following is a summary of the estimates taken from the ICR:

Respondents/affected entities: Agricultural workers, pesticide handlers, employers in farms, nurseries, forestry, and greenhouse establishments.

Estimated total number of potential respondents: 3,245,393.

Frequency of response: As needed.

Estimated total/average number of responses for each respondent: 6.

Estimated total annual burden hours: 2,242,442.

Estimated total annual burden costs: $83,025,567.

VI. Are There Changes in the Estimates from the Last Approval?

The public respondent burden hours and costs for this ICR remain the same. There have been no changes to the regulations or to the way the program is administered, and the respondent community numbers have not changed.

VII. What is the Next Step in the Process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR

1320.12. EPA will issue another **Federal Register** notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

List of Subjects

Environmental protection, Reporting and recordkeeping requirements.

Dated: January 12, 2001.

Stephen L. Johnson,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 01–2571 Filed 01–30–01; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–34225C; FRL–6765–4]

Organophosphate Pesticide; Availability of Revised Risk Assessments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of the revised risk assessments and related documents for one organophosphate pesticide, diazinon. In addition, this notice starts a 60-day public participation period during which the public is encouraged to submit risk management ideas or proposals. These actions are in response to a joint initiative between EPA and the Department of Agriculture (USDA) to increase transparency in the tolerance reassessment process for organophosphate pesticides.

DATES: Comments, identified by docket control number OPP–34225C, must be received by EPA on or before April 2, 2001.

ADDRESSES: Comments may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit III. of the **SUPPLEMENTARY INFORMATION**. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–34225C in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Ben Chambliss, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308–8174; e-mail address: chambliss.ben@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to the public in general, nevertheless, a wide range of stakeholders will be interested in obtaining the revised risk assessments and submitting risk management comments on diazinon, including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the use of pesticides on food. As such, the Agency has not attempted to specifically describe all the entities potentially 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?

A. *Electronically*. You may obtain electronic copies of this document and other related documents from the EPA Internet Home Page at http://www.epa.gov/. To access this document, on the Home Page select ''Laws and Regulations,'' ''Regulations and Proposed Rules,'' 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/. To access information about organophosphate pesticides and obtain electronic copies of the revised risk assessments and related documents mentioned in this notice, you can also go directly to the Home Page for the Office of Pesticide Programs (OPP) at http://www.epa.gov/pesticides/op/.

B. *In person*. The Agency has established an official record for this action under docket control number OPP–34225C. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as 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 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.

III. How Can I Respond to this Action?

A. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–34225C in the subject line on the first page of your response.

1. *By mail*. Submit comments to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier*. Deliver comments to: Public Information and Records Integrity Branch, Information Resources and Services Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically*. Submit electronic comments by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described in this unit. Do not submit any information electronically that you consider to be CBI. Electronic comments must be submitted as an ASCII file, avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on standard computer disks in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by the docket control number OPP–34225C. Electronic comments may also be filed online at many Federal Depository Libraries.

B. How Should I Handle CBI Information that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI 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. In addition to one complete version of the comment that includes any

information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

IV. What Action is EPA Taking in this Notice?

EPA is making available for public viewing the revised risk assessments and related documents for one organophosphate, diazinon. These documents have been developed as part of the pilot public participation process that EPA and USDA are now using for involving the public in the reassessment of pesticide tolerances under the Food Quality Protection Act (FQPA), and the reregistration of individual organophosphate pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The pilot public participation process was developed as part of the EPA–USDA Tolerance Reassessment Advisory Committee (TRAC), which was established in April 1998, as a subcommittee under the auspices of EPA's National Advisory Council for Environmental Policy and Technology. A goal of the pilot public participation process is to find a more effective way for the public to participate at critical junctures in the Agency's development of organophosphate risk assessments and risk management decisions. EPA and USDA began implementing this pilot process in August 1998, to increase transparency and opportunities for stakeholder consultation. The documents being released to the public through this notice provide information on the revisions that were made to the diazinon preliminary risk assessments, which were released to the public through a notice published in the **Federal Register** on May 19, 2000 (65 FR 31902), (FRL–6588–7).

In addition, this notice starts a 60-day public participation period during which the public is encouraged to submit risk management proposals or otherwise comment on risk management for diazinon. The Agency is providing an opportunity, through this notice, for interested parties to provide written risk management proposals or ideas to the Agency on the chemical specified in this notice. Such comments and proposals could address ideas about how to manage dietary, occupational, or ecological risks on specific diazinon use sites or crops across the United States or in a particular geographic region of the country. To address dietary risk, for example, commenters may choose to discuss the feasibility of lower application rates, increasing the time interval between application and harvest (''pre–harvest intervals''), modifications in use, or suggest alternative measures to reduce residues contributing to dietary exposure. For occupational risks, commenters may suggest personal protective equipment or technologies to reduce exposure to workers and pesticide handlers. For ecological risks, commenters may suggest ways to reduce environmental exposure, e.g., exposure to birds, fish, mammals, and other non–target organisms. EPA will provide other opportunities for public participation and comment on issues associated with the organophosphate tolerance reassessment program. Failure to participate or comment as part of this opportunity will in no way prejudice or limit a commenter's opportunity to participate fully in later notice and comment processes. All comments and proposals must be received by EPA on or before April 2, 2001, at the addresses given under the **ADDRESSES** section. Comments and proposals will become part of the Agency record for the organophosphate specified in this notice.

List of Subjects

Environmental protection, Chemicals, Pesticides and pests.

Dated: January 12, 2001.

Lois A. Rossi,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 01–2302 Filed 1–30–01; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6939–8]

Options for Development of Parametric Probability Distributions for Exposure Factors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of a final report.

SUMMARY: The notice announces the availability of a final report, Options for Development of Parametric Probability Distributions for Exposure Factors (EPA/600/R–00/058, July 2000). This report was prepared by the National Center for Environmental Assessment, within the Office of Research and Development (EPA) at the request of the Office of Emergency and Remedial Response within the Office of Solid Waste and Emergency Response, to assist them when applying probabilistic techniques in exposure assessments. The purpose of the document is to provide procedures to fit distributions to selected data from the Exposure Factors Handbook (EPA/600/P–95/002Fa–c). The procedure includes the selection of models, estimation, assessment of fit, and uncertainty. Three exposure factors were used as test cases. These included tap water intake, inhalation rates, and population mobility. The procedures used in these three exposure factors are fairly general and applicable to other factors.

ADDRESSES: The document will be made available electronically through the National Center for Environmental Assessment's web site (www.epa.gov/ncea). A limited number of paper copies will be available from the EPA's National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242; telephone: 1–800–490–9198 or 513–489–8190; facsimile: 513–489–8695. Please provide your name and mailing address and the title and EPA number of the requested publication.

FOR FURTHER INFORMATION CONTACT: Jacqueline Moya, National Center for Environmental Assessment-Washington Office (8623D), U.S. Environmental Protection Agency, Washington DC 20460; telephone: 202–564–3245; facsimile: 202–565–0076; email:moya.jackie@epa.gov.

SUPPLEMENTARY INFORMATION: Since the publication of the Exposure Factors Handbook (EPA/600/P–95/002Fa–c) in 1997, users of the Handbook have commented on the need to fit distributions to the data in the Handbook to assist them when applying methods to express assessments. This report is issued as a companion document to the Exposure Factors Handbook.

The methodology presented in the document was tested with three exposure factors: tap water, inhalation rates, and population mobility. However, the document provides a discussion on the applicability of this methodology to other exposure factors in the Exposure Factors Handbook.

The report discusses the pertinent statistical concepts and theory used and how they apply to the methodology developed for the fitting of distributions. The methodology models, estimation, assessment of fit, and uncertainty.

Dated: December 22, 2000.

Bruce Rodan,

Director, National Center for Environmental Assessment.

[FR Doc. 01–2672 Filed 1–30–01; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

DATE & TIME: Tuesday, February 6, 2001 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

DATE & TIME: Thursday, February 8, 2001 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC. (ninth floor).

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.

Draft 2001 Legislative Recommendations.

Advance Notice of Proposed Rulemaking on the Definition of ''Political Committee.''

Administrative Matters.

PERSON TO CONTACT FOR INFORMATION: Mr. Ron Harris, Press Officer, Telephone: (202) 694–1220.

Mary W. Dove,

Acting Secretary of the Commission.

[FR Doc. 01–2787 Filed 1–29–01; 2:29 pm]

BILLING CODE 6715–01–M

FEDERAL HOUSING FINANCE BOARD

[No. 2001–N–4]

Annual Adjustment of the Limit in Average Total Assets for Community Financial Institutions and Annual Adjustment of the Limits on Annual Compensation for Federal Home Loan Bank Directors

AGENCY: Federal Housing Finance Board.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Federal Housing Finance Board (Finance Board) has adjusted the limit in average total assets that defines a ''Community Financial Institution'' (CFI) based on the annual percentage increase in the Consumer Price Index for all urban consumers (CPI–U), as published by the Department of Labor (DOL), pursuant to the requirements of section 2(13)(B) of the Federal Home Loan Bank Act (Bank Act) and § 900.1 of the Finance Board's regulations. Notice is hereby given that the Finance Board also has adjusted the limits on annual compensation for the Federal Home Loan Bank (Bank) directors, based on the CPI–U, as published by the DOL, pursuant to the requirements of section 7(i)(2)(B) of the Bank Act and § 918.3(a)(1) of the Finance Board's regulations.

FOR FURTHER INFORMATION CONTACT: James L. Bothwell, Managing Director and Chief Economist, (202) 408–2821; Scott L. Smith, Acting Director, Office of Policy, Research and Analysis, (202) 408–2991; Julie Paller, Office of Policy, Research and Analysis, (202) 408–2842; or Kirsten L. Landeryou, Office of Policy, Research and Analysis, (202) 408–2552. Staff also can be reached by regular mail at the Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006. A telecommunications device for deaf persons (TDD) is available at (202) 408–2579.

SUPPLEMENTARY INFORMATION: The Bank Act (12 U.S.C. 1422(13)(B)), as amended by the Gramm Leach Bliley Act (GLB Act) (Pub. L. 106–102, 133 Stat. 1338 (November 12, 1999)) and § 900.1 of the Finance Board's regulations (12 CFR 900.1) require the Finance Board to adjust annually the limit in average total assets (CFI Asset Cap) set forth in section 2(13)(A)(ii) of the Bank Act (12 U.S.C. 1422(13)(A)(ii)) and § 900.1 of the Finance Board's regulations that defines a CFI, based on the annual percentage increase, if any, in the CPI–U, as published by the Department of Labor (DOL).

Section 7(i)(2)(B) of the Bank Act (12 U.S.C. 1427(i)(2)(B)), as amended by the GLB Act, and § 918.3(a)(1) of the Finance Board's regulations (12 CFR 913.3(a)(1)), require the Finance Board, beginning January 1, 2001, to make a similar annual adjustment to the compensation limits set forth in section 7(i)(2)(A) of the Bank Act (12 U.S.C. 1427(i)(2)(A)) and § 918.3(a)(1) of the Finance Board's regulations, for members of the boards of directors of the Banks based on the annual percentage increase, if any, in the CPI–U, as published by the DOL.

Pursuant to the Finance Board's regulations, for purposes of the CFI Asset Cap, the Finance Board is required to publish notice by **Federal Register** of the CPI–U-adjusted cap. For purposes of the Banks' board of directors annual compensation adjustments, the Finance Board is required to publish notice, by **Federal Register**, distribution of a memorandum, or otherwise, of the CPI–U-adjusted limits on annual compensation. The annual adjustment of the existing CFI Asset Cap and annual Bank director compensation limits, effective January 1 of a particular calendar year, reflects the percentage by which the CPI–U published for November of the preceding calendar year exceeds the CPI–U published for November of the year before the preceding calendar year (if at all). For example, the adjustment of the limits effective January 1, 2001 are based on the percentage increase in the CPI–U from November 1999 to November 2000.

The Finance Board has determined that it is appropriate to use data from November rather than waiting for the December data to become available so that the Banks can be notified of the revised asset limit and compensation limits as close to the effective date as possible. Other Federal agencies do not rely on December data, which is published in mid-January, when calculating annual inflation adjustments and as a result are able to announce the adjustments prior to the effective date of January 1.

The DOL encourages the use of CPI–U data that has not been seasonally adjusted in ''escalation agreements'' because seasonal factors are updated annually and seasonally adjusted data are subject to revision for up to five years following the original release; unadjusted data are not routinely subject to revision, and previously published unadjusted data are only corrected when significant calculation errors are discovered. Accordingly, the Finance Board is using data that had not been seasonally adjusted to calculate the new CFI Asset Cap and annul Bank director compensation limits.

Based on the unadjusted November 2000 CPI–U data, in Finance Board Resolution No. 2000–51 (Dec. 29, 2000), the Finance Board adjusted the CFI Asset Cap for 2001 from $500 million to $517 million, beginning January 1, 2001.

In the same Finance Board Resolution, and based on the unadjusted November 2000 CPI–U data, the Finance Board adjusted the annual compensation for the listed members of

the boards of directors of the Banks as follows, beginning January 1, 2001: For a Chairperson—$25,850; for a Vice-Chairperson—$20,680; for any other member of a Bank's board of directors—$15,510.

Dated: January 23, 2001.

James L. Bothwell,

Managing Director.

[FR Doc. 01–2640 Filed 1–30–01; 8:45 am]

BILLING CODE 6725–01–P

FEDERAL RESERVE SYSTEM

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: 11:00 a.m., Monday, February 5, 2001.

PLACE: Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Lynn S. Fox, Assistant to the Board; 202–452–3204.

SUPPLEMENTARY INFORMATION: You may call 202–452–3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at http://www.federalreserve.gov for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Dated: January 26, 2001.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 01–2711 Filed 1–26–01; 4:04 pm]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30 DAY–17–01]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) publishes a list of information collection requests under review by the Office of Management and Budget (OMB) in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these requests, call the CDC Reports Clearance Officer at (404) 639–7090. Send written comments to CDC, Desk Officer, Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503. Written comments should be received within 30 days of this notice.

Proposed Project: The Role of Positive and Negative Emotion in Promoting Hearing Conservation Behaviors Among Coal Miners—New—The mission of the National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC) is to promote ''safety and health at work for all people through research and prevention.'' NIOSH investigates and identifies occupational safety and health hazards and conducts a variety of activities, including educational programs with workers, to help prevent work-related illness and injury.

One of the most widespread, but often overlooked, occupational hazards is noise. As a result, hearing loss is the most common occupational disease in the United States today. More than 30 million workers are exposed to hazardous noise levels. The risk of hearing loss is particularly high in certain occupations. Research shows that more than 90 percent of coal miners will experience moderate to significant hearing loss by the time they reach retirement. This level of hearing loss has a number of negative implications for both the affected individual and others: (1) Impaired communication with family members, friends, and coworkers can result in social isolation; (2) unrelenting tinnitus (ringing in the ears) can significantly lower one's quality of life; (3) a diminished ability to monitor the work environment (including warning signals, etc.) increases the risk of accidents and further injury at the workplace; and, finally, (4) there are economic costs that result from workers' compensation and lower productivity.

New noise standards for the mining environment have recently been issued by the Department of Labor and will go into effect in September 2000. The new rules require that mine operators take necessary action to protect miners' hearing when noise levels reach 85 dBA or more over an eight-hour period with additional actions required at 90 dBA. While the new standard establishes mandatory behaviors, such as the wearing of both ear plug and earmuff-type hearing protectors at noise levels of 105 dBA or more over an eight-hour period, there are also voluntary behaviors associated with the new rules. The wearing of hearing protectors at levels below 90 dBA and getting hearing tests as part of a hearing conservation program are both voluntary on the part of the individual miner.

This study is designed to ascertain factors that can be used to encourage adoption of voluntary behaviors among coal miners. The choice of this subset of miners is based upon research that indicates they experience significantly more hearing loss than metal and nonmetal miners. NIOSH proposes working with the United Mine Workers of America and experts in health communication to test the effectiveness of several innovative approaches to communicating hearing loss risk and promoting self-protective behaviors. Different messages will be sent to four different groups of coal miners, and there will be one control group that receives no message. The researchers will follow up with these groups at two different points in time to assess the relative effectiveness of the messages.

The central purpose of this study is to promote hearing conservation among coal miners and encourage the adoption of the voluntary components of the new noise standard. However, NIOSH believes that the results of this study will help in similar efforts with other worker populations. The total burden for this project is 230 hours.

Respondents	Number of respondents	Number of responses/ respondent (in hrs.)	Average burden per response (in hrs.)
Coal miners in pretest	80	1	60/60
Coal miners in study	300	2	15/60

Dated: January 25, 2001.

Nancy E. Cheal,

Acting Associate Director for Policy, Planning and Evaluation, Centers for Disease Control and Prevention.

[FR Doc. 01–2651 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention and Agency for Toxic Substance and Disease Registry

American Indian/Alaska Native Governments and Organizations Budget Planning and Priorities; Meeting

The Office of the Director of the Centers for Disease Control and Prevention (CDC) and Agency for Toxic Substance and Disease Registry (ATSDR) announces the following meeting:

Name: Centers for Disease Control and Prevention (CDC) and Agency for Toxic Substances and Disease Registry (ATSDR) American Indian/Alaska Native (AI/AN) Governments and Organizations Budget Planning and Priorities Meeting.

Time and date: 9 a.m.–5 p.m., February 22, 2001.

Place: Roybal Campus, Building 2, Auditorium B, 1600 Clifton Road, Atlanta Georgia 30333.

Status: The meeting is open to the public and is limited only by the space available. The meeting room accommodates approximately 150 people. For those unable to attend the meeting, a toll-free audio bridge has been arranged from 9:00am to 5:00pm. The public comment period is scheduled from 1:30 p.m.–3:00 p.m. Comments and recommendations may be received via audio conference and fax.

Purpose: In accordance with Departmental policy on consultation with (AI/AN) Governments and Organizations, CDC/ATSDR will host this meeting to give AI/AN people an opportunity to present their public health program needs and priorities. The timing of this meeting will allow CDC and ATSDR to consider these needs and priorities in developing the FY 2002 budget request.

Matters To Be Discussed: The agenda will include opening remarks/introductions, testimony of AI/AN leaders, public comments period, break-out sessions and general discussion.

Audio Bridge and Fax Information: Audio bridge telephone number for Non-Federal participants: 1–800–793–8598 Audio bridge telephone number for Federal participants: 404–639–4100. If you are calling from area code 404, 770, or 678, please do not use the 800 number. PASS CODE 987654.

If you are having a problem during your conference, you may press *0 at any time to signal the attendant. If you have questions, about the technical operations of the teleconference equipment, please call 404–639–7550. Fax telephone number for comments and recommendations: 1–800–553–6323.

Conference Code: Host CODE 499823 LISTEN CODE 418007

Date: February 22, 2001.

Audio bridge Conference Time: 8:45 a.m.–5 p.m.

Public Comment Period (Audio and Fax): 1:30 p.m.–3 p.m.

If you have a problem during your audio conference, please call: Non-Federal Participants: 800–793–8598 and Atlanta Area Participants: 404–639–4100.

Contact Person for More Information: Ms. Sam Gerber, Office of the Associate Director for Minority Health, CDC 1600 Clifton Road, M/S D–39, Atlanta, GA 30333, telephone 404–639–7220, fax 404–639–7039, e-mail: SGerber@cdc.gov.

The Director, Management Analysis and Services Office, has been delegated the authority to sign Federal Register notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: January 25, 2001.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 01–2626 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice

Pursuant to the Federal Advisory Committee Act, Public Law 92–463, as amended (5 U.S.C. App. 2), the Centers for Disease Control and Prevention (CDC) announces the establishment by the Secretary of Health and Human Services, January 19, 2001, of the following Federal advisory committee:

Designation: Board of Scientific Counselors, National Center for Health Statistics.

Purpose: The Board of Scientific Counselors, National Center for Health Statistics (NCHS), shall provide advice and make recommendations to the Secretary; the Director, Centers for Disease Control and Prevention (CDC); and the Director, National Center for Health Statistics (NCHS), regarding the scientific and technical program goals and objectives, strategies, and priorities of NCHS. The Board shall provide advice and guidance on statistical and epidemiological research and activities that focus on issues such as: determinants of health; extent and nature of illness and disability, including life expectancy; incidence of various acute and chronic illnesses/impairments and accidental injuries; prevalence of chronic diseases and impairments; infant and maternal morbidity and mortality; nutrition status; environmental, social, and other hazards affecting health status; health resources associated with physician and dental visits, hospitalizations, nursing, are extended facilities, home health agencies, and other health institutions; utilization of health care in a broad array of settings; trends in prices/costs and sources of payments; Federal, State, and local government expenditures for health care services; the relationship between demographic and socioeconomic characteristics and health characteristics; family formation, growth, and dissolution; new or improved methods for obtaining current data on the aforementioned factors; data security and confidentiality and comparability of data; and standardized means to collect information and statistics. Additionally, the Board shall make recommendations about opportunities for NCHS programs to examine and employ new approaches to monitoring and evaluating key public health, health policy, and welfare policy changes, with particular attention to means to automate the collection of data, apply new data processing and analytic tools, and store and disseminate data in a more timely and accessible manner.

Further, the Board may provide second-level scientific and programmatic review for applications for grants-in-aid for research/demonstration and training activities that focus on the above matters. Members will be responsible for surveying the state-of-the-art of their respective disciplines, reporting, as appropriate, to the full committee and recommending convening of workshops or symposia to educate or update all committee members.

Authority for this committee will expire on January 19, 2003, unless the Secretary of Health and Human Services, with the concurrence of the Committee Management Secretariat, General Services Administration, formally determines that continuance is in the public interest.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: January 25, 2001.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 01–2623 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–18–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 01018]

Health Promotion and Disease Prevention Initiatives Related to Chronic Disease Prevention and Health Promotion World Health Organization (WHO); Notice of Availability of Funds

A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of funds for fiscal year (FY) 2001 for a cooperative agreement for Health Promotion and Disease Prevention Initiatives Related to Chronic Disease Prevention and Health Promotion, World Health Organization (WHO) in the areas of research, dissemination of research findings, expertise and best practice information, and health promotion information related to noncommunicable disease, chronic diseases; mental health problems; and leading causes of death, disease and disability that can be significantly reduced through effective community and school health programs. WHO will function as a coordinating agency for a comprehensive research and dissemination effort related to international and country specific public health policy, surveillance system and prevention program development in the public health areas listed above for participating countries.

This program addresses the ''Healthy People 2010,'' priority areas of a national activity to reduce morbidity and mortality and to improve the quality of life. This announcement focuses on the priority areas of HIV Infection, Tobacco, Cancer Prevention, Physical Activity and Fitness, and Educational and Community-Based programs.

The purpose of this program announcement is to promote research, health promotion, and dissemination of expertise and information related to noncommunicable disease, chronic diseases; mental health problems; and leading causes of death, disease and disability that can be significantly reduced through effective community and school health programs.

B. Eligible Applicant

Assistance will be provided only to the World Health Organization (WHO). No other applications are solicited.

WHO is the only international/intergovernmental agency qualified to conduct and coordinate research and programmatic activities under this program announcement because:

1. WHO has a unique position among the world's health agencies as the technical agency for health within the United Nations.
2. WHO has access to all national health promotion and disease prevention programs and potential research sites through its six regional offices located in Washington, DC; Copenhagen, Denmark; Cairo, Egypt; Congo; Delhi, India; Harare, Zimbabwe and Manila, Philippines.
3. WHO is uniquely qualified to conduct and coordinate the research activities, policy and programmatic initiatives that have specific relevance to the objectives of this program announcement and which have the potential to advance knowledge that benefits the United States (U.S.).
4. WHO collaborates with other international organizations and works to accomplish its mission by coordinating research initiatives, disseminating information related to chronic disease program needs and services, recommends and advocates improved policies and programs, and provides consultation and guidance at the international, national, and local level for systems of coordinated care for persons with chronic or disabling conditions.
5. WHO also collaborates with other international organizations and works to accomplish its mission by coordinating research initiatives, disseminating information and expertise related to effective school health programs that significantly reduce the leading causes of death, disease and disability among youth (i.e., injuries, nutritional deficiencies that cause disease, tobacco use, HIV/AIDS and helminth infections). It recommends and advocates for improved school health policies and programs, and provides consultation and guidance at the international, national, and local level for effective school health programs to prevent serious health problems among youth.
6. WHO offers special opportunities for furthering research programs through the use of unique talent resources, populations, or environmental conditions in other countries that are not readily available in the U.S. or that provide augmentation of existing U.S. resources.

C. Availability of Funds

Approximately $1,459,000 will be available in FY 2001 to fund one award in the following projects of special interest:

It is expected that the award will begin on or about April 1, 2001, and will be made for a 12-month budget period within a project period of up to three years. The funding estimate may vary and is subject to change.

D. Where To Obtain Additional Information

Business management technical assistance may be obtained from: Cynthia R. Collins, Grants Management Specialist, Grants Management Branch, Procurement and Grants Office, Program Announcement 01018 Centers for Disease Control and Prevention (CDC), 2920 Brandywine Rd., Room 3000, Atlanta, GA. 30341–5539, Telephone: 770–488–2757, Internet address: coc9@cdc.gov.

For Program technical assistance may be obtained from:

Project 1: School Health Education and HIV Prevention may be obtained from Kenneth Rose. M.P.A., Program Analyst, Project Officer, Division of Adolescent and School Health, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention (CDC), Mail Stop K–29, 4770 Buford Highway, NE., Atlanta, GA 30341, telephone (770) 488–3251, Email: krose@cdc.gov.

Project 2: Global Tobacco Control may be obtained from Samira Asma, D.D.S., M.P.H., Project Officer, Office of Smoking and Health, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention (CDC), Mail Stop K–50, 4770 Buford Highway, NE., Atlanta, GA 30066, telephone (770) 488–5719, Internet address: sea5@cdc.gov.

Project 3: Physical Activity and Health may be obtained from Becky Lankenau, M.P.H, D.P.H, Project Officer, Division of Nutrition and Physical Activity, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention (CDC), Mail Stop K–46, 4770 Buford Highway, NE., Atlanta, GA 30066, telephone (770) 488–5520, Internet address: bhl0@cdc.gov.

Project 4: Adult and Community Health may be obtained from James B. Holt, M.P.A., Deputy Director, Division of Adult and Community Health, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention (CDC), Mail Stop K45, 4770

Buford Highway, NE., Atlanta, GA 30066, telephone (770) 488–5269, Internet address: jgh4@cdc.gov.

Dated: January 25, 2001.

John L. Williams,

Director, Procurement and Grants Office, Centers for Disease Control and Prevention (CDC).

[FR Doc. 01–2624 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 01025]

Public Health Conference Support Cooperative Agreement Program for Human Immunodeficiency Virus (HIV) Prevention; Notice of Availability of Funds

A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2001 funds for a cooperative agreement program for Public Health Conference Support for Human Immunodeficiency Virus (HIV) Prevention. This program addresses the ''Healthy People 2010'' focus area of HIV.

Topics concerned with issues and areas other than HIV prevention should be directed to other public health agencies, or in accordance with the current **Federal Register** notice (see **Federal Register** Notice 01002 [65 FR 43765], published on July 14, 2000).

The purpose of conference support funding is to provide partial support for specific nonfederal conferences in the areas of health promotion and disease prevention information/education programs. Because conference support by CDC creates the appearance of CDC cosponsorship, there will be active participation by CDC in the development and approval of those portions of the agenda supported by CDC funds. CDC funds will not be expended for nonapproved portions of meetings. In addition, CDC will reserve the right to approve or reject the content of the full agenda, press events, promotional materials (including press releases), speaker selection, and site selection.

Contingency awards will be made allowing usage of only 10 percent of the total amount to be awarded until a final full agenda is approved by CDC. This will provide funds to support costs associated with preparation of the agenda. The remainder of funds will be released only upon approval of the final full agenda. CDC reserves the right to terminate cosponsorship if it does not concur with the final agenda.

B. Eligible Applicants

Applications may be submitted by public and private nonprofit organizations and by governments and their agencies; that is, universities, colleges, research institutions, hospitals, other public and private nonprofit organizations, local governments or their bona fide agents, and federally recognized Indian tribal governments, Indian tribes, or Indian tribal organizations. State and local health departments may apply for funding only under Category 2 (See E. Application Content). Conferences planned for July 1, 2001, through June 30, 2003, are eligible. Foreign organizations are not eligible to apply.

Note: Public Law 104–65 states that an organization, described in section 501(c)(4)of the Internal Revenue Code of 1986, that engages in lobbying activities is not eligible to receive Federal funds constituting an award, grant, cooperative agreement, contract, loan or any other form.

C. Availability of Funds

Approximately $200,000 is available in FY 2001 and in FY 2002 to fund approximately 10 to 15 awards each fiscal year. Awards may range from $10,000 to $25,000. Organizations will be funded in rank order within each of the three categories. It is expected that the awards will begin on or before 30 days prior to conference dates falling within each funding cycle, and will be funded for a 12-month budget and project period. Funding estimates may vary and are subject to change. Funding estimates for each fiscal year may change based on congressional appropriation and the availability of funds.

Contingency awards will be made allowing usage of only 10 percent of the total amount to be awarded until a final full agenda is approved by CDC. This will provide funds to support costs associated with preparation of the agenda. The remainder of funds will be released only upon CDC approval of the final full agenda. CDC reserves the right to terminate cosponsorship at any time.

Use of Funds

a. CDC funds may be used for direct cost expenditures: salaries, speaker fees (for services rendered), rental of conference related equipment, registration fees, and transportation costs (not to exceed economy class fares) for nonfederal individuals.

b. CDC funds may not be used to purchase equipment, pay honoraria (for conferring distinction) or organizational dues, support entertainment, personal expenses, travel costs or payment of a Federal employee, or per diem and expenses, other than mileage, for local participants.

c. CDC funds may not be used to reimburse indirect costs.

d. CDC funds may not be used to purchase novelty items (*e.g.*, bags, T-shirts, hats, pens) distributed at meetings.

e. CDC will not fund 100 percent of the proposed conference. Part of the cost of the proposed conference must be supported with nonfederal funds.

f. CDC will not fund a conference after it has taken place.

g. CDC funds may be used for only those parts of the conference specifically supported by CDC as documented on the notice of award.

Funding Preferences

Preference for funding may be given to:

a. conferences sponsored by organizations that serve people of color (*e.g.,* African-American and Hispanic women), or highly affected populations or geographic areas;

b. applications consistent with the CDC national goal of assisting in building and maintaining State, local, and community infrastructure and technical capacity to carry out necessary HIV and STD prevention programs; and

c. health departments collaborating with other State agencies, community-based organizations, or colleges and universities;

No preference will be given to organizations that have received funding in past years.

D. Program Requirements

Development of HIV prevention conferences may require substantial CDC collaboration and involvement. Because conference support by CDC creates the appearance of CDC co-sponsorship, there will be active participation by CDC in the development and approval of the conference agenda. In addition, CDC will reserve the right to approve or reject the content of the full agenda, press events, promotional materials (including press releases), speaker selection, and site selection.

In conducting activities to achieve the purpose of this program, the recipient will be responsible for the activities listed under 1, Recipient Activities, and CDC will be responsible for the activities listed under 2, CDC Activities.

1. Recipient Activities

a. Manage all activities related to conference content (*e.g.*, objectives, topics, participants, session design, workshops, special exhibits, speakers, fees, agenda composition, printing). Many of these items may be developed in concert with CDC personnel assigned to support the conference.

b. Provide draft copies of the agenda and proposed related activities to the CDC Project Officer for review and comment. Submit a copy of the final agenda and proposed related activities to the CDC Grants Management Office for acceptance/approval.

c. Determine and manage all promotional activities (*e.g.*, title, logo, announcements, mailers, press). CDC must review and approve the use of any materials with reference to CDC involvement or support.

d. Manage all registration processes with participants, invites, and registrants (*e.g.*, travel, reservations, correspondence, conference materials and hand-outs, badges, registration procedures).

e. Plan, negotiate, and manage conference site arrangements, including all audio-visual needs.

f. Develop and conduct education and training programs on HIV prevention.

g. If the proposed conference is or includes a satellite broadcast:

(1) Provide individual, on-camera rehearsals for all presenters;

(2) Provide at least one full dress rehearsal involving the moderator, all presenters, equipment, visuals, and practice telephone calls at least one day before the actual broadcast and as close to the actual broadcast time as possible;

(3) Provide full scripting and Teleprompter use for the moderator and all presenters; and

(4) Select a professional moderator.

h. Collaborate with CDC staff in reporting and disseminating results, recommendations, relevant HIV prevention, education and training information to appropriate Federal, State, and local agencies, health-care providers, HIV/AIDS prevention and service organizations, and the general public.

2. CDC Activities

a. Provide technical assistance through telephone calls, correspondence, and site visits in the areas of program agenda development, implementation, and priority setting related to the cooperative agreement.

b. Provide scientific collaboration for appropriate aspects of the program, including selection of speakers, pertinent scientific information on risk factors for HIV infection, preventive measures, and program strategies for the prevention of HIV infection.

c. Review draft agendas; the Grants Management Officer will issue approval or disapproval of the final agenda and proposed related activities prior to release of restricted funds.

d. Assist in the reporting and dissemination of research results and relevant HIV prevention education and training information to appropriate Federal, State, and local agencies, health-care providers, the scientific community, and HIV/AIDS prevention and service organizations, and the general public.

E. Application Content

Organizations should submit separate applications in any of the three following categories:

Category 1—Sharing Lessons Learned From HIV Prevention Program, Behavioral Interventions, or Service Delivery and Networking With Other Organizations and Agencies: Regional, national, or international conferences for individuals or organizations responsible for implementing HIV prevention programs or providing relevant services. The focus will be on information exchange, including lessons learned from program or service delivery, and sharing information about successful or unsuccessful program experiences. Conferences may also provide opportunity for staff of different organizations and agencies, involved in HIV prevention programs and services, to meet and develop joint plans or activities or other collaborations and working relationships.

Category 2—Technical Support for HIV Prevention Program Services for a Defined Population or Geographic Area: Local, statewide, or regional conferences supported by local or State health departments, providing information or training on HIV prevention interventions believed or proven to be effective for a defined population within a specific locality including a State, or multi-state area. The focus will be on technology transfer, guidelines for program implementation, lessons learned from program or service delivery experience, successful program delivery models, and development of professional skills. State and local health departments may apply only under Category 2; and

Category 3—Technology Transfer Training: Regional, national, or international conferences for researchers to impart information or guidelines on how to implement theoretically based or empirically demonstrated behavioral science research.

The main goal is to train health and other professionals in new, innovative, and enhanced behavioral interventions. Universities and colleges may apply under Category 3.

Topics of Special Interest

Prevention of HIV infection related to:

a. Populations in special settings (*e.g.*, correctional institutions, shelters for runaway youth);

b. Under served geographic areas, especially rural populations;

c. People of color (especially African-American and Hispanic women of color);

d. Support of comprehensive primary and secondary prevention programs for persons living with HIV;

Letter Of Intent (LOI)

Interested applicants must submit Letters of Intent (LOIs) to CDC. They will be used to select potential applicants. Upon review of the LOIs, CDC will extend written invitations to prospective applicants to submit applications. CDC will accept applications by invitation only. Availability of funds may limit the number of applicants, regardless of merit, that receive an invitation to submit an application. CDC will notify prospective applicants within 30 days following receipt of the LOI.

Applicants must submit an original and two copies of a two-page typewritten LOI that briefly describes:

a. The application category (1, 2, or 3).

b. The title of the proposed conference.

c. The location of the proposed conference.

d. Proposed conference dates.

e. The purpose of the proposed conference.

f. The intended audience of the proposed conference (number and description).

g. Target population(s) (*e.g.*, youth, women, men who have sex with men [MSM], injecting drug users [IDU] and persons living with HIV).

h. The estimated total cost of the proposed conference.

i. The percentage of the total cost (which must be less than 100 percent) being requested from CDC.

j. The relationship of the conference to CDC TOPICS of special interest above.

Also include the name of the organization, primary contact person's name, mailing address, telephone number, and if available, fax number and e-mail address. Current recipients of CDC HIV funding must provide the award number and title of the funded programs. No attachments, booklets, or

other documents accompanying the LOI will be considered. The two-page limitation (inclusive of letterhead and signatures), must be observed or the letter of intent will be returned without review.

CDC will review the LOIs based on the following criteria:

a. Documented need for the proposed conference;

b. Potential contribution to the prevention of HIV/AIDS;

c. National HIV prevention priorities based on emerging trends in the epidemic:

(1) Prevention of HIV transmission through behavior change.

(2) Providing comprehensive prevention services to persons living with HIV.

(3) Building capacity and enhancing HIV prevention programs for populations at higher risk for infection (e.g., MSM, IDU, and their sex and needle-sharing partners), especially in communities of color.

d. The proposed conference's relationship to the CDC determined topics of special interest;

e. Timing of the conference that will allow for CDC input; and

f. Availability of funds.

Completing Applications

Use the information in sections D. Program Requirements, G. Evaluation Criteria, and H. Other Requirements to develop your application content. (Do not use the instructions in PHS 5161 package to complete your narrative.) Your application will be evaluated on the criteria listed, so it is important to follow them in laying out your program plan.

The narrative should be no more than 12 double-spaced pages, printed on one side, with one-inch margins, and 12-point font. Please write your narrative in English only and do not use jargon and abbreviations. Pages must be clearly numbered, and a complete index to the application and its appendices must be included. The original and two required copies of the application must be submitted Unstapled and Unbound. Materials which should be part of the basic plan should not be in the appendices.

Include the following information:

a. A project summary cover sheet that includes:

(1) Application category (1, 2, or 3).

(2) Name of organization.

(3) Name of conference.

(4) Location of conference.

(5) Date(s) of conference.

(6) Target population(s) (e.g., youth, women, MSM, IDU).

(7) Intended audience and number.

(8) Dollar amount requested.

(9) Total conference budget.

b. Biographical sketches and job descriptions of the individuals responsible for planning and coordinating the conference.

c. A Budget Narrative separately identifying and justifying line items to which the requested Federal funds would be applied.

d. A draft agenda for the proposed conference.

e. Award number and title of funded programs for current recipients of CDC HIV funding. Applicants must not have submitted the same proposal for review for funding to other parts of CDC.

F. Submission and Deadlines

If your conference dates fall between July 1 and December 31, 2001, you can apply under Cycle I.

If your conference dates fall between January 1 and June 30, 2002, you can apply under Cycle II.

If your conference dates fall between July 1 and December 31, 2002, you can apply under Cycle III.

If your conference dates fall between January 1 and June 30, 2003, you can apply under Cycle IV.

Letter of Intent Due Dates:

Cycle I: February 16, 2001: For conferences July 1–December 31, 2001.

Cycle II: July 13, 2001: For conferences January 1–June 30, 2002.

Cycle III: January 18, 2002: For conferences July 1–December 31, 2002.

Cycle IV: July 19, 2002: For conferences January 1–June 30, 2003.

On or before the above dates. Submit the original and two signed copies of the LOI to: Edna Green, Grants Management Specialist, Grants Management Branch, Procurement and Grants Office, Announcement 01025, Centers for Disease Control and Prevention, 2920 Brandywine Road, M/S K–75, Room 3000, Atlanta, GA 30341–4146.

If your LOI does not arrive in time for submission to the review group, it will not be considered in the current competition unless you can provide proof that you mailed it on or before the deadline (e.g., receipt from U.S. Postal Service or a commercial carrier; private metered postmarks are not acceptable).

Application

Submit the original and two copies of PHS 5161 (OMB Number 0937–0189). Forms are available at the following Internet address: http://forms.psc.gov/forms/phs/ps5161–1.pdf or in the application kit.

Note: Please use the criteria listed in section G of this announcement as the format for the narrative of your application.

Application Due Dates and Earliest Possible Award Dates

Cycle I: March 30, 2001—June 1, 2001
Cycle II: September 14, 2001—November 2, 2001
Cycle III: March 15, 2002—May 15, 2002
Cycle III: September 13, 2002—November 1, 2002

On or before the above dates, submit the application to the Grants Management Specialist identified in the ''Where to Obtain Additional Information'' section of this announcement.

Deadline: Applications shall be considered as meeting the deadline if they are either:

(a) Received on or before the deadline date; or

(b) Sent on or before the deadline date and received in time for submission to the independent review group. (Applicants must request a legibly dated U.S. Postal Service postmark or obtain a legibly dated receipt from a commercial carrier or U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing.)

Late Applications: Applications which do not meet the criteria in (a) or (b) above are considered late applications, will not be considered, and will be returned to the applicant.

G. Evaluation Criteria

Letter of Intent

LOIs will be reviewed by CDC and an invitation to submit a full application will be made based on the following criteria:

1. Documented need for the proposed conference;

2. Potential contribution to the prevention of HIV/AIDS;

3. National HIV prevention priorities based on emerging trends in the epidemic:

a. Prevention of HIV transmission through behavior change.

b. Providing comprehensive prevention services to persons living with HIV.

c. Building capacity and enhancing HIV prevention programs for populations at higher risk for infection (*e.g.*, MSM, IDU, and their sex and needle-sharing partners), especially in communities of color.

4. The proposed conference's relationship to the CDC determined topics of special interest;

5. Timing of the conference that will allow for CDC input; and

6. Availability of funds.

Application Narrative

Each application will be evaluated individually against the following

criteria (TOTALING 100 POINTS) by an independent review group appointed by CDC. Use these headings in preparing your application.

1. Category-Specific Criterion (20 points):

a. If Applying Under Category 1—Sharing Lessons Learned From HIV Prevention Program, Behavioral Interventions, or Service Delivery and Networking With Other Organizations and Agencies: Extent to which the applicant provides evidence that participants and presenters will have the opportunity to interact during the conference, share information on successful and unsuccessful program experiences, and develop collaborative working relationships.

b. If Applying Under Category 2—Technical Support for HIV Prevention Program Services for a Defined Population or Geographic Area: Extent to which the applicant specifically relates the content of the conference to HIV prevention community planning priorities for a defined population, or within a specific geographic area, and the extent to which the Applicant justifies the need for the proposed conference.

c. If Applying Under Category 3—Technology Transfer Training: Extent to which the applicant demonstrates the scientific soundness of the technology to be transferred, as evidenced by its inclusion in HIV prevention research publications, peer reviewed journals, or scientific consensus panel review, and the extent of the need for applying the new technology or knowledge by HIV prevention programs.

The following criteria apply to all applications:

2. Proposed Program and Technical Approach (30 points):

a. The extent to which the proposed conference description demonstrates a relationship to HIV prevention and education, responds to a specific public health need, influences public health practices, and indicates collaboration with other agencies serving the intended audience, including local health and education agencies concerned with HIV prevention.

b. The applicant's description of conference objectives in terms of quality, specificity, and the feasibility of the conference based on the operational plan, and the extent to which evaluation mechanisms for the conference adequately assess increased knowledge, attitudes, and behaviors of the target participants.

c. The relevance and effectiveness of the proposed agenda in addressing the chosen HIV prevention and education topic(s).

d. The degree to which conference activities proposed for CDC funding strictly adhere to the prevention of HIV transmission. For conferences dealing with people living with HIV/AIDS; the degree to which conference activities focus on primary and secondary prevention goals.

3. Applicant Capability and Experience (25 points):

a. The adequacy and commitment of institutional resources to administer the program for the proposed conference.

b. The adequacy of existing and proposed facilities and resources for conducting conference activities.

c. The degree to which the applicant has established and used critical linkages with health and education departments, and community planning groups with the mandate for HIV prevention. Letters of support (limit of five) from such agencies which address related capability and experience should be included. They must explain how the agency will work with the applicant to plan the proposed conference. Letters that do not pertain directly to the proposed conference will not be considered.

4. Qualifications of Program Personnel (25 points):

a. The qualifications, experience, and commitment of the principal staff person, and his or her ability to devote adequate time and effort to provide effective leadership.

b. The competence of associate staff persons, discussion leaders, and speakers to accomplish conference objectives.

c. The degree to which the application demonstrates that all key personnel have education and expertise relative to the conference objectives, are informed about the transmission of HIV, and understand nationwide information and education efforts currently underway that may affect, and be affected by, the proposed conference.

5. Budget Justification and Adequacy of Facilities (not scored): The proposed budget will be evaluated on the basis of its reasonableness, concise and clear justification, consistency with the intended use of cooperative agreement funds, and the extent to which the applicant documents financial support from other sources.

H. Other Requirements

Technical Reporting Requirements

Provide CDC with the original plus two copies of the final financial status report (reporting actual expenses) and performance report, no more than 90 days after the end of the budget/project period. The performance report should include:

1. The cooperative agreement number;
2. Title of the conference;
3. Name of the principal investigator, program director or coordinator;
4. Name of the organization that conducted the conference;
5. A copy of the agenda;
6. A list of individuals who participated in the formally planned sessions of the meeting;
7. A summarization of the meeting results, including a discussion of its achievement of the stated conference objectives; and
8. The Program Review Panel's report that all written materials have been reviewed as required.

With the prior approval of CDC, copies of proceedings or publications resulting from the conference may be substituted for the final performance report, provided they contain the information requested in items 1 through 8 above.

Send all reports to the Grants Management Specialist identified in the ''Where to Obtain Additional Information'' section of this announcement.

The following additional requirements are applicable to this program. For a complete description of each, see Attachment I in the application kit.

AR–5HIV Program Review Panel Requirements
AR–8 Public Health System Reporting Requirements
AR–9 Paperwork Reduction Act Requirements
AR–10 Smoke-Free Workplace Requirements
AR–11 Healthy People 2010
AR–12 Lobbying Restrictions
AR–1 Proof of Non-Profit Status
AR–20 Conference Support

See Attachment II for Background Statement

I. Authority and Catalog of Federal Domestic Assistance Number

This program is authorized under the Public Health Service Act, Section 301(a), 42 U.S.C. 241(a), as amended and Section 317(a), 42 U.S.C. 247b(a), as amended. The Catalog of Federal Domestic Assistance number is 93.941.

J. Where To Obtain Additional Information

This and other CDC announcements can be found on the CDC home page Internet address—*http://www.cdc.gov*. Click on ''Funding'' then ''Grants and Cooperative Agreements.''

To receive additional written information and to request an application kit, call 1–888–GRANTS4

(1–888–472–6874). You will be asked to leave your name and address, and will be instructed to identify the Announcement number of interest (Announcement 01025).

If you have questions after reviewing the contents of all the documents, business management technical assistance may be obtained from: Edna Green, Grants Management Specialist, Grants Management Branch, Procurement and Grants Office, Announcement 01025, Centers for Disease Control and Prevention, 2920 Brandywine Road, Room 3000, Atlanta, GA 30341–4146, Telephone (404) 488–2743, E-mail address *ecg4@cdc.gov*.

For program technical assistance, contact: Sheila Isoke, Supervisory Public Health Advisor, Training and Technical Support Systems Branch, Division of HIV/AIDS Prevention—Intervention Research and Support, National Center for HIV, STD and TB Prevention, 1600 Clifton Road, NE., M/S E40, Atlanta, GA 30333, Telephone: (404) 639–0962, E-mail address: *shc1@cdc.gov*.

Dated: January 19, 2001.

Sandra R. Manning,

Acting Director, Procurement and Grants Office, Centers for Disease Control and Prevention (CDC).

[FR Doc. 01–2268 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention (CDC)

Advisory Committee for Injury Prevention and Control, Centers for Disease Control and Prevention: Notice of Charter Renewal

This gives notice under the Federal Advisory Committee Act (Pub. L. 92–463) of October 6, 1972, that the charter for the Advisory Committee for Injury Prevention and Control of the Centers for Disease Control and Prevention, Department of Health and Human Services, has been renewed for a 2-year period, through October 31, 2002.

FOR FURTHER INFORMATION CONTACT: Thomas Blakeney, 1600 Clifton Road, NE, M/S K58, Atlanta, Georgia 30333, telephone 770/488–1481.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: January 25, 2001.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 01–2625 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

The National Center for Environmental Health (NCEH) of the Centers for Disease Control and Prevention (CDC) Announces the Following Meeting

Name: Current Status of the Vessel Sanitation Program (VSP) and Experience to Date with Program Operations—Public meeting between CDC and the cruise ship industry, private sanitation consultants, and other interested parties.

Time and Date: 9 a.m.–4 p.m., March 13, 2001.

Place: Auditorium, Port Everglades Administration Building, 1850 Eller Drive, Fort Lauderdale, Florida 33316. Telephone (954) 356–6650; Fax (954) 356–6671.

Status: Open to the public, limited by the space available. The meeting room accommodates approximately 100 people.

Purpose: During the past 15 years, as part of the revised VSP, CDC has conducted a series of public meetings with members of the cruise ship industry, private sanitation consultants, and other interested parties.

This meeting is a continuation of that series of public meetings to discuss current status of the VSP and experience to date with program operations.

Matters To Be Discussed: Agenda items will include a VSP Program Director Update; 2000 Program Review; Update on the implementation of the VSP Program Operations Manual 2000; Revision of the Final Recommended Shipbuilding Construction Guidelines for Cruise Vessels Destined to Call on U.S. Ports; Update on Disease Surveillance and Outbreak Investigations; and VSP Training Seminars.

For a period of 15 days following the meeting, through March 28, 2001, the official record of the meeting will remain open so that additional materials or comments may be submitted to be made part of the record of the meeting. Advanced registration is encouraged. Please provide the following information: Name, title, company name, mailing address, telephone number, facsimile number and E-mail address to Dorothy Johnson, facsimile (770)488–4127 or E-mail: DJJohnson@cdc.gov.

Contact Person for More Information: Dave Forney, Chief, VSP, NCEH, CDC, 4770 Buford Highway, NE, M/S F–16, Atlanta, Georgia 30341–3724, telephone (770)488–7333, E-mail: DForney@cdc.gov.

The Director, Management Analysis and Services office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: January 25, 2001.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 01–2627 Filed 1–30–01; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 01D–0037]

Draft ''Guidance for Industry: Pre-Storage Leukocyte Reduction of Whole Blood and Blood Components Intended for Transfusion;'' Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft document entitled ''Guidance for Industry: Pre-Storage Leukocyte Reduction of Whole Blood and Blood Components Intended for Transfusion.'' The draft guidance document provides recommendations on manufacturing and quality assurance applicable to pre-storage leukocyte reduction of blood components intended for transfusion. This draft guidance document describes manufacturing procedures and controls that should be in place and would supersede the FDA memorandum issued on May 29, 1996, entitled ''Recommendations and Licensure Requirements for Leukocyte-Reduced Blood Products.''

DATES: Submit written comments on the draft guidance at any time, however, comments should be submitted by May 1, 2001, to ensure their adequate consideration in preparation of the final guidance document.

ADDRESSES: Submit written requests for single copies of ''Guidance for Industry: Pre-Storage Leukocyte Reduction of Whole Blood and Blood Components Intended for Transfusion'' to the Office of Communication, Training, and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 1401 Rockville Pike, suite 200N, Rockville, MD 20852–1448. Send one self-addressed adhesive label to assist the office in processing your

requests. The document may also be obtained by mail by calling the CBER Voice Information System at 1–800–835–4709 or 301–827–1800, or by fax by calling the FAX Information System at 1–888–CBER–FAX or 301–827–3844. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

Submit written comments on the document to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Requests and comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Nathaniel L. Geary, Center for Biologics Evaluation and Research (HFM–17), Food and Drug Administration, 1401 Rockville Pike, suite 200N, Rockville, MD 20852–1448, 301–827–6210.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft document entitled ''Guidance for Industry: Pre-Storage Leukocyte Reduction of Whole Blood and Blood Components Intended for Transfusion.'' The draft guidance document provides FDA recommendations regarding leukocyte reduction and provides information to assist licensed facilities in filing supplements to their biologics licenses to include leukocyte reduced products.

This draft guidance document describes the manufacturing procedures and controls applicable to pre-storage leukocyte reduced blood components for transfusion. Additionally, the agency would streamline the licensing procedure for leukocyte reduced products in order to assist blood establishments in making pre-storage leukocyte reduced products more widely available.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115; 65 FR 56468, September 19, 2000). This draft guidance document represents the agency's current thinking on the leukocyte reduction of blood components intended for transfusion. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirement of the applicable statute and regulations. As with other guidance documents, FDA does not intend this document to be all-inclusive and cautions that not all information may be applicable to all situations. The document is intended to provide information and does not set forth requirements.

II. Comments

This draft document is being distributed for comment purposes only and is not intended for implementation at this time. Interested persons may submit to the Dockets Management Branch (address above) written comments regarding this draft guidance document. Written comments may be submitted at any time, however, comments should be submitted by May 1, 2001, to ensure adequate consideration in preparation of the final document. Two copies of any comments are to be submitted, except individuals may submit one copy. Comments should be identified with the docket number found in brackets in the heading of this document. A copy of the document and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

III. Electronic Access

Persons with access to the Internet may obtain the draft guidance document at http://www.fda.gov/cder/guidance/index.htm or at http://www.fda.gov/cber/guidelines.htm.

Dated: January 22, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–2584 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 01D–0033]

Draft Guidance for Industry on Providing Regulatory Submissions in Electronic Format, Prescription Drug Advertising and Promotional Labeling; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled ''Providing Regulatory Submissions in Electronic Format—Prescription Drug Advertising and Promotional Labeling.'' The draft guidance discusses how to submit promotional materials in electronic format to the Center for Drug Evaluation and Research (CDER) and the Center for Biologics Evaluation and Research (CBER). This draft guidance is one of a series of guidances being developed by the agency to assist applicants who wish to make regulatory submissions in electronic format. Although submissions in electronic format are voluntary, the agency encourages them as a way to improve the efficiency of handling and reviewing documents and data.

DATES: Submit written comments on the draft guidance by April 2, 2001. General comments on agency guidance documents are welcome at any time.

ADDRESSES: Copies of this draft guidance are available on the Internet at http://www.fda.gov/cder/guidance/index.htm or http://www.fda.gov/cber/guidelines.htm. Written requests for copies of the draft guidance should be submitted to the Drug Information Branch (HFD–210), Center for Drug Evaluation and Research, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; or the Office of Communication, Training and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, Fax: 1–888–CBERFAX or 301–827–3844. Send one self-addressed adhesive label to assist the office in processing your request. Submit written comments on the draft guidance to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT:

Warren F. Rumble, Center for Drug Evaluation and Research (HFD–001), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–2831, Rumblew@cder.fda.gov. or

Michael B. Fauntleroy, Center for Biologic Evaluation and Research (HFM–99), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852, 301–827–5101, esubprep@cber.fda.gov

SUPPLEMENTARY INFORMATION: Traditionally, regulations have required that submissions, such as investigational new drug application (IND's) and new drug applications (NDA's), be submitted as paper documents. In the **Federal Register** of March 20, 1997 (62 FR 13430), FDA published the electronic records and electronic signatures regulation, which provided for the voluntary submission of parts or all of an application, as defined in the relevant regulations, in electronic format without an accompanying paper copy (21 CFR part 11). The agency also established public Docket No. 92S–0251 to provide a list of

the agency unit(s) that are prepared to receive electronic submissions and the specific types of records and submissions that can be accepted in electronic format (62 FR 13467, March 20, 1997).

In the **Federal Register** of January 28, 1999 (64 FR 4433), CDER and CBER jointly published a guidance entitled ''Providing Regulatory Submissions in Electronic Format--General Considerations.'' Since that time, CDER and CBER have included NDA's and BLA's on the docket as submission types that we are able to accept in electronic format.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115; 65 FR 56468, September 19, 2001). This draft guidance represents the agency's current thinking on providing promotional materials in electronic format to CDER and CBER. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes, regulations, or both.

Interested persons may submit to the Dockets Management Branch (address above) written comments on the draft guidance. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments and requests are to be identified with the docket number found in brackets in the heading of this document. The draft guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. As in the past, applicants planning to make submissions in electronic format should consult public Docket No. 92S–0251 to determine which agency units are prepared to receive electronic submissions and the specific types of documents that can be submitted in electronic format.

Dated: January 24, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–2631 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–01–S

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: The Health Education Assistance Loan (HEAL) Program: Physician's Certification of Borrower's Total and Permanent Disability Form (OMB No. 0915–0204)—Revision

The Health Education Assistance (HEAL) program provided federally-insured loans to students in schools of allopathic medicine, osteopathic medicine, dentistry, veterinary medicine, optometry, podiatric medicine, pharmacy, public health, allied health, or chiropractic, and graduate students in health administration or clinical psychology through September 30, 1998. Eligible lenders, such as banks, savings and loan associations, credit unions, pension funds, State agencies, HEAL schools, and insurance companies, make new refinanced HEAL loans which are insured by the Federal Government against loss due to borrower's death, disability, bankruptcy, and default. The basic purpose of the program was to assure the availability of funds for loans to eligible students who needed to borrow money to pay for their educational loans. Currently, the program refinances previous HEAL loans, monitors the Federal liability, and assists in default prevention activities. The HEAL borrower, the borrower's physician, and the holder of the loan completes the Physician's Certification form to certify that the HEAL borrower meets the total and permanent disability provisions.

The Department uses this form to obtain detailed information about disability claims which includes the following: (1) The borrower's consent to release medical records to the Department of Health and Human Services and to the holder of the borrower's HEAL loans, (2) pertinent information supplied by the certifying physician, (3) the physician's certification that the borrower is unable to engage in any substantial gainful activity because of a medically determinable impairment that is expected to continue for a long and indefinite period of time or to result in death, and (4) information from the lender on the unpaid balance. Failure to submit the required documentation will result in disapproval of a disability claim.

The estimate of burden for the Physician's Certification form is as follows:

Type of respondent	Number of respondents	Responses per respondent	Total responses	Minutes per responses	Total burden hours
Borrower*	117	1	117	5	10
Physician	117	1	117	30	58.5
Loan Holder	20	5.85	117	10	19.5
Total	254		351		88

*Includes 2 categories of borrowers requesting disability waivers: (1) whose loans have previously defaulted and (2) whose loans have not defaulted.

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: John Morrall, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 26, 2001.

Jane M. Harrison,

Director, Division of Policy Review and Coordination.

[FR Doc. 01–2691 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–15–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions and Delegations of Authority

This notice amends part R of the Statement of Organization Functions and Delegations of Authority of the Department of Health and Human Services (DHHS), Health Resources and Services Administration (HRSA) as most recently amended at (60 FR 56605, November 6, 1995 as last amended at 65 FR 70358–9, dated November 22, 2000).

This notice is to amend the functional statement for the Office of the Administrator. The Center for Quality will operate from the Immediate Office of the Administrator. Although not part of the formal organizational structure, this center provides a flexible, mechanism for HRSA to focus on significant projects and crosscutting efforts. This notice also reflects the organizational changes in the Office of Planning, Evaluation and Legislation (RA5); establishes the Office of International Health Affairs (RAD); and changes the Center for Managed Care to the Center for Health Services Financing and Managed Care (RAC).

Section RA–00, Mission

The Health Resources and Services Administration (HRSA) directs national health programs which improve the health of the Nation by assuring quality health care to underserved, vulnerable and special-need populations and by promoting appropriate health professions workforce capacity and practice, particularly in primary care and public health.

Section RA–10 Organization

The Office of the Administrator is headed by the Administrator, Health Resources and Services Administration (OA) who reports directly to the Secretary. The OA includes the following components:

(1) Immediate Office of the Administrator (RA);

(2) Office of Equal Opportunity and Civil Rights (RA2);

(3) Office of Planning, Evaluation and Legislation (RA5);

(4) Office of Communications (RA6);

(5) Office of Minority Health (RA9);

(6) Office for the Advancement of Telehealth (RAB);

(7) Center for Health Services Financing and Managed Care (RAC); and

(8) Office of International Health Affairs (RAD)

A. Amend the functional statement for the Immediate Office of the Administrator.

Immediate Office of the Administrator (RA)

Leads and directs programs and activities of the Agency and advises the Office of the Secretary of Health and Human Services on policy matters concerning them; (2) provides consultation and assistance to senior Agency officials and others on clinical and health professional issues; (3) serves as the Agency's focal point on efforts to strengthen the practice of public health as it pertains to the HRSA mission; and (4) establishes and maintains communications with health organizations in the public and private sectors to support the mission of HRSA.

B. In the Office of Planning, Evaluation and Legislation (RA5) amend the functional statements for the Immediate Office of the Director, the Division of Information and Analysis and establish the Division of Data Policy as follows:

Immediate Office of the Director (RA5)

Serves as the Administrator's primary staff unit for coordinating the agency's strategic, evaluation and research planning processes; (2) oversees communication and maintains liaison between the Administrator, other OPDIVs, higher levels of the Department and other Departments on all matters involving analysis of program policy undertaken in the Agency; (3) prepares policy analysis papers and other planning documents as required in the Administration's strategic planning process; (4) analyzes budgetary data with regard to planning guidelines; (5) collaborates with Office of Management and Program Support in the development of budgets, performance plans, and performance reports required under the Government Performance and Results Act (GPRA); and (6) coordinates activity related to the prevention agenda and Healthy People 2010 activities; and analyzes and coordinates the information needs of the agency.

Division of Information and Analysis (RA52)

Serves as the Administrator's primary staff unit and principal source of advice on program information and analysis; (2) oversees communications between the Administrator and higher levels of the Department on all matters that involve analysis of program policy; (3) maintains liaison with other Federal and non-federal health agencies on matters within its area of responsibility; (4) in conjunction with the Director of Planning and Evaluation, provides technical assistance to support the statistical, economic, cost benefit, and other scientific analyses of policy questions undertaken in the Agency; (5) supports development of long-range objectives and strategies; (6) assesses and analyzes trends and makes forecasts about health services systems for use in the program management and decision making process; (7) utilizes ongoing information systems to analyze data about the Agency's programs; (8) performs analyses of the impact of Agency programs on specific groups within the population, including minorities, and develops appropriate solutions to problems of illness and disease; and (9) coordinates the Administration's public use reports clearance function.

Division of Data Policy (RA54)

Serves as the Administrator's primary staff unit for coordinating the HRSA program-related information needs of the agency; (2) identifies for the Administrator data required for use in the management and direction of Agency programs; (3) coordinates ongoing information systems which make available data for analysis of the Agency's programs; (4) in conjunction with the Office of Information Technology and agency programs, coordinates the data content of new information management systems and the agency data warehouse; (5) develops and coordinates a program-specific information strategy for the agency; (6) develops an agency approach to optimizing geographic information systems (GIS) technology for internal use; (7) coordinates cross-cutting data activities such as the HRSA State Profiles; and (8) maintains liaison with other Federal and non-Federal health agencies on matters within its areas of responsibility.

C. Establish the Office of International Health Affairs in the Office of the Administrator to read as follows:

The Office of International Health Affairs (RAD)

The Office of International Health Affairs serves as the focal point within the Health Resources and Services Administration (HRSA) for leadership, coordination, and advancement of international health activities relating to health care services for vulnerable and at-risk populations and for training programs for health professionals. The Office carries out the following functions in coordination with the Department and State Department and to the extent authorized by laws within the authority of HRSA. Specifically:

Provides leadership within HRSA for the coordination of and support for international health in coordinating policy development with other Departmental agencies; (2) provides technical and other support to HRSA components as they interface with Departmental international health activities; (3) develops working relationships with private sector providers and HRSA grantees to assure mutual areas of cooperation, maximization of expertise and coordination as it relates to international health (4) advises the HRSA Administrator on strategies to maximize the participation of the Agency and its Bureaus in international health programs and activities; (5) works with foundations, private agencies and other Federal, State, and local agencies for the effective development of policies and resources relating to health care for vulnerable populations world-wide; and (6) coordinates international travel and visitor programs within the jurisdiction of HRSA.

D. Change the name of the Center for Managed Care to the Center for Health Services Financing and Managed Care. The functions for this organization have not changed.

Delegations of Authority

All delegations and redelegations of authority which were in effect immediately prior to the effective date hereof, have been continued in effect in them or their successors pending further redelegation.

Dated: January 17, 2001.

This reorganization is effective upon date of signature.

Claude Earl Fox,

Administrator.

[FR Doc. 01–2585 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–15–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions, and Delegations of Authority

This notice amends Part R of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (DHHS), Health Resources and Services Administration (60 FR 56605 as amended November 6, 1995, as last amended at 65 FR 70358–9, dated November 22, 2000).

This notice reflects the functional changes in the Division of Interdisciplinary and Community Based Programs (RPE), and the Division of Public Health and Allied Health (RPB), Bureau of Health Professions (RP).

Make the following changes:

1. Delete the functional statement for the Division of Interdisciplinary and Community Based Programs in its entirety and replace with the following:

Division of Interdisciplinary and Community Based Programs (RPE)

Serves as the principal focal point for specialized DHHS interagency projects, HRSA initiatives and Bureau of Health Professions interdivisional activities. Specifically: (1) Promotes, designs, supports and administers activities relating to the planning and development of nationally integrated health professions education programs; (2) administers special projects of the Office of the Secretary, such as the primary Care Policy Fellowship Program and the Secretary's Award Program for Innovations in Health Promotion and Disease Prevention; (3) promotes, plans and develops collaborative, interdisciplinary activities in the speciality areas of behavioral/mental health, rural health, geriatrics and the associated health professions, including veterinary medicine, optometry, and pharmacy; allied health professions, including physical therapy, occupational therapy, medical technology, dental hygiene, respiratory therapy, radiography, radiation therapy, emergency medical technicians, and a long list of similar professionals; chiropractic health care; social workers, especially in medical settings; clinical psychology; mental health workers; and other new and developing health disciplines; (4) promotes quality improvement in health professions education through collaboration and partnerships with national and international institutes and centers for quality improvement; (5) promotes and supports academic-community partnerships whose goal is the development of interdisciplinary, community-based programs designed to improve access to health care through improving the quality of health professions education and training; (6) collaborates with relevant offices of the Bureau, HRSA and the Department; and (7) maintains liaison with related professional groups, foundations, and other private and government organizations as needed.

2. Abolish the Division of Public Health and Allied Health. These functions are being redistributed within the bureau.

Delegations of Authority

All delegations and redelegations of authority which were in effect immediately prior to the effective date hereof have been continued in effect in them or their successors pending further redelegations.

This reorganization is effective upon date of signature.

Dated: January 7, 2001.

Claude Earl Fox,

Administrator.

[FR Doc. 01–2587 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions, and Delegations of Authority

This notice amends Part R of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (DHHS), Health Resources and Services Administration (60 FR 56605 as amended November 6, 1995, as last amended at 65 FR 70358–9, dated November 22, 2000).

This notice reflects the functional changes in the Division of Vaccine Injury Compensation (RP9), Bureau of Health Professions (RP).

Delete the functional statement for the Division of Vaccine Injury Compensation in its entirety and replace with the following:

The Division of Vaccine Injury Compensation (RP9) (DVIC), on behalf of the Secretary of Health and Human Services (HHS), administers all statutory authorities related to the operation of the National Vaccine Injury Compensation Program (VICP) by the (1) evaluation of petitions for compensation filed under the VICP through medical review and assessment of compensability for all complete claims; (2) processing of awards for compensation made under the VICP; (3) promulgation of regulations to revise the Vaccine Injury Table; (4) provision of professional and administrative support to the Advisory Commission on Childhood Vaccines (ACCV); (5) development and maintenance of all automated information systems necessary for program implementation; (6) provision and dissemination of program information; (7) promotion of safer childhood vaccines; and (8) maintains a working relationship with other Federal and private sector partners

in the administration and operation of the VICP.

Delegations of Authority

All delegations and redelegations of authority which were in effect immediately prior to the effective date hereof have been continued in effect in them or their successors pending further redelegations.

This reorganization is effective upon date of signature.

Dated: January 17, 2001.

Claude Earl Fox,

Administrator.

[FR Doc. 01–2586 Filed 1–30–01; 8:45 am]

BILLING CODE 4160–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; 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 Advisory Committee on Research on Minority Health.

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: Advisory Committee on Research on Minority Health.

Date: February 9, 2001.

Time: 8:30 a.m. to 5 p.m.

Agenda: Agenda items include: 1) Minority Health Initiatives FY 2000, 2) Presentations by ORMH Staff, 3) Director's Report and 4) Report of the Committee Chair.

Place: National Institutes of Health, Natcher Building, Room C1 and C2, Bethesda, MD 20892.

Contact Person: Jean L. Flagg-Newton, PhD, Special Assistant to the Associate Director, Office of Research on Minority Health, National Institutes of Health, Building 1, Room 256, 9000 Rockville Pike, Bethesda, MD 20892, (301) 402–2518.

This meeting is being published less than 15 days prior to the meeting due to scheduling conflicts.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2664 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer 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 President's Cancer Panel.

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: President's Cancer Panel.

Date: March 8–9, 2001.

Time: March 8, 2001, 9:00 AM to 5:00 PM.

Agenda: Improving Cancer Care for All: Real People—Real Problems.

Place: Hyatt Regency Hotel, 330 Tijeras, NW., Albuquerque, NM 87102.

Time: March 8, 2001, 7:30 PM to 9:00 PM.

Agenda: Town Hall Meeting.

Place: Hyatt Regency Hotel, 330 Tijeras, NW., Albuquerque, NM 87102.

Time: March 9, 2001, 9:00 AM to 4:00 PM.

Agenda: Improving Cancer Care for All: Real People—Real Problems.

Place: Hyatt Regency Hotel, 330 Tijeras, NW., Albuquerque, NM 87102.

Contact Person: Maureen O. Wilson, PhD, Executive Secretary, National Cancer Institute, National Institutes of Health, 31 Center Drive, Building 31, Room 4A48, Bethesda, MD 20892, 301/496–1148.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2661 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer 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 Advisory Committee to the Director, National Cancer Institute.

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: Advisory Committee to the Director, National Cancer Institute.

Date: February 12, 2001.

Time: 1 p.m. to 2:30 p.m.

Agenda: The purpose of this meeting will be to discuss the Pancreatic Cancer Progress Group Report.

Place: National Cancer Institute, National Institutes of Health, 9000 Rockville Pike, Building 31, Room 11A03, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Susan J. Waldrop, Executive Secretary, National Institutes of Health, National Cancer Institute, Office of Science Policy, Bethesda, MD 20892, 301/496–1458.

This meeting is being published less than 15 days prior to the meeting due to scheduling conflicts.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2667 Filed 1–30–01; 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 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 Research Resources Special Emphasis Panel, Comparative Medicine.

Date: February 7, 2001.

Time: 1 p.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: Office of Review, National Center for Research Resources, 6705 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Camille M. King, PhD, Scientific Review Administrator, Office of Review, National Center for Research Resources, National Institutes of Health, One Rockledge Center, MSC 7965, 6705 Rockledge Drive, Suite 6018, Bethesda, MD 20892–7965, (301) 435–0815, *kingc@ncrr.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.

Name of Committee: National Center for Research Resources Special Emphasis Panel, General Clinical Research Center.

Date: February 12, 2001.

Time: 8 p.m. to Adjournment.

Agenda: To review and evaluate grant applications.

Place: Gaithersburg Marriott, Washingtonian Center, 9751 Washingtonian Blvd., Gaithersburg, MD 20878.

Contact Person: John J. Ryan, PhD, Scientific Review Administrator, Office of Review, National Center for Research Resources, 6705 Rockledge Drive, MSC 7965, Room 6018, Bethesda, MD 20892–7965, 301–435–0822.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycles.

(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: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2656 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Alternative Medicine; Notice of 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 National Advisory Council for Complementary and Alternative Medicine (NACCAM).

The meeting 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 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/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 and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council for Complementary and Alternative Medicine.

Date: February 5, 2001.

Open: 8:30 a.m. to 3:20 p.m.

Agenda: The agenda includes the director's Report, training on Women and Minorities in Human Subject Research, a presentation on CAM on PUBMED, status of current initiatives, Public Comments, and other business of the Council.

Closed: 3:20 p.m to adjournment.

Agenda: To review and evaluate grant applications and/or proposals.

Place: NIH Neuroscience Office Building, 6001 Executive Blvd., Rockville, MD 20892.

Contact Person: Richard Nahin, Ph.D., Executive Secretary, National Center for Complementary and Alternative Medicine, National Institutes of Health, 6707 Democracy Blvd., Suite 106, Bethesda, MD 20892, 301/496–4792.

The public comments session is scheduled on from 1:00–1:30 pm. Each speaker will be permitted 5 minutes for their presentation. Interested individuals and representatives of organizations are requested to notify Dr. Richard Nahin, National Center for Complementary and Alternative Medicine, NIH, 6707 Executive Boulevard, Suite 106, Bethesda, Maryland 20892, 301–496–4792, Fax: 301–480–3621. Letters of intent to present comments, along with a brief description of the organization represented, should be received no later than 5:00 pm on February 1, 2001. Only one representative of an organization may present oral comments. Any person attending the meeting who does not request an opportunity to speak in advance of the meeting may be considered for oral presentation, if time permits, and at the discretion of the Chairperson. In addition, written comments may be submitted to Dr. Nahin at the address listed above up to ten calendar days (February 15, 2001) following the meeting.

Copies of the meeting agenda and the roster of members will be furnished upon request by Dr. Richard Nahin, Executive Secretary, NACCAM, National Institutes of Health, 6707 Democracy Boulevard, Suite 106, Bethesda, Maryland 20892, (301) 496–4792, Fax 301–480–3621.

This meeting is being published less that 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy, NIH.

[FR Doc. 01–2662 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of 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 a meeting of the National Advisory Council for Human Genome Research.

The meeting 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 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 Advisory Council for Human Genome Research.

Date: February 13, 2001.

Open: 8:30 AM to 10:30 AM.
Agenda: To discuss matters of program relevance.
Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.
Closed: 10:30 AM to Adjournment.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.
Contact Person: Elke Jordan, PhD, Deputy Director, National Human Genome Research Institute, National Institutes of Health, PHS, DHHS, 31 Center Drive, Building 31, Room 4B09, Bethesda, MD 20892, 301 496–0844.
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. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2671 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; 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 of Environmental Health Sciences Special Emphasis Panel, Program Project Grants (P01s).
Date: March 4–6, 2001.
Time: 7:00 PM to 12:00 PM.
Agenda: To review and evaluate grant applications.
Place: Regal Maxwell House Hotel, 2025 Metro Center Blvd., Nashville, TN 37228.
Contact Person: Linda K. Bass, PhD, Scientific Review Administrator, NIEHS, PO Box 12233 EC–30, Research Triangle Park, NC 27709, (919) 541–1307.

Name of Committee: National Institute of Environmental Health Sciences Special Emphasis Panel, Program Project Grants (P01s).
Date: March 4–6, 2001.
Time: 7:00 PM to 12:00 PM.
Agenda: To review and evaluate grant applications.
Place: Kingsgate Conference Center, 151 Goodman Drive, Cincinnati, OH 45219.
Contact Person: J. Patrick Mastin, PhD, Scientific Review Administrator, Scientific Review Branch/DERT, NIEHS, PO Box 12233 MD EC–30, Research Triangle Park, NC 27709, (919) 541–1446.

(Catalogue of Federal Domestic Assistance Program Nos. 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing; 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2654 Filed 1–30–01; 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 522b(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: February 28–March 2, 2001.
Time: February 28, 2001, 8:00 AM to adjournment on March 2, 2001.
Agenda: To review and evaluate grant applications.
Place: Four Points by Sheraton Bethesda, 8400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Hagit S. David, PhD, 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.

(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: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2657 Filed 1–30–01; 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.
Date: February 14, 2001.
Time: 1 p.m. to 3 p.m.
Agenda: To review and evaluate grant applications.
Place: 6700 B Rocklege Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Nancy B. Saunders, PhD, 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, ns 120v@nih.gov.

(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: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2658 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; 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 Child Health and Human Development Initial Review Group, Population Research Subcommittee.

Date: March 8–9, 2001.

Time: 7:30 PM to 1:30 PM.

Agenda: To review and evaluate grant applications.

Place: Residence Inn by Marriot, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Jon M. Ranhand, Phd, Health Scientist Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, 6100 Executive Blvd., Rm. 5E01, MSC 7510, Bethesda, MD 20892, (301) 435–6884.

(Catalogue of Federal Domestic Assistance Program Nos. 93.209, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2659 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; 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 Child Health and Human Development Initial Review Group, Mental Retardation Research Subcommittee.

Date: March 12–14, 2001.

Time: 8:00 AM to 5:00 P.M.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites, Chevy Chase Pavilion, 4300 Military Rd., Wisconsin at Western Ave., Washington, DC 20015.

Contact Person: Norman Chang, PhD., Scientific Review Administrator, National Institute of Child Health and Human Development, National Institutes of Health, PHS, DHHS, Bethesda, MD 20892.

(Catalogue of Federal Domestic Assistance Program Nos. 93.309, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2660 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; 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 Mental Health Special Emphasis Panel.

Date: February 20–21, 2001.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications

Place: Holiday Inn Georgetown, 2101 Wisconsin Avenue, NW., Washington, DC 20007.

Contact Person: Henry J. Haigler, PhD, Scientific Review Administrator, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Rm. 6150, MSC 9608, Bethesda, MD 20892–9608, 301/443–7216.

(Catalogue of Federal Domestic Assistance Program Nos. 93.242, Mental Health Research Grants; 93.281, Scientist Development Award, Scientist Development Award for Clinicians, and Research Scientist Award; 93.282, Mental Health National Research Service Awards for Research Training; National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2665 Filed 1–30–01; 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 section 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 constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel.

Date: February 20, 2001.

Time: 2:00 p.m. to 5 p.m.

Agenda: To review and evaluate contract proposals.

Place: 6700–B Rockledge Drive, Room 2154, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Robert C. Goldman, PhD, Scientific Review Administrator, Scientific Review Program, Division of Extramural Activities, NIAID, NIH Room 2217, 6700–B Rockledge Drive, MSC 7616, Bethesda, MD 20892–7616, (301) 496–8424, *rg159w@nih.gov.*

(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: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2666 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; 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 General Medical Sciences Special Emphasis Panel.

Date: February 12–13, 2001.

Time: 8:00 PM to 9:00 PM.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Select-Nashville Vanderbilt, 2613 West End Avenue, Nashville, TN 37203.

Contact Person: Laura K. Moen, PhD, Scientific Review Administrator, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 1AS–13H, Bethesda, MD 20892, 301–594–3998, *moenl@nigms.nih.gov.*

(Catagolue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives, National Institutes of Health, HHS)

Dated: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2668 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of 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 a meeting of the National Advisory General Medical Sciences Council.

The meeting 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 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 Advisory General Medical Sciences Council.

Date: January 25–26, 2001.

Closed: January 25, 2001, 8:30 AM to 11:00 AM.

Agenda: To review and evaluate grant applications.

Place: Natcher Building, 45 Center Drive, Conference Rooms E1/E2, Bethesda, MD 20892.

Open: January 25, 2001, 11:00 AM to 5:00 PM.

Agenda: For the discussion of program policies and issues, opening remarks, report of the Director, NIGMS, and other business of the Council.

Place: Natcher Building, 45 Center Drive, Conference Rooms E1/E2, Bethesda, MD 20892.

Closed: January 26, 2001, 8:30 AM to adjournment.

Agenda: To review and evaluate grant applications.

Place: Natcher Building, 45 Center Drive, Conference Rooms E1/E2, Bethesda, MD 20892.

Contact Person: Norka Ruiz Bravo, PhD, Associate Director for Extramural Activities, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 2AN24G, Bethesda, MD 20892, (301) 594–4488.

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. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Development Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives, National Institutes of Health, (HHS)

Dated: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2670 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; 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: Center for Scientific Review Special Emphasis Panel.

Date: February 8–9, 2001.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Victoria S. Levin, MSW, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3172, MSC 7848, Bethesda, MD 20892, (301) 435–0912, *levinv@csr.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.

Name of Committee: Cardiovascular Sciences Integrated Review Group Hematology Subcommittee 1.

Date: February 8–9, 2001.

Time: 8:00 a.m. to 1 p.m.

Agenda: To review and evaluate grant applications.

Place: Chevy Chase Holiday Inn, 5520 Wisconsin Ave., Chevy Chase, MD 20815.

Contact Person: Robert Su, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4134, MSC 7802, Bethesda, MD 20892, (301) 435–1195.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 8–9, 2001.

Time: 8:00 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn—Georgetown, 2101 Wisconsin Ave., Washington, DC 20007.

Contact Person: Lee S. Mann, PhD, JD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3186, MSC 7848, Bethesda, MD 20892, (301) 435–0677.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 8–9, 2001.

Time: 9:00 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: The Hyatt Regency Hotel, One Bethesda Metro Center, Bethesda, MD 20814.

Contact Person: Richard Marcus, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5168, MSC 7844, Bethesda, MD 20892, 301–435–1245, *richard.marcus@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.

Name of Committee: Center for Scientific Review Special Emphasis Panel.

Date: February 8–9, 2001.

Time: 9:00 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: The Governor's House Hotel, 1615 Rhode Island Avenue, NW., Washington, DC 20036.

Contact Person: Thomas A. Tatham, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3188, MSC 7848, Bethesda, MD 20892, (301) 435–0692, *tathamt@csr.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.

Name of Committee: Center for Scientific Review Special Emphasis Panel.

Date: February 8, 2001.

Time: 7:00 p.m. to 10 p.m.

Agenda: To review and evaluate grant applications.

Place: Radisson Barcelo Hotel, 2121 P St., NW, Washington, DC 20037.

Contact Person: Lee Rosen, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5116, MSC 7854, Bethesda MD 20892, (301) 435–1171.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 8–10, 2001.

Time: 7:00 p.m. to 12 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn, 10000 Baltimore Avenue, College Park, MD 20740.

Contact Person: Eugene Vigil, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5144, MSC 7840, Bethesda, MD 20892, (301) 435–1025.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 9, 2001.

Time: 1 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Chevy Chase Holiday Inn, 5520 Wisconsin Ave., Chevy Chase, MD 20815.

Contact Person: Robert T. Su, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4134, MSC 7840, Bethesda, MD 20892, (301) 435–1195.

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: Endocrinology and Reproductive Sciences Integrated Review Group Reproductive Endocrinology Study Section.

Date: February 12–13, 2001.

Time: 8 am to 4 pm.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Bethesda, Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Abubakar A. Shaikh, DVM, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6166, MSC 7892, Bethesda, MD 20892, (301) 435–1042.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 12–13, 2001.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: One Washington Circle Hotel, One Washington Circle, NW., Washington, DC 20037.

Contact Person: Jay Cinque, MSC, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7846, Bethesda, MD 20892, (301) 435–1252.

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: Molecular, Cellular and Developmental Neuroscience Integrated Review Group Visual Sciences C Study Section.

Date: February 12–13, 2001.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Central, 1501 Rhode Island Avenue, NW., Washington, DC 20005.

Contact Person: Carole L. Jelsema, PhD, Chief, MDCN, Scientific Review Group, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7850, Bethesda, MD 20892, (301) 435–1248, *jelsemac@csr.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.

Name of Committee: Pathophysiological Sciences Integrated Review Group General Medicine A Subcommittee 2.

Date: February 12–13, 2001.

Time: 8 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn, Washington, DC Franklin Square, 815 14th Street, NW., Washington, DC 20005.

Contact Person: Mushtaq A. Khan, DVM, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2176, MSC 7818, Bethesda, MD 20892, 301–435–1778, *khanm@csr.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.

Name of Committee: Endocrinology and Reproductive Sciences Integrated Review Group Endocrinology Study Section.

Date: February 12–13, 2001.

Time: 8:30 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Double Tree Hotel, 1750 Rockville Pike, Rockville, MD 20853.

Contact Person: Syed M. Amir, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6168, MSC 7892, Bethesda, MD 20892, (301) 435–1043, *amirs@csr.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.

Name of Committee: Center for Scientific Review Special Emphasis Panel.

Date: February 12–13, 2001.

Time: 9 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites, Chevy Chase Pavilion, 4300 Military Rd., Wisconsin at Western Ave., Washington, DC 20015.

Contact Person: Julian L. Azorlosa, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3190, MSC 7848, Bethesda, MD 20892, (301) 435–1507.

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: Center for Scientific Review Special Emphasis Panel.

Date: February 13–14, 2001.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Hotel, One Bethesda Metro Center, Bethesda, MD 20814.

Contact Person: Joanne T. Fujii, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, Bethesda, MD 20892, (301) 435–1178, *fujiij@drg.nih.gov*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group Integrative, Functional and Cognitive Neuroscience 5.

Date: February 13–14, 2001.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Governor's House Hotel, Washington, DC 20036.

Contact Person: John Bishop, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5180, MSC 7844, Bethesda, MD 20892, (301) 435–1250.

Name of Committee: Immunological Sciences Integrated Review Group Immunobiology Study Section.

Date: February 13–14, 2001.

Time: 8:30 a.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Mission Bay/Sea World Area, 3737 Sports Arena Blvd., San Diego, CA 92110.

Contact Person: Betty Hayden, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4206, MSC 7812, Bethesda, MD 20892, (301) 435–1223.

Name of Committee: Center for Scientific Review Special Emphasis Panel.

Date: February 13, 2001.

Time: 9 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: The Hyatt Regency Hotel, One Bethesda Metro Center, Bethesda, MD 20814.

Contact Person: Richard Marcus, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5168, MSC 7844, Bethesda, MD 20892, (301) 435–1245, *richard.marcus@nih.gov.*

Name of Committee: Endocrinology and Reproductive Sciences Integrated Review Group Biochemical Endocrinology Study Section.

Date: February 13–14, 2001.

Time: 7 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites Hotel, The Chevy Chase Pavilion, 4300 Military Road NW., Wisconsin at Western Avenue, Washington, DC 20015.

Contact Person: Debora L. Hamernik, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6152, MSC 7892, Bethesda, MD 20892, (301) 435–4511, *hamernid@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine, 93.306; 93.333, Clinical Research, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2663 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; 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 Advisory Committee on Research on Women's Health.

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: Advisory Committee on Research on Women's Health.

Date: March 1–2, 2001.

Time: March 1, 2001, 1:00 PM to 3:00 PM.

Agenda: ORWH Seminar.

Place: National Institutes of Health, Clinical Center, 9000 Rockville Pike, Building 10, Masur Auditorium, Bethesda, MD 20892.

Time: March 2, 2001, 9:00 AM to 4:00 PM.

Agenda: To provide advice on appropriate research activities with respect to women's health and related studies to be undertaken by the national research institutes; to provide recommendations regarding ORWH activities; and to assist in monitoring compliance regarding the inclusion of women in clinical research.

Place: National Institutes of Health, Building 31, Conference Room 10, Bethesda, MD 20892.

Contact Person: Joyce Rudick, Director, Programs & Management, Office of Research on Women's Health, Office of the Director, National Institutes of Health, Building 1, Room 201, Bethesda, MD 20892, 301/402–1770.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program, National Institutes of Health HHS)

Dated: January 24, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2655 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Notice of Meeting: Secretary's Advisory Committee on Xenotransplantation

Pursuant to Public Law 92–463, notice is hereby given of the first meeting of the Secretary's Advisory Committee on Xenotransplantation (SACX), Department of Health and Human Services (DHHS). The meeting will be held from 8 a.m. to 5 p.m. on February 20–21, 2001, at the DoubleTree Rockville Hotel, 1750 Rockville Pike, MD 20852. The meeting will be open to the public; however, seating is limited and pre-registration is encouraged (see below). The first SACX meeting will be primarily for orientation and organizational purposes. There will also be a limited period of time provided for public comment; interested individuals should contact the SACX Executive Director (see below).

Under authority of 42 U.S.C. 217a, section 222 of the Public Health Service Act, as amended, the DHHS established the SACX to advise and make recommendations to the Secretary, through the Assistant Secretary for Health, on all aspects of the scientific development and clinical application of xenotransplantation. The SACX is directed to advise DHHS on the current state of knowledge regarding xenotransplantation; identify and discuss the medical, public health, scientific, ethical, legal and/or socioeconomic issues raised by xenotransplantation clinical research; advise DHHS on the potential for transmission of infectious diseases as a consequence of xenotransplantation; recommend, as needed, changes to the PHS Guideline on Infectious Disease Issues in Xenotransplantation; and discuss additional issues, including international policies and developments, that are relevant to xenotransplantation.

The SACX is composed of 18 voting, non-governmental experts in relevant medical, scientific, and professional fields such as xenotransplantation, epidemiology, virology, microbiology, infectious diseases, molecular biology, veterinary medicine, immunology, transplantation surgery, public health, applicable law, bioethics, social sciences, psychology, patient advocacy, and animal welfare. Of the appointed members, at least one is a current member of the Food and Drug Administration (FDA) Biologic Response Modifiers Advisory Committee and of the Centers for Disease Control and Prevention (CDC) Healthcare Infection Control Practices Advisory Committee. The SACX also includes non-voting, ex officio members from relevant DHHS components, including the Office of the Secretary, CDC, FDA, Health Resources and Services Administration, and the National Institutes of Health.

The draft meeting agenda and roster will be available at http://www4.od.nih.gov/oba/Sacx.htm in February. For pre-registration, please contact Technical Resources International (Sharon Leeney) at 301–564–6400. Individuals who wish to provide public comments or who plan to attend the meeting and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the SACX Executive Director, Dr. Mary Groesch, by telephone at 301–496–0785 or email at *groeschm@od.nih.gov*. The SACX office is located at 6750 Rockledge Drive, Suite 750, MSC 7985, Bethesda, MD 20892–7985.

Dated: January 19, 2001.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 01–2669 Filed 1–30–01; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before January 20, 2001. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, 1849 C St. NW., NC400, Washington, DC 20240. Written comments should be submitted by February 15, 2001.

Carol D. Shull,

Keeper of the National Register of Historic Places.

ALASKA

Nome Borough-Census Area

Council City and Solomon River Railroad, Mile 31, Nome-Council Hwy, Solomon, 01000109

ARKANSAS

Benton County

Sulphur Springs Old School Complex Historic District, 512 Black St., Sulphur Springs, 01000113

Crittenden County

Memphis and Arkansas Bridge, (Historic Bridges of Arkansas MPS) US 55, West Memphis, 01000139

Dallas County

Nutt—Trussell Building, 202 N. Main St., Fordyce, 01000110

Jefferson County

National Guard Armory—Pine Bluff, 623 W. 2nd Ave., Pine Bluff, 01000112

Marion County

Estes—Williams American Legion Hut ι61, AR 62/412, Yellville, 01000111

Pulaski County

Doe Branch Post Office, 32100 Kanis Rd., Ferndale, 01000114

DISTRICT OF COLUMBIA

District of Columbia

Theodore Roosevelt Island, Theodore Roosevelt Island, Washington, 01000115

ILLINOIS

Peoria County

Pioneers, The, Central Park, N., Magnolia St., Elmwood, 01000117

LOUISIANA

Acadia Parish

Bernard, Joseph D., House, 1023 The Boulevard, Rayne, 01000119

Madison Parish

Bear Lake Club, Ltd. Clubhouse, Parish Rd. 39 near jct. with Bear Lake and Roundaway Bayou, Tallulah, 01000118

MASSACHUSETTS

Middlesex County

Kendal Green Historic District, North Ave., Church, Viles Sts., Brook Rd., Weston, 01000121

Worcester County

Castle Street Row (Boundary Increase), (Worcester MRA) 20–24 Castle St., Worcester, 01000120

MISSOURI

Callaway County

Richland Christian Church, 5301 Callaway Cty. Rd. 220, Kingdom City, 01000122

MONTANA

Flathead County

Harrison Lake Patrol Cabin, US 2, Glacier National Park, 01000116

NEW YORK

Kings County

New Utrecht Reformed Church Complex (Boundary Increase), 8523 16th Ave., Brooklyn, 01000126

NORTH CAROLINA

Henderson County

Hyman Heights—Mount Royal Historic District, (Hendersonville MPS) Roughly bounded by Ridgecrest Pl., Highland Ave., Hyman Ave., Patton St., N. Main St., and Oakland St., Hendersonville, 01000124

Stillwell, Erle, House, 1300 Pinecrest Dr., Hendersonville, 01000125

Hertford County

Jernigan, Roberts H., House, 209 S. Catherine Creek Rd., Ahoskie, 01000123

OREGON

Coos County

35–CS–130—The Osprey Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, North Bend, 01000131

Crook County

Newport Avenue Bridge, Conant Basin Road Bridge, Post, 01000137

Curry County

35–CU–215—High Point Shell Midden, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Carpenterville, 01000135

Douglas County

35–DO–130—Tahkenitch Landing Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Gardiner, 01000132

Lincoln County

35–LNC–76—The Ahnkuti Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Toledo, 01000133

Multnomah County

Ambruster, Frederick, Cottage, (Eliot Neighborhood MPS) 502 NE Tillamock, Portland, 01000130

Benson, Simon, House, Jct. of SW Montgomery and SW Ninth, Portland, 01000155

Laurelhurst Park, (City Beautiful Movement and Civic Planning in Portland, Oregon MPS) 3554 SE Ankeny St., Portland, 01000134

Tillamook County

35–TI–4—Cronin Point Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Manzanita, 01000128

35–TI–75—Spruce Tree Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Manzanita, 01000127

35–TI–76— North Trail House Site, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Manzanita, 01000129

Archeological Site 35–TI–40, (Native American Archeological Sites of the Oregon Coast MPS) Address Restricted, Netarts, 01000136

PENNSYLVANIA

Carbon County

Summit Hill High School, 124 W. Hazard St., Summit Hill, 01000138

TENNESSEE

Obion County

Central Elementary School, (Union City, Tennessee MPS) 512 East College St., Union City, 01000141

Mt. Zion Colored Methodist Episcopal Church, (Union City, Tennessee MPS) 105 N. Greenwood, Union City, 01000140

VIRGINIA

Alexandria Independent city

Presbyterian Meeting House, Old, 321 S. Fairfax St., Alexandria (Independent City), 01000143

Bedford County

Otterburn, Big Island Rd., Bedford, 01000146

Charlotte County

Gravel Hill, 3990 Fearstown Rd., Charlotte Court House, 01000150

Charlottesville Independent city

Abell—Gleason House, 521 N. First St., Charlottesville (Independent City), 01000151

Clarke County

Smithfield Farm, 568 Smithfield Ln., Berryville, 01000148

Culpeper County

Croftburn Farm, 18175 Croftsburn Farm Rd., Culpepper, 01000153

Eckington School, Jct. of VA 658 and VA 661, Culpeper, 01000154

Fairfax Independent city

Blenheim, 3610 Old Lee Hwy., Fairfax (Independent City), 01000152

Fluvanna County

Rivanna Farm, Rte. 1,, Breno Bluff, 01000147

Frederick County

Opequon Presbyterian Church, 217 Opequon Church Ln., Winchester, 01000145

Montgomery County

Long, Edgar A., Building, 140 Scatttergood Dr., Christianburg, 01000149

Pittsylvania County

Craft, Phillip, House, 1381 Old Red Eye Rd., Chatham, 01000144

Rockingham County

Kyle's Mill House, 1764 Cross Keys Rd., Harrisonburg, 01000142

A request for REMOVAL has been made for the following resource:

OREGON

Multnomah County

1504 SW 11th Ave.
Portland, 83002167

[FR Doc. 01–2641 Filed 1–30–01; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

National Park Service

Proposed World War II Memorial; Notice to the Public of the Secretary of the Interior's Response to Advisory Council on Historic Preservation Comments, and Notice of the Availability of the Record

AGENCY: National Capital Region, National Park Service, Interior.

ACTION: Notice to the public of the Secretary of the Interior's response to Advisory Council on Historic Preservation comments, and notice of the availability of the record.

SUMMARY: Pursuant to 36 CFR 800.7(c)(4)(iii) (1999), the public is notified that on September 13, 2000, the Secretary of the Interior (the Secretary) responded to the September 5, 2000, comments of the Advisory Council on Historic Preservation (Advisory Council), about the proposed World War II Memorial. The Secretary advised the Advisory Council, in accordance with 36 CFR 800.7(c)(4)(i) (1999), that its comments have been taken into account pursuant to Section 106 of the National Historic Preservation Act and attached the detailed response of the National Park Service.

The Advisory Council is concerned primarily with two issues. First, it is concerned with the approach taken by the Department of the Interior/National Park Service (the NPS), to Section 106 and what it sees as the limited nature of public involvement in the site and design selection process. Second, the Advisory Council believes the current design does not achieve the strict standard of compatibility with the historic setting of the National Mall.

The Secretary and the NPS believe the requirements of Section 106 have been met. In February 1996, the NPS contacted the Advisory Council and the District of Columbia Historic Preservation Officer (DCHPO) about the proposed Memorial. In 1997 the NPS submitted the original design concept to the Advisory Council and DCHPO and invited the Advisory Council to consult. In 1998, the NPS began consultation with the Advisory Council on the revised design. This process continued until July 2000 and resulted in a Memorandum of Agreement between the NPS, the DCHPO, and the American Battle Monuments Commission (ABMC). The Advisory Council, however, did not sign this agreement, choosing instead to provide comments pursuant to Section 800.7 of the Advisory Council regulations (36 CFR 800.7 (1999)).

The Secretary and the NPS believe that the publication of notices about actions taken on this Memorial (and invitations for public comments) in the **Federal Register**, and numerous meetings about the Memorial to which the public was invited, provided extensive opportunities for public participation in the site and design selection process. The NPS is, however, seriously evaluating the Advisory Council's suggestion to further expand the public discussion on national memorials and expects to engage in discussions with the Advisory Council in this regard.

In its September 5, 2000, comments, the Advisory Council expressed concern with three aspects of the current design: (1) Its scale and impact on vistas, (2) the lighting plan, and (3) the proposed sculptural element.

Following initial consideration of the Advisory Council's September 5, 2000, comments and its corresponding response to the Advisory Council, the Secretary and the NPS have continued to consider the Advisory Council's comments on those occasions this Fall

when the Memorial was before the Commission of Fine Arts and the National Capital Planning Commission, and prior to the NPS' issuance of a construction permit for the Memorial.

It is the view of the NPS that the scale of the Memorial is appropriate and that it will maintain the transparency of the historic landscape without blocking vistas. The NPS also understands the Advisory Council's concerns about lighting. Based on its experience with other commemorative works, the NPS believes the correct intensity of lighting can best be determined after completion of the Memorial. The NPS will act in concert with the Commission of Fine Arts and the National Capital Planning Commission to resolve any lighting concerns. Concerning the third point, there has been no final decision as to whether a sculptural element will be included in the Rainbow Pool. If such an element is included it will be subject to design parameters that will ensure that it does not intrude on any vistas and the design concept will be considered by all relevant approval bodies at the appropriate time.

The Secretary and the NPS believe the process for this commemorative work has complied with Section 106 of the National Historic Preservation Act, the Commemorative Works Act, and other applicable laws, and has taken the Advisory Council's comments into account. The NPS nevertheless is committed to working with the Advisory Council to address the Counsel's interest in further modifying the Section 106 process in the context of future proposed commemorative works.

SUPPLEMENTARY INFORMATION: The record for this decision is available for public inspection at the Office of Lands, Resources and Planning, National Capital Region, National Park Service, 1100 Ohio Drive, SW., Room 220, Washington, DC 20242. Copies of the response to the Advisory Council are also available upon request from Mr. John G. Parsons, Associate Regional Director for Lands, Resources and Planning. Individuals requiring further information should contact Mr. John G. Parsons, Associate Regional Director for Lands, Resources and Planning, National Capital Region, National Park Service, 1100 Ohio Drive, SW., Room 220, Washington, DC 20242.

Dated: January 17, 2001.

Terry R. Carlstrom,

Regional Director, National Capital Region.

[FR Doc. 01–2642 Filed 1–30–01; 8:45 am]

BILLING CODE 4310–70–M

INTERNATIONAL TRADE COMMISSION

Investigations Nos. 731–TA–624–625 (Review)

Helical Spring Lock Washers From China and Taiwan

Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission determines,[2] pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty orders on helical spring lock washers from China 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.

Background

The Commission instituted these reviews on November 2, 1999 (64 FR 59204) and determined on February 3, 2000, that it would conduct full reviews (65 FR 7890, February 16, 2000). Notice of the scheduling of the Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on July 25, 2000 (65 FR 45801). The hearing was held in Washington, DC, on November 30, 2000, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these reviews to the Secretary of Commerce on January 25, 2001. The views of the Commission are contained in USITC Publication 3384 (January 2001), entitled Helical Spring Lock Washers from China and Taiwan: Investigations Nos. 731–TA–624–625 (Review).

Issued: January 25, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–2690 Filed 1–30–01; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] Vice Chairman Okun and Commissioner Miller dissenting with respect to Taiwan; Commissioner Askey not participating.

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701–TA–409–412 and 731–TA–909–912 (Preliminary)]

Low Enriched Uranium From France, Germany, The Netherlands, and the United Kingdom

Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission determines, pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 1673(b)(a)),[2] that there is a reasonable indication that an industry in the United States is threatened with materially injury by reason of imports from France, Germany, the Netherlands, and the United Kingdom of low enriched uranium, that are alleged to be subsidized by the Governments of France, Germany, the Netherlands, and the United Kingdom and that are alleged to be sold in the United States at less than fair value (LTFV).

Commencement of the Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under section 703(b) and 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in these investigations under section 705(a) and 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

[2] Vice Chairman Okun and Commissioner Devaney not participating.

of all persons, or their representatives, who are parties to the investigations.

Background

On December 7, 2000, a petition was filed with the Commission and Commerce by USEC Inc., and its wholly owned subsidiary United States Enrichment Corp., Bethesda, MD, alleging that an industry in the United States is materially injured and threatened with material injury by reason of subsidized and LTFV imports of low enriched uranium from France, Germany, the Netherlands, and the United Kingdom. Accordingly, effective December 7, 2000, the Commission instituted countervailing duty and antidumping investigations Nos. 701–TA–409–412 and 731–TA–909–912 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of December 14, 2000 (65 FR 78187). The conference was held in Washington, DC, on December 28, 2000, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in these investigations to the Secretary of Commerce on January 22, 2001. The views of the Commission are contained in USITC Publication 3388 (January 2001), entitled Low Enriched Uranium From France, Germany, the Netherlands, and the United Kingdom: Investigations Nos. 701–TA–409–412 and 731–TA–909–912 (Preliminary).

Issued: January 24, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–2689 Filed 1–30–01; 8:45 am]

BILLING CODE 7021–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Settlement Agreement Under Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 C.F.R. 50.7, notice is hereby given that a proposed Settlement Agreement in *In re Ecolaire Incorporated,* C.A. No. 99–2520 (Bnkr. Ct. Del.), was lodged on January 19, 2001, with the United States Bankruptcy Court for the District of Delaware. The Settlement Agreement resolves the United States' claims against Ecolaire Incorporated (''Ecolaire'') with respect to past response costs incurred and future costs to be incurred, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607, in connection with the clean-up of the Welsh Road Site. The Site is located in Honey Brook, Pennsylvania.

Under the Settlement Agreement, Ecolaire has agreed to give EPA, a general unsecured creditor, an allowed claim in the amount of $13,277 in reimbursement of past and future response costs incurred in connection with the Site. Ecolaire will pay this allowed claim on the same basis as it pays the allowed claims of all other unsecured creditors.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Settlement Agreement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *In re Ecolaire Incorporated,* DOJ Reference No. 90–11–2–207/7.

The proposed Settlement Agreement may be examined at the Office of the United States Attorney, Chemical Bank Plaza, 1201 Market Street, Suite 1100, Wilmington, Delaware 19899; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103. A copy of the proposed Settlement Agreement may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of $2.00 (.25 cents per page production costs), payable to the Consent Decree Library.

Walker B. Smith,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 01–2583 Filed 1–30–01; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

[AAG/A Order No. 217–2001]

Privacy Act of 1974; System of Records

Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, notice is given that the Department of Justice proposes to modify the following systems of records:

AAG–001	General Files System	3–10–92	57 FR 8475
ATR–001	Antitrust Division Expert Witness File	10–13–89	54 FR 42061
ATR–002	Congressional and White House Referral Correspondence Log	2–3–93	58 FR 6985
ATR–003	Index of Defendants in Pending and Terminated Antitrust Cases	10–10–95	60 FR 52690
ATR–004	Statement by Antitrust Division Officials (ATD Speech File)	10–10–95	60 FR 52691
ATR–005	Antitrust Caseload Evaluation System (ACES)—Time Reporter	10–17–88	53 FR 40502
ATR–006	Antitrust Caseload Evaluation System (ACES)—Monthly Report	2–20–98	63 FR 8659
ATR–007	Antitrust Division Case Cards	10–10–95	60 FR 52692
ATR–008	Freedom of Information/Privacy Requestor Subject Index File	10–10–95	60 FR 52693
ATR–009	Public Complaints and Inquiries File	11–17–80	45 FR 75902
ATR–014	Civil Investigative Demand (CID) Tracking System	10–10–95	60 FR 52694
BIA–001	Decisions of the Board of Immigration Appeals	30350	48 FR 5331
BIA–002	Roster of Organizations and Their Accredited Representatives Recognized by the Board of Immigration Appeals.	11–17–80	45 FR 75908
BOP–001	Custodial and Security Record System	9–28–78	43 FR 44732
BOP–002	Freedom of Information Act Record System	9–30–77	42 FR 53291
BOP–003	Industrial Inmate Employment Record System	9–28–78	43 FR 44733
BOP–004	Inmate Administrative Remedy Record System	9–28–78	43 FR 44734
BOP–005	Inmate Central Records System	6–7–84	49 FR 23711
BOP–006	Inmate Commissary Accounts Record System	9–30–77	42 FR 53294
BOP–007	Inmate Physical and Mental Health Record System	9–28–78	43 FR 44735
BOP–008	Inmate Safety and Accident Compensation Record System	9–28–78	43 FR 44736
BOP–009	Federal Tort Claims Act Record System	9–28–78	43 FR 44737

BOP–010	Access Control Entry/Exit System	10–4–95	60 FR 52013
BOP–011	Telephone Activity Record System	4–21–95	60 FR 19958
BOP–012	Office of Internal Affairs Investigative Records	8–29–95	60 FR 44901
BOP–014	Employee Assistance Program (EAP) Record System	7–31–00	65 FR 46739
BOP–101	The National Institute of Corrections Technical Resource Provider Record System.	3–2–00	65 FR 11342
BOP–102	The National Institute of Corrections Field Readers List	4–18–83	48 FR 16656
BOP–103	National Institute of Corrections Academy Record System	12–16–99	64 FR 70286
BOP–104	National Institute of Corrections Mailing List & Information Center Contacts Records System.	12/16/99	64 FR 70287
CIV–001	Civil Division Case File System	2–20–98	63 FR 8659
CIV–002	Civil Division Case File System: Customs Litigation	1–10–80	45 FR 2217
CIV–003	Office of Alien Property File System	9–30–77	42 FR 53324
CIV–004	Swine Flu Administrative Claim File System	9–28–78	43 FR 44708
CIV–005	Freedom of Information/Privacy Acts File System	10–17–88	53 FR 40505
CIV–006	Consumer/Inquiry Investigatory System	10–17–88	53 FR 40506
CIV–007	Congressional and Citizen Correspondence File	10–17–88	53 FR 40507
COPS–001	Police Corps System	1–8–97	62 FR 1131
CRM–001	Central Criminal Division Index File and Associated Records	2–20–98	63 FR 8659
CRM–002	Criminal Division Witness Security File	12–11–87	52 FR 47186
CRM–003	File of Names Checked to Determine if those Individuals Have been the Subject of an Electronic Surveillance.	12–11–87	52 FR 47187
CRM–004	General Crimes Section, Criminal Division, Central Index File and Associated Records.	12–11–87	52 FR 47190
CRM–005	Index to Names of Attorneys Employed by the Criminal Division, U.S. Department of Justice, Indicating the Subject of the Memoranda on Criminal Matters They Have Written.	12–11–87	49 FR 47191
CRM–006	Information File on Individuals and Commercial Entities Known or Suspected of Being Involved in Fraudulent Activities.	9–30–77	42 FR 53336
CRM–007	Name Card File on Criminal Division Personnel Authorized to have Access to the Central Criminal Division Records.	12–11–87	52 FR 47192
CRM–008	Name Card File on Department of Justice Personnel Authorized to have Access to the Classified Files of the Department of Justice.	12–11–87	52 FR 47193
CRM–012	Organized Crime and Racketeering Section, General Index File and Associated Records.	11–26–90	55 FR 49147
CRM–014	Organized Crime and Racketeering Section, Intelligence and Special Services Unit, Information Request System.	9–30–77	42 FR 53343
CRM–017	Registration and Propaganda Files Under the Foreign Agents Registration Act of 1938, As Amended.	5–11–88	53 FR 16794
CRM–018	Registration Files of Individuals Who Have Knowledge of or Have Received Instruction or Assignment in Espionage, Counterespionage, or Sabotage Service or Tactics of a Foreign Government or of a Foreign Political Party.	12–11–87	52 FR 47197
CRM–019	Requests to the Attorney General for Approval of Applications to Federal Judges for Electronic Interceptions.	12–11–87	52 FR 47198
CRM–021	The Stocks and Bonds Intelligence Control Card File System	12–11–87	52 FR 47199
CRM–022	Witness Immunity Records	12–11–87	52 FR 47200
CRM–023	Weekly Statistical Report	1–10–80	45 FR 2195
CRM–024	Freedom of Information/Privacy Act Records	12–11–87	52 FR 47201
CRM–025	Tax Disclosure Index File and Associated Records	12–11–87	52 FR 47202
CRM–026	Index of Prisoners Transferred Under Prisoner Transfer Treaties	12–11–87	52 FR 47203
CRM–027	Office of Special Investigation (OSI) Displaced Persons Listings	12–11–87	52 FR 47204
CRS–001	Operational Data Information System	1–10–80	45 FR 2220
CRT–001	Central Civil Rights Division Index File and Associated Records	2–20–98	63 FR 8659
CRT–002	Files of Applications for the Position of Attorney with the Civil Rights Division	12–17–85	50 FR 51482
CRT–003	Civil Rights Case Load Evaluation System—Time Reporting System	10–17–88	53 FR 40510
CRT–004	Registry of Names of Interested Persons Desiring Notifications of Submissions Under Section 5 of the Voting Rights Act.	10–17–88	53 FR 40511
CRT–007	Files on Employment Civil Rights Matters Referred by the Equal Employment Opportunity Commission.	10–17–88	53 FR 40512
CRT–008	Files on Correspondence Relating to Civil Rights Matters From Persons Outside the Department of Justice.	10–17–88	53 FR 40513
CRT–009	Civil Rights Division Travel Reports	10–17–88	53 FR 40514
CRT–010	Freedom of Information; Privacy Act Records	10–17–88	57 FR 40515
DAG–003	Drug Enforcement Task Force Evaluation Reporting System	3–10–92	57 FR 8473
DAG–004	Honor Program Applicant System	10–21–85	50 FR 42605
DAG–005	Master Index File of Names	10–21–85	50 FR 42606
DAG–006	Presidential Appointee Candidate Records System	10–21–85	50 FR 42607
DAG–007	Presidential Appointee Records System	10–21–85	50 FR 42608
DAG–008	Special Candidates for Presidential Appointments and Noncareer SES Positions Records System.	8–31–94	59 FR 45005
DAG–009	Summer Intern Program Records System	10–21–85	50 FR 42611
DAG–010	United States Judge and Department of Justice Presidential Appointee Records.	10–21–85	50 FR 42612
DAG–011	Miscellaneous Attorney Personnel Records	10–21–85	50 FR 42613
DAG–012	Executive Secretariat Correspondence Control System	10–21–85	50 FR 42614
DAG–013	General Files System	3–10–92	57 FR 8475

DEA–001	Air Intelligence Program	12–11–87	52 FR 47206
DEA–INS–111	Automated Intelligence Records System (Pathfinder)	11–26–90	55 FR 49182
DEA–003	Automated Records and Consolidated Orders System/Diversion Analysis and Detection System (ARCOS/DADS).	04–28–00	65 FR 24986
DEA–004	Congressional Correspondence File	12–11–87	52 FR 47207
DEA–005	Controlled Substances Act Registration Records (CSA)	12–11–87	52 FR 47208
DEA–006	Freedom of Information/Privacy Act Records	12–11–87	42 FR 47209
DEA–008	Investigative Reporting and Filing System	10–17–96	61 FR 54219
DEA–010	Planning and Inspection Division Records	12–11–87	52 FR 47213
DEA–011	Operations Files	12–11–87	52 FR 47214
DEA–012	Registration Status/Investigation Records	12–11–87	52 FR 47215
DEA–013	Security Files	12–11–87	52 FR 47215
DEA–015	Training Files	12–11–87	52 FR 47217
DEA–017	Grants of Confidentiality File (GCF)	12–11–87	52 FR 47218
DEA–020	Essential Chemical Reporting System	12–11–87	52 FR 47219
DEA–021	DEA Aviation Unit Reporting System	4–28–00	65 FR 24986
DOJ–001	Accounting Systems for the Department of Justice	5–28–99	64 FR 29069
DOJ–002	DOJ Computer Systems Activity and Access Records	12–30–99	64 FR 73585
EOIR–001	Record and Management Information System	10–10–95	60 FR 52694
EOIR–003	Practitioner Complaint/Disciplinary Files	9–10–99	64 FR 49237
FBI–001	National Crime Information Center (NCIC)	9–28–99	64 FR 52343
FBI–002	The FBI Central Records System	2–20–98	63 FR 8671
FBI–003	Bureau Mailing Lists	10–5–93	52 FR 51872
FBI–006	Electronic Surveillance (Elsur) Indices	3–10–92	52 FR 8482
FBI–007	FBI Automated Payroll System	10–5–93	58 FR 51874
FBI–008	Personnel Information Network System (PINS)	10–5–93	58 FR 51875
FBI–009	Fingerprint Identification Records System (FIRS)	9–28–99	64 FR 52347
FBI–010	Employee Travel Vouchers and Individual Earning Records	12–11–87	52 FR 47248
FBI–011	Employee Health Records	10–5–93	58 FR 51875
FBI–012	Time Utilization Record-Keeping (TURK) System	10–5–93	58 FR 51876
FBI–013	Security Access Control System (SACS)	10–5–93	58 FR 51877
FBI–014	FBI Alcoholism Program	12–11–87	52 FR 47251
FBI–015	National Center for the Analysis of Violent Crime (NCAVC)	10–5–93	58 FR 51879
FBI–016	FBI Counterdrug Information Indices System (CIIS)	6–9–94	59 FR 29824
FBI–017	National DNA Index System (NDIS)	7–18–96	61 FR 37495
FBI–018	National Instant Criminal Background Check System (NICS)	11–25–98 12–14–00	63 FR 65223 65 FR 78190
INS–001	The Immigration and Naturalization Service Index System	10–5–93	58 FR 51847
INS–001A	The Immigration and Naturalization Service (INS) Alien File (A-File) and Central Index System (CIS).	7–8–97	62 FR 36572
INS–002	Office of Internal Audit Investigations Index and Records	3–7–97	62 FR 10580
INS–004	The Asset Management Information System (AMIS)	4–27–98	63 FR 20651
INS–007	Orphan Petitioner Index and Files	12–11–87	52 FR 47258
INS–008	Bond Management Information System (BMIS)	12–18–98	63 FR 70159
INS–009	Alien Status Verification Index	10–10–95	60 FR 52697
INS–010	Freedom of Information Act/Privacy Act (FOIA/PA) Case Tracking and Reporting System.	10–10–95	60 FR 52698
INS–011	The Password Issuance and Control System (PICS)	3–2–89	54 FR 8837
INS–012	Deportable Alien Control System (DACS)	7–31–00	65 FR 46738
INS–013	Computer Linked Application Information Management System	11–4–97	62 FR 59734
INS–014	Security Access Control System (SACS)	5–10–90	55 FR 19674
INS–015	Port of Entry Office Management Support System	6–14–90	55 FR 24167
INS–016	Secondary Verification Automated LOG (SVAL)	10–10–95	60 FR 52699
INS–017	Global Enrollment System (GES)	3–13–97	62 FR 11919
INS–019	Employee Assistance Program (EAP) Treatment Referral Records	1–22–98	63 FR 3349
INS–021	Designated Entity Information Management System (DEIMS)	7–22–97	62 FR 39256
INS–022	INS Attorney/Representative Complaint/Petition Files	12–16–99	64 FR 70288
INS–023	Law Enforcement Support Center Database (LESC)	5–14–97	62 FR 26555
INS–024	The FD–258 Fingerprint Tracking System	7–31–00	65 FR 46741
INS–025	Worksite Enforcement Activity Record & Index (LYNX)	12–16–99	64 FR 70288, 70290
INS–026	Hiring Tracking System	12–16–99	64 FR 70288, 70291
INTERPOL–001	The INTERPOL-United States National Central Bureau (INTERPOL–USNCB) (Department of Justice) INTERPOL–USNCB Records System.	3–10–92	57 FR 8486
JMD–001	Background Investigation Check-off Card	10–13–89	54 FR 42085
JMD–002	Controlled Substances Act Nonpublic Records	11–17–80	45 FR 75931
JMD–003	Department of Justice Payroll System	4–13–99 9–01–00	64 FR 18051–056 65 FR 53225
JMD–005	Grievance Records	10–13–89	54 FR 42086
JMD–006	Debt Collection Management System	11–12–93	58 FR 60055
JMD–007	Accounting System for the Offices, Boards and Divisions and the United States Marshals Service.	12–11–87	52 FR 47268
JMD–008	Security Clearance Information System (SCIS)	8–23–90	55 FR 34629
JMD–009	Debt Collection Offset Payment System	6–19–97	62 FR 33438
JMD–011	Office of General Counsel (OGC) Correspondence and Advice Tracking System (CATS).	9–9–94	59 FR 46661
JMD–012	Department of Justice (DOJ) Call Detail Records	9–27–96	61 FR 50870

JMD–013	Employee Locator File	12–11–87	52 FR 47270
JMD–014	Security Access Control System	1–8–97	62 FR 1132
JMD–016	Employee Assistance Program (EAP) Counseling and Referral Records	6–09–00	65 FR 36718
JMD–017	Department of Justice (DOJ) Employee Transportation Facilitation System	11–10–98	63 FR 63075
JMD–019	Freedom of Information/Privacy Act Records	12–11–87	52 FR 47272
JMD–020	Freedom of Information/Privacy Acts (FOI/PA) Requests Letters	12–11–87	52 FR 47274
ENRD–001	Appraisers, Approved Attorneys, Abstractors and Title Companies Files Database System.	2–23–00	65 FR 8989
LDN–002	Congressional Correspondence File	9–30–77	42 FR 53351
ENRD–003	Environment & Natural Resources Division Case & Related Files System	2–23–00	65 FR 8990
LDN–005	Freedom of Information Act and Privacy Act Records System	2–4–83	48 FR 5363
LDN–006	Citizens' Mail File	1–10–80	45 FR 2214
NDIC–001	National Drug Intelligence Center Data Base	4–26–93	58 FR 21995
OAG–001	General Files System	9–12–85	50 FR 37294
OIG–001	Office of the Inspector General Investigative Records System	5–22–00	65 FR 32125
OIG–003	Freedom of Information and Privacy Acts	10–9–91	56 FR 50947
OIG–004	OIG Employee Training Records	12–07–99	64 FR 68375
OIG–005	OIG Firearms Qualifications System	12–07–99	64 FR 68376
OIPR–001	Policy and Operational Records System	1–26–84	49 FR 3281
OIPR–002	Foreign Intelligence Surveillance Act Records System	1–26–84	49 FR 3282
OIPR–003	Litigation Records System	1–26–84	49 FR 3284
OIPR–004	Domestic Security/Terrorism Investigations Records System	1–26–84	49 FR 3284
OJP–001	Equipment Inventory	10–5–93	58 FR 51879
OJP–004	Grants Management Information System	10–17–88	53 FR 40526
OJP–005	Financial Management System	10–17–88	53 FR 40527
OJP–006	Congressional and Public Affairs System	12–11–87	52 FR 47276
OJP–007	Public Information System	11–17–80	45 FR 75936
OJP–008	Civil Rights Investigative System	10–17–88	53 FR 40528
OJP–009	Federal Advisory Committee Membership Files	10–17–88	53 FR 40529
OJP–010	Technical Assistance Resource Files	10–17–88	53 FR 40430
OJP–011	Registered Users File-National Criminal Justice Reference Service (NCJRS)	10–5–93	58 FR 51879
OJP–012	Public Safety Officers Benefits System	5–10–99	64 FR 25070
OJP–013	Denial of Federal Benefits Clearinghouse System (DEBAR)	5–10–99	64 FR 25071
OLA–001	Congressional Committee Chairman Correspondence File	12–11–87	52 FR 47278
OLA–002	Congressional Correspondence File	12–11–87	52 FR 47278
OLA–003	Citizen Correspondence File	12–11–87	52 FR 47279
OLC–001	Attorney Assignment Reports	9–4–85	50 FR 35879
OLC–002	Office of Legal Counsel Central File	9–4–85	50 FR 35878
OLC–003	Office of Legal Counsel Freedom of Information Act and Privacy Act Files	2–28–94	59 FR 9497
OLP–001	Freedom of Information and Privacy Appeals Index	10–21–85	50 FR 42615
OLP–002	United States Judges Records System	7–25–85	50 FR 30309
OLP–003	General Files System	9–12–85	50 FR 37299
OLP–004	Declassification Review Index System	2–7–86	51 FR 4825
OPA–001	Executive Clemency File	2–3–93	58 FR 6980
OPA–002	Miscellaneous Correspondence File	2–3–93	58 FR 6981
OPA–003	Freedom of Information/Privacy Acts (FOI/PA) Request File	2–3–93	58 FR 6982
OPI–001	News Release, Document and Index System	9–30–77	42 FR 53364
OPR–001	Office of Professional Responsibility Records Index	12–10–98	63 FR 68299
OPR–002	Freedom of Information/Privacy Acts (FOI/PA) Records	12–10–98	63 FR 68300
OSC–001	Central Index File and Associated Records	10–17–88	53 FR 40531
OSC–002	Files on Correspondence Relating to Immigration-Related, Unfair Employment Practices from Persons Outside the Department of Justice.	10–17–88	53 FR 40532
OSC–003	Special Counsel for Immigration Related Unfair Employment Practices Travel Reports.	9–15–88	53 FR 35926
OSC–004	Freedom of Information; Privacy Act Records	9–15–88	53 FR 35927
OSCW–001	Caselink Document Database for Office of Special Counsel—Waco	9–05–00	65 FR 53749
PRC–001	Docket, Scheduling and Control	12–11–87	52 FR 47281
PRC–002	Freedom of Information Act Record System	12–11–87	52 FR 47282
PRC–003	Inmate and Supervision Files	3–10–88	53 FR 7313
PRC–004	Labor and Pension Case, Legal File and General Correspondence System	10–17–88	53 FR 40533
PRC–005	Office Operation and Personnel System	10–17–88	53 FR 40535
PRC–006	Statistical, Educational and Developmental System	12–11–87	52 FR 47287
PRC–007	Workload Record, Decision Result, and Annual Report System	10–17–88	53 FR 40535
TAX–001	Tax Division Central Classification Cards, Index Docket Cards, and Associated Records—Criminal Tax Cases.	2–20–98	63 FR 8659
TAX–002	Tax Division Central Classification Cards, Index Docket Cards, and Associated Records—Civil Tax Cases.	2–20–98	63 FR 8659
TAX–003	Files of Applications for the Position of Attorney with the Tax Division	9–30–77	42 FR 53390
TAX–004	Freedom of Information—Privacy Act Request Files	2–4–83	48 FR 5377
TAX–005	Tax Division Special Projects File	9–30–77	42 FR 53391
USA–001	Administrative Files	12–22–83	48 FR 56662
USA–002	A.U.S.A. Applicant Files	8–23–83	48 FR 38329
USA–003	Citizen Complaint Files	10–13–89	54 FR 42088
USA–004	Citizen Correspondence Files	10–13–89	54 FR 42089
USA–005	Civil Case Files	2–20–98	63 FR 8659
USA–006	Consumer Complaints	10–13–89	54 FR 42090

USA–007	Criminal Case Files	2–20–98 12–21–99	63 FR 8659 64 FR 71499
USA–008	Freedom of Information Act/Privacy Act Files	10–13–89	54 FR 42091
USA–009	Kline District of Columbia and Maryland Stock and Land Fraud Inter-relationship Filing System.	10–13–89	54 FR 42093
USA–010	Major Crimes Division Investigative Files	10–13–89	54 FR 42094
USA–011	Prosecutor's Management Information System (PROMIS)	10–13–89	54 FR 42095
USA–012	Security Clearance Forms for Grand Jury Reporters	2–4–83	48 FR 5386
USA–013	U.S. Attorney, District of Columbia Superior Court Division, Criminal Files	10–13–89	54 FR 42097
USA–014	Pre-Trial Diversion Program Files	8–23–83	48 FR 38344
USA–015	Debt Collection Enforcement System	11–12–93	58 FR 60055
USA–016	Assistant United States Attorney Applicant Records System	3–10–92	57 FR 8487
USA–017	Appointed Assistant United States Attorneys Personnel System	3–10–92	57 FR 8488
USA–018	United States Attorneys' Office Giglio Information Files	12–01–00	65 FR 75308
USM–001	United States Marshals Service Badge and Credentials File	11–08–99	64 FR 60832, 33
USM–002	United States Marshals Service Internal Inspections System	11–08–99	64 FR 60832, 34
USM–003	United States Marshals Service Prisoner Transportation System	9–06–91	56 FR 44101
USM–004	Special Deputation Files	11–08–99	64 FR 60832, 35
USM–005	U.S. Marshals Service Prisoner Processing and Population Management/ Prisoner Tracking System (PPM/PTS).	11–08–99	64 FR 60832, 36
USM–006	United States Marshals Service Training Files	11–08–99	64 FR 60832, 38
USM–007	Warrant Information Network (WIN)	11–08–99	64 FR 60832, 39
USM–008	Witness Security Files Information System	11–08–99	64 FR 60832, 40
USM–009	Inappropriate Communications/Threat Information System	11–08–99	64 FR 60832, 41
USM–010	Judicial Facility Security Index System	11–08–99	64 FR 60832, 42
USM–011	Judicial Protection Information System	11–08–99	64 FR 60832, 43
USM–012	U.S. Marshals Service Freedom of Information/Privacy Act (FOIA/PA) File	11–08–99	64 FR 60832, 44
USM–013	U.S. Marshals Service Administration Pro-ceedings, Claims and Civil Litigation Files.	11–08–99	64 FR 60832, 45
USM–014	Joint Automated Booking Stations (JABS)	4–13–95	60 FR 18853
USM–015	U.S. Marshals Service (USMS) Employee Assistance Program (EAP) Records.	11–08–99	64 FR 60832, 47
USM–016	U.S. Marshals Service (USMS) Key Control Records System	11–08–99	64 FR 60832, 48
USM–017	Judicial Security Staff Inventory	11–08–99	64 FR 60849, 50
USM–018	Alternative Dispute Resolution (ADR) Files and Database Tracking System	11–08–99	64 FR 60849, 51
UST–001	Bankruptcy Case Files and Associated Records	9–23–99	64 FR 51557
UST–002	Trustee File	9–23–99	64 FR 51557, 59
UST–003	U.S. Trustee Timekeeping System	7–26–99	64 FR 40392
UST–004	United States Trustee Program Case Referral System	9–23–99	64 FR 51557, 59

The Department has modified all of its systems of records to include a new routine use that allows disclosure to former employees for purposes of responding to official inquiries by government entities or professional licensing authorities in accordance with the Department's regulation governing access under such circumstances, 28 CFR 16.300–01. The new routine use also allows disclosure to former employees when the Department requires information and/or consultation assistance from the former employee that is necessary for personnel-related or other official purposes regarding a matter within that person's former area of responsibility.

In accordance with 5 U.S.C. 552a(e)(4) and (11), the public is given a 30-day period in which to comment; and the Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 40-day period in which to conclude its review of the system. Therefore, please submit any comments by March 2, 2001. The public, OMB, and the Congress are invited to submit any comments to Mary E. Cahill, Management and Planing Staff, Justice Management Division, United States Department of Justice, Washington, DC 20530–0001 (room 1400, National Place Building).

A description of the modification to the Department's systems of records is provided below. In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress.

Dated: January 8, 2001.

Stephen R. Colgate,

Assistant Attorney General for Administration.

DOJ Privacy Act Systems of Records

AAG–001 General Files Systems

ATR–001 Antitrust Division Expert Witness File

ATR–002 Congressional and White House Referral Correspondence Log File

ATR–003 Index of Defendants in Pending and Terminated Antitrust Cases

ATR–004 Statements by Antitrust Division Officials (ATD Speech File)

ATR–005 Antitrust Caseload Evaluation System (ACES)—Time Reporter

ATR–006 Antitrust Caseload Evaluation System (ACES)—Monthly Report

ATR–007 Antitrust Division Case Cards

ATR–008 Freedom of Information/ Privacy Requestor Subject Index File

ATR–009 Public Complaints and Inquiries File

ATR–014 Civil Investigative Demand (CID) Tracking System

BIA–001 Decisions of the Board of Immigration Appeals

BIA–002 Roster of Organizations and their Accredited, Representatives Recognized by the Board of Immigration Appeals

BOP–001 Custodial and Security Record System

BOP–002 Freedom of Information Act Record System

BOP–003 Industrial Inmate Employment Record System

BOP–004 Inmate Administrative Remedy Record System

BOP–005 Inmate Central Records System

BOP–006 Inmate Commissary Accounts Record System

BOP–007 Inmate Physical and Mental Health Record System

BOP–008 Inmate Safety and Accident Compensation Record System
BOP–009 Federal Tort Claims Act Record System
BOP–010 Access Control Entry/Exit System
BOP–011 Telephone Activity Record System
BOP–012 Office of Internal Affairs Investigative Records
BOP–014 Employee Assistance Program (EAP) Record System
BOP–101 The National Institute of Corrections Technical Resource Provider Record System
BOP–102 The National Institute of Corrections Field Readers List
BOP–103 National Institute of Corrections Academy Record System
BOP–104 National Institute of Corrections Mailing List & Information Center Contacts Records System
CIV–001 Civil Division Case File System
CIV–002 Civil Division Case File System: Customs Litigation
CIV–003 Office of Alien Property File System
CIV–004 Swine Flu Administrative Claim File System
CIV–005 Freedom of Information/ Privacy Acts File System
CIV–006 Consumer/Inquiry Investigatory System
CIV–007 Congressional and Citizen Correspondence File
COPS–001 Police Corps System
CRM–001 Central Criminal Division Index File and Associated Records
CRM–002 Criminal Division Witness Security File
CRM–003 File of Names Checked to Determine if those Individuals Have Been The Subject of an Electronic Surveillance
CRM–004 General Crimes Section, Criminal Division, Central Index File and Associated Records
CRM–005 Index to Names of Attorneys Employed by the Criminal Division, U.S. Department of Justice, Indicating the Subject of the Memoranda on Criminal Matters They Have Written
CRM–006 Information File on Individuals and Commercial Entities Known or Suspected of Being Involved in Fraudulent Activities
CRM–007 Name Card File on Criminal Division Personnel Authorized to have Access to the Central Criminal Division Records
CRM–008 Name Card File on Department of Justice Personnel Authorized to have Access to the Classified Files of the Department of Justice
CRM–012 Organized Crime and Racketeering Section, General Index File and Associated Records
CRM–014 Organized Crime and Racketeering Section, Intelligence and Special Services Unit, Information Request System
CRM–017 Registration and Propaganda Files Under the Foreign Agents Registration Act of 1938, As Amended
CRM–018 Registration Files of Individuals Who Have Knowledge of or Have Received Instruction or Assignment in Espionage, Counterespionage, or Sabotage Service or Tactics of a Foreign Government or of a Foreign Political Party
CRM–019 Requests to the Attorney General for Approval of Applications to Federal Judges for Electronic Interceptions
CRM–021 The Stocks and Bonds Intelligence Control Card File System
CRM–022 Witness Immunity Records
CRM–023 Weekly Statistical Report
CRM–024 Freedom of Information/ Privacy Act Records
CRM–025 Tax Disclosure Index File and Associated Records
CRM–026 Index of Prisoners Transferred Under Prisoner Transfer Treaties
CRM–027 Office of Special Investigation (OSI) Displaced Persons Listings
CRS–001 Operational Data Information System
CRT–001 Central Civil Rights Division Index File and Associated Records
CRT–002 Files of Applications for the Position of Attorney with the Civil Rights Division
CRT–003 Civil Rights Case Load Evaluation System—Time Reporting System
CRT–004 Registry of Names of Interested Persons Desiring Notifications of Submissions Under Section 5 of the Voting Rights Act
CRT–007 Files on Employment Civil Rights Matters Referred by the Equal Employment Opportunity Commission
CRT–008 Files on Correspondence Relating to Civil Rights Matters from persons Outside the Department of Justice
CRT–009 Civil Rights Division Travel Reports
CRT–010 Freedom of Information; Privacy Act Records
DAG–003 Drug Enforcement Task Force Evaluation Reporting System
DAG–004 Honor Program Applicant System
DAG–005 Master Index File of Names
DAG–006 Presidential Appointee Candidate Records System
DAG–007 Presidential Appointee Records System
DAG–008 Special Candidates for Presidential Appointments and Noncareer SES Positions Records System
DAG–009 Summer Intern Program Records System
DAG–010 United States Judge and Department of Justice Presidential Appointee Records
DAG–011 Miscellaneous Attorney Personnel Records
DAG–012 Executive Secretariat Correspondence Control System
DAG–013 General Files System
DEA–001 Air Intelligence Program
DEA–INS–111 Automated Intelligence Records System (Pathfinder)
DEA–003 Automated Records and Consolidated Orders System/ Diversion Analysis and Detection System (ARCOS/DADS)
DEA–004 Congressional Correspondence File
DEA–005 Controlled Substances Act Registration Records (CSA)
DEA–006 Freedom of Information/ Privacy Act Records
DEA–008 Investigative Reporting and Filing System
DEA–010 Planning and Inspection Division Records
DEA–011 Operations Files
DEA–012 Registration Status/ Investigation Records
DEA–013 Security Files
DEA–015 Training Files
DEA–017 Grants of Confidentiality Files (GCF)
DEA–020 Essential Chemical Reporting System
DEA–021 DEA Aviation Unit Reporting System
DOJ–001 Accounting Systems for the Department of Justice
DOJ–002 DOJ Computer Systems Activity & Access Records
EOIR–001 Records and Management Information System
EOIR–003 Practitioner Complaint/ Disciplinary Files
FBI–001 National Crime Information Center (NCIC)
FBI–002 The FBI Center Records System
FBI–003 Bureau Mailing Lists
FBI–006 Electronic Surveillance (Elsur) Indices
FBI–007 FBI Automated Payroll System
FBI–008 Personnel Information Network System (PINS)
FBI–009 Fingerprint Identification Records System (FIRS)
FBI–010 Employee Travel Vouchers and Individual Earning Records
FBI–011 Employee Health Records
FBI–012 Time Utilization Record-Keeping (TURK) System
FBI–013 Security Access Control System (SACS)
FBI–014 FBI Alcoholism Program

FBI–015 National Center for the Analysis of Violent Crime (NCAVC)
FBI–016 FBI Counterdrug Information Indices System (CIIS)
FBI–017 National DNA Index System (NDIS)
FBI–018 National Instant Criminal Background Check System (NICS)
INS–001 The Immigration and Naturalization Service Index System
INS–001A The Immigration and Naturalization Service (INS) Alien File (A-File) and Central Index System (CIS)
INS–002 Office of Internal Audit Investigations Index and Records
INS–004 The Asset Management Information System (AMIS)
INS–007 Orphan Petitioner Index and Files
INS–008 Bond Management Information System (BMIS)
INS–009 Alien Status Vertification Index
INS–010 Freedom of Information Act/ Privacy Act (FOIA/PA) Case Tracking and Reporting System
INS–011 The Password Issuance and Control System (PICS)
INS–012 Deportable Alien Control System (DACS)
INS–013 Computer Linked Application Information Management System
INS–014 Security Access Control System (SACS)
INS–015 Port of Entry Office Management Support System
INS–016 Secondary Verification Automated LOG (SVAL)
INS–017 Global Enrollment System (GES)
INS–019 Employee Assistance Program (EAP) Treatment Referral Records
INS–021 Designated Entity Information Management System (DEIMS)
INS–022 INS Attorney/Representative Complaint/Petition Files
INS–023 Law Enforcement Support Center Database (LESC)
INS–024 The FD–258 Fingerprint Tracking System
INS–025 Worksite Enforcement Activity Record & Index (LYNX)
INS–026 Hiring Tracking System
INTERPOL–001 THE INTERPOL-United States National Central Bureau (INTERPOL–USNCB) (Department of Justice) INTERPOL–USNCB Records System
JMD–001 Background Investigation Check-off Card
JMD–002 Controlled Substances Act Nonpublic Records
JMD–003 Department of Justice Payroll System
JMD–005 Grievance Records
JMD–006 Debt Collection Management System
JMD–007 Accounting System for the Offices, Boards and Divisions and the United States Marshals Service
JMD–008 Security Clearance Information System (SCIS)
JMD–009 Debt Collection Off-set Payment System
JMD–011 Office of General Counsel (OGC) Correspondence and Advice Tracking System (CATS)
JMD–012 Department of Justice (DOJ) Call Detail Records
JMD–013 Employee Locator File
JMD–014 Security Access Control System
JMD–016 Employee Assistance Program (EAP) Counseling and Referral Records
JMD–017 Department of Justice (DOJ) Employee Transportation Facilitation System
JMD–019 Freedom of Information/ Privacy Act Records
JMD–020 Freedom of Information/ Privacy Acts (FOI/PA) Requests Letters
ENRD–001 Appraisers, Approved Attorneys, Abstractors and Title Companies Files Database System
LDN–002 Congressional Correspondence File
ENRD–003 Environment & Natural Resources Division Case & Related Files System
LDN–005 Freedom of Information Act and Privacy Act Records System
LDN–006 Citizens' Mail File
NDIC–001 National Drug Intelligence Center Data Base
OAG–001 General Files System
OIG–001 Office of the Inspector General Investigative Records System
OIG–003 Freedom of Information and Privacy Acts
OIG–004 OIG Employee Training Records
OIG–005 Firearms Qualificiations System
OIPR–001 Policy and Operational Records System
OIPR–002 Foreign Intelligence Surveillance Act Records System
OIPR–003 Litigation Records System
OIPR–004 Domestic Security/ Terrorism Investigations Records System
OJP–001 Equipment Inventory
OJP–004 Grants Management Information System
OJP–005 Financial Management System
OJP–006 Congressional and Public Affairs System
OJP–007 Public Information System
OJP–008 Civil Rights Investigative System
OJP–009 Federal Advisory Committee Membership Files
OJP–010 Technical Assistance Resource Files
OJP–011 Registered Users File—National Criminal Justice Reference Service (NCJRS)
OJP–012 Public Safety Officers Benefits System
OJP–013 Denial of Federal Benefits Clearinghouse System (DEBAR)
OLA–001 Congressional Committee Chairman Correspondence File
OLA–002 Congressional Correspondence File
OLA–003 Citizen Correspondence File
OLC–001 Attorney Assignment Reports
OLC–002 Office of Legal Counsel Central File
OLC–003 Office of Legal Counsel Freedom of Information Act and Privacy Act Files
OLP–001 Freedom of Information and Privacy Appeals Index
OLP–002 United States Judges Records System
OLP–003 General Files System
OLP–004 Declassification Review Index System
OPA–001 Executive Clemency File
OPA–002 Miscellaneous Correspondence File
OPA–003 Freedom of Information/ Privacy Acts (FOI/PA) Request File
OPI–001 News Release, Document and Index System
OPR–001 Office of Professional Responsibility Records Index
OPR–002 Freedom of Information/ Privacy Acts (FOI/PA) Records
OSC–001 Central Index File and Associated Records
OSC–002 Files on Correspondence Relating to Immigration-Related, Unfair Employment Practices from Persons Outside the Department of Justice
OSC–003 Special Counsel for Immigration Related Unfair Employment Practices Travel Reports
OSC–004 Freedom of Information; Privacy Act Records
OSCW–001 Caselink Document Database for Office of Special Counsel—Waco
PRC–001 Docket, Scheduling and Control
PRC–002 Freedom of Information Act Record System
PRC–003 Inmate and Supervision Files
PRC–004 Labor and Pension Case, Legal File and General Correspondence System
PRC–005 Office Operation and Personnel System
PRC–006 Statistical, Educational and Developmental System
PRC–007 Workload Record, Decision Result, and Annual Report System
TAX–001 Tax Division Central Classification Cards, Index Docket

Cards, and Associated Records—Criminal Tax Cases
TAX–002 Tax Division Central Classification Cards, Index Docket Cards, and Associated Records—Civil Tax Cases
TAX–003 Files of Applications for the Position of Attorney with the Tax Division
TAX–004 Freedom of Information—Privacy Act Request Files
TAX–005 Tax Division Special Projects File
USA–001 Administrative Files
USA–002 A.U.S.A. Applicant Files
USA–003 Citizen Complaint Files
USA–004 Citizen Correspondence Files
USA–005 Civil Case Files
USA–006 Customer Complaints
USA–007 Criminal Case Files
USA–008 Freedom of Information Act/Privacy Act Files
USA–009 Kline District of Columbia and Maryland Stock and Land Fraud Interrelationship Filing System
USA–010 Major Crimes Division Investigative Files
USA–011 Prosecutor's Management Information System (PROMIS)
USA–012 Security Clearance Forms for Grand Jury Reporters
USA–013 U.S. Attorney, District of Columbia Superior Court Division, Criminal Files
USA–014 Pre-Trial Diversion Program Files
USA–015 Debt Collection Enforcement System
USA–016 Assistant United States Attorney Applicant Records System
USA–017 Appointed Assistant United States Attorneys Personnel System
USA–018 United States Attorneys' Office Giglio Information Files
USM–001 United States Marshals Service Badge and Credentials File
USM–002 United States Marshals Service Internal Inspections System
USM–003 United States Marshals Service Prisoner Transportation System
USM–004 Special Deputation Files
USM–005 U.S. Marshals Service Prisoner Processing and Population Management/Prisoner Tracking System (PPM/PTS)
USM–006 United States Marshals Service Training Files
USM–007 Warrant Information Network (WIN)
USM–008 Witness Security Files Information System
USM–009 Inappropriate Communications/Threat Information System
USM–010 Judicial Facility Security Index System
USM–011 Judicial Protection Information System
USM–012 U.S. Marshals Service Freedom of Information/Privacy Act (FOI/PA) File
USM–013 U.S. Marshals Service Administration Proceedings, Claims and Civil Litigation Files
USM–014 Joint Automated Booking Stations (JABS)
USM–015 U.S. Marshals Service (USMS) Employee Assistance Program (EAP) Records
USM–016 U.S. Marshals Service (USMS) Key Control Record System
USM–017 Judicial Security Staff Inventory
USM–018 Alternative Dispute Resolution (ADR) Files and Database Tracking System
UST–001 Bankruptcy Case Files and Associated Records
UST–002 Trustee File
UST–003 U.S. Trustee Timekeeping System
UST–004 United States Trustee Program Case Referral System

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Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses

Pursuant to subsection (b)(3) of the Privacy Act, the Department of Justice may disclose relevant and necessary information to a former employee of the Department for purposes of: responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

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[FR Doc. 01–2397 Filed 1–30–01; 8:45 am]

BILLING CODE 4410–FB–M

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

The United States Institute for Environmental Conflict Resolution; Agency Information Collection Activities; Proposed Collection; Comment Request; U.S. Institute for Environmental Conflict Resolution Application for the National Roster of Dispute Resolution and Consensus Building Professionals: Sub-Roster of Transportation Mediators & Facilitators

AGENCY: Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, U.S. Institute for Environmental Conflict Resolution.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act and supporting regulations, this document announces that the U.S. Institute for Environmental Conflict Resolution (the Institute), part of the Morris K. Udall Foundation, is planning to submit the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB): National Roster of Environmental Dispute Resolution and Consensus Building Professionals: Sub-Roster of Transportation Mediators & Facilitators. Before submitting the ICR to OMB for review and approval, the Institute is soliciting comments regarding the proposed information collection (see the section C. below entitled Questions to Consider in Making Comments.) This document provides information on the need for the Sub-Roster of Transportation Mediators & Facilitators, the information to be recorded in the sub-roster, and the entry criteria for applicants who wish to be listed. The sub-roster application will not be available until all Paperwork Reduction Act requirements are met.

DATES: Comments must be submitted on or before April 2, 2001.

ADDRESSES: Direct comments and requests for information, including copies of the proposed ICR to: Joan C. Calcagno, Roster Manager, U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701, Fax: 520–670–5530, Phone: 520–670–5299, E-mail: roster@ecr.gov.

FOR FURTHER INFORMATION CONTACT: Joan C. Calcagno, Roster Manager, U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701, Fax:

520–670–5530, Phone: 520–670–5299, E-mail: roster@ecr.gov.

SUPPLEMENTARY INFORMATION:

A. Title for the Collection of Information

Application for National Roster of Environmental Dispute Resolution and Consensus Building Professionals: Sub-Roster of Transportation Mediators & Facilitators.

B. Potentially Affected Persons

You are potentially affected by this action if you are a dispute resolution professional with experience related to environmental reviews of transportation projects and you wish to be listed on the National Roster of Environmental Dispute Resolution and Consensus Building Professionals: Sub-Roster of Transportation Mediators & Facilitators.

C. Questions To Consider in Making Comments

The U.S. Institute for Environmental Conflict Resolution requests your comments to any of the following questions related to collecting information for the Sub-Roster of Transportation Mediators & Facilitators:

(1) Is the proposed sub-roster application (''collection of information'') necessary for the proper performance of the functions of the agency, including whether the information will have practical utility?

(2) Is the agency's estimate of the time spent completing the application (''burden of the proposed collection of information'') accurate, including the validity of the methodology and assumptions used?

(3) Can you suggest ways to enhance the quality, utility, and clarity of the information collected?

(4) Can you suggest 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 or other forms of information technology?

D. Abstract

The U.S. Institute for Environmental Conflict Resolution plans to collect information from environmental dispute resolution professionals with experience in transportation cases who desire to become members of a roster of neutrals from which agencies may select providers of neutral services. The proposed transportation roster is being established as part of the U.S. Department of Transportation's Guidance on Dispute Resolution, to provide resources for neutral assistance in connection with environmental reviews of transportation projects.

Responses to the collection of information (the application) are voluntary, but required to obtain a benefit (listing on the Sub-Roster of Transportation Mediators & Facilitators.) An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Background Information: U.S. Institute for Environmental Conflict Resolution

The U.S. Institute for Environmental Conflict Resolution was created in 1998 by the Environmental Policy and Conflict Resolution Act (P.L. 105–156). The Institute is located in Tucson, Arizona and is part of the Morris K. Udall Foundation, an independent agency of the executive branch of the federal government. The Institute's primary purpose is to provide impartial, non-partisan assistance to federal and non-federal parties. The Institute provides assistance in seeking agreement or resolving disputes through use of mediation and other collaborative, non-adversarial means regarding environmental, natural resources, and public lands issues involving a federal interest. The Institute accomplishes most of its work by partnering or contracting with, or referral to, experienced practitioners.

The Need for and Proposed Use of the Information Collected in the Application for the Sub-Roster of Transportation Mediators and Facilitators

The environmental streamlining section of the Transportation Equity Act for the 21st Century (TEA–21) (Public Law 105–178, as amended 105–206) was created by Congress in response to undue delays in completing transportation projects and directs federal agencies to coordinate environmental reviews of transportation projects. Many of the delays were a result of unresolved disputes among agencies in the review process. Thus, a key part of environmental streamlining is managing conflict when it develops. Through discussions with federal and state transportation and environmental agencies, the Federal Highway Administration (FHWA) (an agency in the U.S. Department of Transportation) identified the need for an efficient, effective alternative dispute resolution (ADR) system. The FHWA contracted with the Institute to provide assistance in designing and implementing an ADR system. The system has been designed to prevent and resolve disputes among federal and state transportation, natural resource, and environmental regulatory agencies. It is designed to address conflicts over specific issues that arise under the National Environmental Policy Act (NEPA) process, that is, the preparation of Environmental Assessments or Environmental Impact Statements for specific projects, or determining whether Categorical Exemptions apply. It also applies to reviews for potential impacts on historical and archeological resources, and to reviews associated with permits that some projects require, such as dredge and fill permits from the Army Corps of Engineers (under Section 404 of the Clean Water Act).

The Sub-Roster of Transportation Mediators & Facilitators (''sub-roster'') is part of the ADR system. Interviews with numerous federal and state agency representatives, who are potential users of the system, identified the need for professional third-party assistance. The sub-roster provides agencies with one source from which to find experienced neutrals to facilitate negotiations and to help resolve disputes. Agency personnel will use the sub-roster primarily to find facilitators or mediators experienced in preventing and resolving disputes that arise during environmental reviews of transportation projects. Agencies may also look to the sub-roster for such services as conflict assessment, process design, or related professional advice in these same issues.

In order for the sub-roster to be an efficient and effective part of the environmental streamlining ADR system, it must provide agency personnel seeking assistance specific information related to the third-party neutral's experience with environmental reviews of transportation projects. The Institute operates the National Roster of Environmental Dispute Resolution and Consensus Building Professionals (''roster''), which has existed since February 2000. (The roster application is open and continuous and available on Institute's website: www.ecr.gov.) Sub-roster applications will be submitted by those practitioners who are already, or will become, members of the roster. The information already collected through the roster application process is not specific enough to allow all roster members with this particular experience to be identified. Collection of specific information relating to transportation experience will expedite the identification of appropriate neutrals.

The sub-roster information, instructions and application will be available from the Institute's website as a PDF document. The application gathers the information necessary to

determine whether the applicant meets the entry criteria and gathers some additional information important to selecting appropriate practitioner candidates for the particular situation. Information will be entered on the application online, similarly to common computerized word processing. It will then be printed out and mailed in. The applicant can also save the application electronically for purposes of updating or revision. Hardcopy applications will be available by request to the Institute. Sub-roster members names and locations will be tracked and searchable in an electronic database maintained by the Institute. Agencies will be able to request assistance in identifying appropriate practitioners by contacting the Institute Roster Manager.

Draft Sub-Roster Application

The draft application is attached. The format of the draft application will be modified to use fonts, spacing and formatting for optimum electronic use.

E. Burden Statement

This ICR compiles data available from the resumes of most mediators and facilitators with experience in environmental reviews of transportation projects into a format that is standardized and easily accessible for use in making referrals. The application will be submitted only by members of the National Roster of Environmental Dispute Resolution and Consensus Building Professionals, who will have familiarity with providing this type of information as a result of applying for membership; the roster application is filled out and submitted online and is more detailed. Sub-roster applicants will need to complete the sub-roster application only once. They will be able to update their information on a voluntary basis. The burden includes time spent to: (1) Review the entry criteria, definitions, instructions and application; (2) access current (within the last ten years) information about their experience with environmental reviews of transportation projects; and (3) enter the information on the form, print it and mail it.

Likely Respondents: Current and future members of the National Roster of Environmental Dispute Resolution and Consensus Building Professionals.

Estimated Number of Respondents (first year): 80.

Estimated Number of New Respondents (per year for succeeding year): 10.

Proposed Frequency of Response: one, with voluntary update.

Respondent Time Burden Estimates:

Estimate Time per Response: 140 minutes.

Estimated Number of Updates (per year): 1, for half of the respondents.

Estimated Time for Update: 15 minutes.

Estimated Total First Year Burden: 11200 minutes.

Estimated Total Subsequent Year Annual Burden: 1400 minutes, new respondents + 675 minutes, updates.

Respondent Cost Burden Estimates (at $150. per hour):

No capital or start-up costs (respondents will use the same computer equipment to access the sub-roster application as was used for their National Roster of ECR Practitioner application or respondents can request an application by phone or mail; applications are submitted through US Postal Service)

Estimated Cost per Respondent (first year): $345.

Estimated Cost per Respondent (subsequent year): $38.

Estimated Total First Year Burden: $27,990.

Estimated Total Subsequent Year annual Burden: $3,500, new respondents; $1,688, updates.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information and transmitting information.

(Authority: 20 USC Sec. 5601–5609).

Dated the 16th day of January, 2001.

Christopher L. Helms,

Executive Director, Morris K. Udall Foundation.

U.S. Institute for Environmental Conflict Resolution

National Roster of Environmental Dispute Resolution and Consensus Building Professionals; Sub-Roster of Transportation Mediators & Facilitators Instructions & Application

Sub-Roster Entry Criteria

1. Membership on the National Roster of Environmental Dispute Resolution and Consensus Building Professionals
2. Participation as a *Principal Professional* in two *Transportation Cases* within the last ten years

or

Participation as a *Principal Professional* in one *Transportation Case* within the last ten years

and

one-year full time equivalent experience within the last ten years: working for, or as a consultant to, a *transportation agency,* an *environmental resource agency* or an *environmental regulatory agency* in a position with responsibility for *environmental reviews* of *transportation projects*

or

providing legal advice or representation to parties in cases involving *environmental reviews* of *transportation projects*

Please Note

- ''Membership on the National Roster of Environmental Dispute Resolution and Consensus Building Professionals'' in criteria (1.) means you have submitted an application to the roster and been notified of approval.
- The *italicized terms* in the entry criteria have specific definitions. The definitions are included below.
- *Principal Professional* incorporates the definition of *Environmental Dispute Resolution and Consensus Building Professional*, which requires that you only count cases in which you were a ''third party neutral engaged to assist all parties * * *'' in various collaborative processes. Do not include cases in which you acted as a: representative of or negotiator for a party, presiding judge, hearing officer, or arbitrator.
- A *Case* requires at least 20 hours of your activity. *Case Hours* is specifically defined.
- Only *cases* within the last ten years and on going *cases* can be included.
- A *transportation case* could involve the affected agencies (inter-agency), just one agency (intra-agency), or all stakeholders. Listing inter-agency cases is preferred.
- You may count as a *transportation case*, a case you included in the Qualifying Case section of your roster application, but you must include the information about the case as requested in the sub-roster application.
- ''One year full time experience in the last ten years'' means that the experience does not necessarily have to have been gained during one calendar year and could be spread over the last ten years.

Definitions

Case. Involves an actual or potential dispute or lack of agreement on one or more issues in controversy. A case may also be described as a process of building agreement, recommendations,

or advice on actual or potential issues in controversy as well as facilitating collaborative processes among multiple parties on actual or potential issues in controversy. Systems design and evaluation work would also be included. A case must have engaged the environmental dispute resolution and consensus building professional for more than 20 case hours.

Transportation case. A case involving (1) environmental review of a specific transportation project or (2) a case involving ''up-front'' collaborative efforts at the planning stage among transportation, environmental resource and environmental regulatory agencies or (3) the design of processes to manage conflict and resolve disputes relating to *environmental review* of *transportation projects.*

Environmental review. Review of *transportation projects* for environmental, archeological, or historical impacts (e.g., reviews associated with the National Environmental Policy Act (NEPA) process; permits under Section 404 of the Clean Water Act; U.S. Fish and Wildlife Service and National Marine Fisheries Service consultations under the Endangered Species Act; U.S. Environmental Protection Agency project approvals; historical and archeological reviews associated with Section 4(f) of the U.S. DOT Act of 1966 and Section 106 of the National Historic Preservation Act and related regulations; or similar state requirements.)

Transportation project. A surface (highway and/or transit) or air transportation project.

Transportation agency. Local, state, or federal transportation agency.

Environmental resource agency and/or Environmental regulatory agency. Agencies charged with planning for and managing natural historical, or archeological resources; issuing and enforcing environmental regulations; conducting environmental reviews. For example: a state department of game and fish or natural resource agency, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Forest Service, National Marine Fisheries Service, Bureau of Land Management, Army Corps of Engineers, U.S. Coast Guard, National Advisory Council on Historic Preservation.

Case hours. Actual contact time with the parties as individuals or a group, plus time spent in conduct of all phases of the process, or evaluating or reporting on the process. This does not include hours spent prior to professional engagement in the project.

Environmental dispute resolution and consensus building professional. Any third party neutral engaged to assist all parties in the prevention, management, or resolution of disputes or controversy. The environmental dispute resolution and consensus building professional shall have expertise in one or more of the following processes: facilitation, mediation, consensus building, neutral evaluation/fact finding, settlement judge, conflict assessment, process design, or dispute systems design.

Principal professional. An environmental dispute resolution and consensus building professional (see above) who has been engaged to serve as the lead in a case. A principal professional includes serving as a co-mediator or other such circumstance where duties and responsibilities are shared equally as peers.

Saving the Application for Your Records and Revision (To Be Added)

Submitting Your Application

The application pages will provide information for determining compliance with the entry criteria and will be sent to those seeking referrals. Thus you must supply information that reflects a match with entry criteria *and* you have the opportunity to supply additional information to users. The reference page is for Institute use only.

Please fill out the application pages and the reference page online. Print these pages. Mail, do not fax, these pages only to: Joan C. Calcagno, Roster Manager, U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701; and for assistance, questions or hardcopy application: 520–670–5299 Ext. 19 roster @ecr.gov

Conditions for Listing

In submitting your application for the Sub-Roster of Transportation Mediators & Facilitators, you agree to abide by the same Terms and Conditions agreement that applies to your roster membership (see the last page of your roster application) and the same.

Certification: I certify that all information submitted by me on this application is correct to the best of my knowledge. I wish to be listed on the Sub-Roster of Transportation Mediators & Facilitators if found to meet the qualifications for inclusion. Moreover, I have read, understand and agree to abide by all terms set forth in the Conditions of Listing Agreement, referred to above, as a condition for listing on the sub-roster. I further understand that false certification may subject me to civil or criminal penalties as prescribed in 18 U.S.C. 1001. I also understand that all information provided by me on this application is public record. In my application, I certify that I am not currently debarred, suspended, proposed for debarment or suspension, nor have I been declared ineligible for the award of contracts by any Federal agency.

Application Instructions

Item 1. Transportation Case Information: In the spaces provided, enter the requested information on up to two Transportation Cases in which you were the Principal Professional and which took place in the last ten years. Indicate your primary Alternative Dispute Resolution/Environmental Conflict Resolution role. Enter the estimated number of case hours (to date, if the case is on going), the number of parties or represented interests involved, and the type of transportation project. Provide a detailed description of the case including the environmental review process involved, your activities, and the outcomes.

Item 2. Professional Transportation Experience: In the spaces provided, enter information on your paid job experience working for a transportation agency, environmental resource agency, or environmental regulatory agency, or your experience as a consultant to such agencies. Include only work or consulting experience in which you had responsibility for environmental reviews of transportation projects. And/or enter information about your experience providing legal advice or representation to parties in cases involving environmental reviews of transportation projects.

Item 3. Summary Numbers: In the space provided, enter the total number of Transportation Cases in which you participated as Principal Professional in the last 10 years and the average number of case hours.

Item 4. Summary Narrative: In the space provided, enter a narrative description of the body of your experience with transportation cases, issues, and processes, particularly experience with developing timelines for transportation projects, with ''404/NEPA merger'' processes, or with resolving interagency disputes.

References: For each case, provide one reference. Please provide one reference for your Professional Transportation Experience, if applicable.

References

For each case, provide one reference. Please provide name, title, and address and phone number, including area code.

Case name: _____
Reference Name: _____
Title: _____
Address: _____
Phone Number: _____

Case name: _____
Reference Name: _____
Title: _____
Address: _____
Phone Number: _____

Please provide one reference for your Professional Transportation Experience, if applicable. Please include name, title, transportation or environmental agency, address, phone number.

Work Reference Name: _____
Title: _____
Transportation/Environmental Agency: ____
Address: _____
Phone Number: _____

Note: The reference information is for Institute use only and will not be available to other parties.

U.S. Institute for Environmental Conflict Resolution Sub-Roster of Transportation Mediators and Facilitators

Name: _____
City and State: _____

Highlights of Transportation Case Experience

Transportation Case Name: _____
Primary Role: _____
Month and year of completion or on going: __
Estimated Number of case hours: _____
Number of Parties or represented interests: __
Parties/entities: _____
Type of Transportation project (highway, transit, air): _____
Case Description: _____

Transportation Case Name: _____
Primary Role: _____
Month and year of completion or on going: __
Estimated Number of case hours: _____
Number of Parties or represented interests: __
Parties/entities: _____
Type of Transportation project (highway, transit, air): _____
Case Description: _____

Transportation Work Experience

Organization: _____
Full or Part time: _____
Occupation, position or title: _____
Month and year worked from and to: _____
Description of primary responsibility/involvement: _____

The total number of Transportation Cases as a Principal Professional in the last ten years: _____

The average number of case hours:_____

Narrative Description of experience with transportation cases, issues and/or processes:

[FR Doc. 01–1764 Filed 1–30–01; 8:45 am]

BILLING CODE 6820–FN–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 00–019]

NASA Advisory Council (NAC), Space Science Advisory Committee (SScAC), Sun-Earth Connection Advisory 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 forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee, Sun-Earth Connection Advisory Subcommittee.

DATES: Tuesday, February 20, 2001, 8:30 a.m., to 5:00 p.m.; Wednesday, 21, 2001, 8:30 a.m. to 5:00 p.m.; Thursday, February 22, 2001, 8:30 a.m. to 1:00 p.m.

ADDRESSES: National Aeronautics and Space Administration, 300 E Street, SW, Conference Room 6H46, Washington, DC, 20546.

FOR FURTHER INFORMATION CONTACT: Dr. George L. Withbroe, Code S, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–2150.

SUPPLEMENTARY INFORMATION: The meeting will be open the public up to the capacity of the room. The agenda for the meeting includes the following topics:

—Geospace Management Operations Working Group.

—STEREO Evolution and Development Status.

—National Research Council Decadal Survey and relation to next Roadmap.

—Imager for Magnetopause-to-Aurora Global Exploration Mission Initial Results.

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 visitor's register.

Dated: January 25, 2001.

Beth M. McCormick,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 01–2628 Filed 1–30–01; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95–541)

AGENCY: National Science Foundation.

ACTION: Notice of Permit Applications Received under the Antarctic Conservation Act of 1978. Public Law 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by March 2, 2001. Permit applications may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT: Joyce Jatko at the above address or (703) 292–8032.

SUPPLEMENTARY INFORMATION: The National Science Foundation, under the authority of the Antarctic Conservation Act of 1978, as amended, issued regulations providing for the conservation of Antarctic animals and plants. The regulations provide for a permit system for various activities in Antarctica otherwise prohibited, including entry into Antarctic Specially Protected Areas, taking of native mammals, birds, or plants, exporting or importing any native mammal, bird or plant, or introducing into Antarctica any non-native species.

The applications received are as follows:

1. *Applicant*—Permit Application No. 20001–025: Daniel P. Costa, Department of Biology, University of California, Santa Cruz, CA 95064.

Activity for Which Permit is Requested: Take and Import into the U.S. The applicant proposes to capture up to 25 Crabeater seals (Lobodon carcinophagus), and up to 10 each of Leopard (Thydrurga leoptony), Weddell (Leptonyshotes weddellii) and Ross seals (Ommatophoca rossii) per season over the next 3 years for the purpose of collecting blood, tissue and stomach

samples, take measurements and attach satellite relay data loggers (SRDL) and VHF radio tags. The purpose for these activities is to determine and better understand the foraging strategies utilized by marine predators in the face of meso- and fine-scale ecological variability. The collected samples will be imported into the U.S. for further analysis.

Location: Within the seasonal pack ice in Marguerite Bay, West Antarctic Peninsula.

Dates: April 1, 2001 to August 31, 2003.

2. *Applicant*—Permit Application No. 2001–026: Bruce D. Sidell, School of Marine Sciences, University of Maine, Orono, ME 04469–5471.

Activity for Which Permit is Requested: Introduce into Antarctica. The applicant proposes to use a mixture of species of frozen fish tissues from species native to Patagonian Chile, specifically *Macruronis magellanicus* and *Dissostichus eleganoides,* as bait in experimental fishing of fish traps/pots in the Antarctic peninsula area. The bait will be used to attempt to capture Antarctic fishes, in particular Channichthyid icefishes, for ongoing studies of the physiology and biochemistry of Antarctic icefishes. In all previous research seasons to date, capture of fish specimens has been carried out exclusively by benthic trawling. If use of the fish traps proves to be successful, this method could reduce the necessity and frequency for use of movable bottom gear and resultant disruption to benthic communities and could yield a much more diverse sample of fish species for research work.

Location: Antarctic peninsula area in the vicinities of Low, Brabant, Anvers, Livingston Islands and Deallmann Bay.

Dates: June 1, 2001 to July 31, 2001.

Joyce A. Jatko,

Acting Permit Officer, Office of Polar Programs.

[FR Doc. 01–2612 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Notice of Permits Issued Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permits issued under the Antarctic Conservation Act of 1978, Public Law 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

FOR FURTHER INFORMATION CONTACT: Joyce A. Jatko, Telephone 703–292–8032. Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

SUPPLEMENTARY INFORMATION: On December 20, 2000, the National Science Foundation published a notice in the **Federal Register** of a permit application received. The permit was issued on January 19, 2001 to the following applicant: Raymond V. Arnaudo, Permit No. 2001–024.

Joyce A. Jatko,

Acting Permit Officer, Office of Polar Programs.

[FR Doc. 01–2613 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Civil and Mechanical Systems; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Civil and Mechanical Systems (1205).

Date and Time: February 27, 2001; 8 a.m. to 5 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Dr. Miriam Heller, National Science Foundation, 4201 Wilson Boulevard, Room 545, Arlington, VA 22230. Telephone: (703) 292–8360.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate nominations for the FY'00 Mechanics and Structures of Materials and Surface Engineering and Material Design Review Panel as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2615 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Education and Human Resources; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Education and Human Resources (#1119).

Date: February 26–28, 2001.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: PART–OPEN.

Contact Person: Lura Chase, Kathleen Bergin, Julio Lopez-Ferrao, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–8690.

Purpose of Meeting: To carry out Committee of Visitors review, including examination of decisions on proposals, reviewer comments, and other privileged materials.

Agenda

February 26, 2001; 5 p.m.–7 p.m. (Closed): Introductions and Instructions.

February 27, 2001; 8 a.m.–6 p.m. (Closed): In-depth program review.

February 28, 2001; 8–10 p.m. and 12 p.m.–3 p.m. (Closed): In-depth program review and preparation of final report.

February 28, 2001; 10 a.m.–12 p.m. (Open): Discussion of findings and draft report.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2614 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Electrical and Communications Systems; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Electrical and Communications System (1196).

Date and Time: February 15–16, 2001; 8:30 a.m. to 5 p.m.

Place: National Science Foundation, Room 680, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Contact Persons: Dr. Usha Varshney, National Science Foundations, 4201 Wilson Boulevard, Room 675, Arlington, VA 22230. Telephone: (703) 292–8339.

Purpose: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions 5 U.S.C. 552b.(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2619 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Mathematical and Physical Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Mathematical and Physical Sciences (66).

Date and Time: February 12, 2001, 8:30 a.m.–5 p.m. (Closed); February 13, 2001, 8:30 a.m.–6 p.m. (Closed); February 14, 2001, 8 a.m.–11 a.m. (Closed); February 14, 2001, 11 a.m.–2 p.m. (Open).

Place: National Science Foundation, 4201 Wilson Boulevard, Room 375, Arlington, VA 22230.

Type of Meeting: Part-Open.

Contact Person: Dr. Donald Burland, Acting Director, Division of Chemistry, Room 1055, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–8840.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support. Discussions on the impact of projects funded and an evaluation of the programs.

Agenda

February 12, 2001: First Round In-depth Program Review

February 13, 2001: Preparation of First Round Report; Second Round Review and Preparation of Second Round Report

February 14, 2001: Merge of 1st and 2nd Round Reports, and Open Discussion of Divisional Issues and Briefing by COV

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2616 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Mathematical and Physical Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–4631, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Mathematical and Physical Sciences (66).

Date and Time:

February 7, 2001; 8:30 a.m.–10 a.m. (Open) & 10:00 a.m.–5:30 p.m. (Closed)

February 8, 2001; 8:30 a.m.–5:30 p.m. (Open)

February 9, 2001; 8 a.m.–11 a.m. (Closed) & 11 a.m.–4 p.m. (Open)

Place: National Science Foundation, 4201 Wilson Boulevard, Room 375, Arlington, VA 22230.

Type of Meeting: Part-Open.

Contact Person: Dr. Philippe Tondeur, Director, Division of Mathematical Sciences, Room 1025, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–4850.

Purpose of Meeting: To provide management advice and recommendations based on proposals submitted to NSF for financial support.

Agenda:

February 7, 2001: AM—Introductory Remarks; PM—First Round In-depth Program Review

February 8, 2001: AM—Discussion of Findings and Report; PM—Address GPRA review

February 9, 2001: AM—Preparation of Draft Report and Final Review of Proposals; PM—Open Discussion of Divisional Issues, and Briefing by Committee of Visitors

Reason for Closing: During the closed sessions, review of proposals include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2617 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Mathematical Sciences; Notice of Meetings

In accordance with the federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meetings of the Special Emphasis Panel in Mathematical Sciences (1204):

Date and Time: February 15–17, 2001; 8:30 a.m.–5:00 p.m.

Contact Person: Henry Warchall, National Science Foundation, 4201 Wilson Boulevard, Room 1025, Arlington, VA 22230. Telephone: (703) 292–4861.

Date and Time: March 1–3, 2001; 8:30 a.m.–5:00 p.m.

Contact Person: Catherine Mavriplis, National Science Foundation, 4201 Wilson Boulevard, Room 1025, Arlington, VA 22230. Telephone: (703) 292–4589.

Date and Time: March 8–10, 2001; 8:30 a.m.–5:00 p.m.

Contact Person: Drs. Deborah Lockhart, Thomas Fogwell, and David Kopriva, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–4858.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meetings: Closed.

Purpose of Meetings: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2618 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Mathematical Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–363, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Mathematical Sciences (1204).

Date and Time: February 26–28, 2001; 8:30 a.m. until 5:00 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Dr. Peter Polyakov, Program Director, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–4872.

Purpose of Meeting: To provide advice and recommendations concerning proposal submitted to NSF for financial support.

Agenda: To review and evaluate proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2622 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Physics (1208)

Date and Time: February 5–6, 2001; 8:00 a.m.–5:00 p.m.

Place: University of Colorado, Boulder, CO 80309–0440

Type of Meeting: Closed

Contact Person: Dr. C. Denise Caldwell, National Science Foundation, 4201 Wilson Boulevard, Room 1015, Arlington, VA 22230. Telephone: (703) 292–7371

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to the NSF for the renewal of support for JILA at the University of Colorado.

Agenda: To review and evaluate proposals as part of the evaluation process for funding.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; information on personnel and proprietary date for present and future subcontracts. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2620 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Physics (1208).

Date and Time: March 5–6, 2001; 8:00 a.m.–5:00 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 1020, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Dr. C. Denise Caldwell, National Science Foundation, 4201 Wilson Boulevard, Room 1015, Arlington, VA 22230. Telephone: (703) 292–7371.

Purpose of Meeting: To provide advice and recommendations concerning proposals (NSF/DOE Plasma Panel) submitted to the NSF for financial support.

Agenda: To review and evaluate proposals as part of the evaluation process for funding.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals for present and future subcontracts. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 25, 2001.

Karen J. York,

Committee Management Officer.

[FR Doc. 01–2621 Filed 1–30–01; 8:45 am]

BILLING CODE 7555–01–M

NORTHEAST DAIRY COMPACT COMMISSION

Notice of Meeting

AGENCY: Northeast Dairy Compact Commission.

ACTION: Notice of meeting.

SUMMARY: The Compact Commission will hold its regular monthly meeting to consider matters relating to administration and enforcement of the price regulation, including the reports and recommendations of the Commission's standing Committees.

DATES: The meeting will begin at 10:00 a.m. on Wednesday, February 7, 2001.

ADDRESSES: The meeting will be held at the Holiday Inn, 700 Elm Street, Manchester, NH.

FOR FURTHER INFORMATION CONTACT: Daniel Smith, Executive Director, Northeast Dairy Compact Commission, 64 Main Street, Room 21, Montpelier, VT 05602. Telephone (802) 229–1941.

Authority: 7 U.S.C. 7256.

Dated: January 24, 2001.

Daniel Smith,

Executive Director.

[FR Doc. 01–2608 Filed 1–30–01; 8:45 am]

BILLING CODE 1650–01–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

DATES: Submit comments on or before April 2, 2001.

ADDRESSES: Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimate is accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Tom Mueller, Deputy Associate Administrator, Office of Small Business Development Centers, Small Business Administration, 409 3rd Street, SW., Suite 4600, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Tom Mueller, Deputy Associate Administrator, (202) 205–7301 or Curtis B. Rich, Management Analyst, (202) 205–7030.

SUPPLEMENTARY INFORMATION:

Title: Other Funding Under the SBDC Umbrella.

Form No: 2186.

Description of Respondents: Small Business Development Centers.

Annual Responses: 58.

Annual Burden: 29.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 01–2677 Filed 1–30–01; 8:45 am]

BILLING CODE 8025–01–U

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3315]

State of Arkansas; Amendment #3

In accordance with a notice received from the Federal Emergency Management Agency, dated January 24, 2001, the above-numbered Declaration is hereby amended to include the following counties: Cleburne, Fulton, Greene, Marion and Stone as disaster

areas due to damages caused by a severe winter ice storm beginning on December 12, 2000 and continuing through January 8, 2001.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the previously designated location: Clay and Randolph in the State of Arkansas, and Howell, Oregon and Taney County in the State of Missouri.

Any counties contiguous to the above-named primary counties and not listed herein have been previously declared.

All other information remains the same, i.e., the deadline for filing applications for physical damage is February 27, 2001 and for economic injury the deadline is October 1, 2001.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: January 25, 2001.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 01–2680 Filed 1–30–01; 8:45 am]

BILLING CODE 8025–01–U

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3316]

State of Oklahoma; Amendment #2

In accordance with a notice from the Federal Emergency Management Agency, dated January 23, 2001, the above-numbered Declaration is hereby amended to include the following counties in the State of Oklahoma as disaster areas due to damages caused by a severe winter ice storm beginning on December 25, 2000 and continuing through January 10, 2001: Caddo, Comanche, Craig, Delaware, Mayes, Ottawa, Rogers, and Tillman.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the previously designated location: Blaine, Custer, Jackson, Kiowa and Washita in Oklahoma; Labette and Cherokee in Kansas; McDonald and Newton in Missouri; and Wilbarger in Texas. Any counties contiguous to the above named primary counties and not listed here have been previously declared.

The economic injury number for the State of Missouri is 9K43.

All other information remains the same, i.e., the deadline for filing applications for physical damage is March 6, 2001 and for economic injury the deadline is October 5, 2001.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: January 24, 2001.

James E. Rivera,

Deputy Associate Administrator for Disaster Assistance.

[FR Doc. 01–2679 Filed 1–30–01; 8:45 am]

BILLING CODE 8025–01–U

SMALL BUSINESS ADMINISTRATION

Region I Advisory Council; Public Meeting

The U.S. Small Business Administration Region I Advisory Council, located in the geographical area of Augusta, Maine will hold a public meeting at 10:00 a.m. on February 27, 2001 at the U.S. Federal Building, 40 Western Avenue, Room 510, Augusta, Maine to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Mary McAleney, District Director, U.S. Small Business Administration, 40 Western Avenue, Augusta, Maine 04330; telephone 207–622–8378.

Nancyellen Gentile,

Committee Management Officer.

[FR Doc. 01–2678 Filed 1–30–01; 8:45 am]

BILLING CODE 8025–01–U

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Determination Under the African Growth and Opportunity Act

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The United States Trade Representative has determined that Mauritius has adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents in connection with shipments of textile and apparel articles and has implemented and follows, or is making substantial progress toward implementing and following, the customs procedures required by the African Growth and Opportunity Act. Therefore, imports of eligible products from Mauritius qualify for the enhanced trade benefits provided under the AGOA.

EFFECTIVE DATE: January 19, 2001.

FOR FURTHER INFORMATION CONTACT: Bethany Schwartz, Director for African Affairs, Office of the United States Trade Representative, (202) 395–9514.

SUPPLEMENTARY INFORMATION: The African Growth and Opportunity Act (Title I of the Trade and Development Act of 2000, Public Law 106–200) (AGOA) provides preferential tariff treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries. The textile and apparel trade benefits provided by the AGOA are available to imports of eligible products from countries that the President designates as ''beneficiary sub-Saharan African countries,'' provided that these countries (1) have adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents, and (2) have implemented and follow, or are making substantial progress toward implementing and following, certain customs procedures that assist the Customs Service in verifying the origin of the products.

In Proclamation 7350 of October 2, 2000, the President designated 34 countries as ''beneficiary sub-Saharan African countries.'' Proclamation 7350 delegated to the United States Trade Representative (USTR) the authority to determine whether these countries have met the two requirements described above. The President directed the USTR to announce any such determinations in the **Federal Register** and to implement them through modifications of the Harmonized Tariff Schedule of the United States (HTS). Based on actions that Mauritius has taken, I have determined that Mauritius has satisfied these two requirements.

The AGOA also directs the President to eliminate the existing quotas on textile and apparel articles imported into the United States from Mauritius within 30 days after Mauritius adopts an effective visa system to prevent unlawful transshipment of textile and apparel articles and the use of counterfeit documents relating to the importation of such articles into the United States. Proclamation 7350 delegated this responsibility to the USTR.

Accordingly, pursuant to the authority vested in the USTR by Proclamation 7350, the HTS is modified as provided in Proclamation 7350 and as specified in the Annex to this notice, effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 19, 2001. Importers claiming preferential tariff treatment under the AGOA for entries of textile and apparel articles should ensure that those entries meet the applicable visa requirements. (The

visa requirements are described in a separate notice that is being published in the **Federal Register**.) By this notice, I direct the Customs Service to eliminate the existing quotas on textile and apparel articles imported into the United States from Mauritius within 30 days of the effective date of this notice.

Charlene Barshefsky,

United States Trade Representative.

Annex

Pursuant to the authority provided in Proclamation 7350, the HTS is modified as follows:

1. The text of U.S. note 7 to subchapter II of chapter 98, as established by the annex to such Proclamation, is modified by inserting in alphabetical sequence ''Mauritius'' in the list of countries.

2. U.S. note 1 to subchapter XIX of chapter 98 of the HTS, as established by the annex to such Proclamation, is modified by inserting in alphabetical sequence ''Mauritius'' in the list of countries.

[FR Doc. 01–2602 Filed 1–30–01; 8:45 am]

BILLING CODE 3190–01–U

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Generalized System of Preferences; Imports Statistics Relating to Competitive Need Limitations; Invitation for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; invitation for public comment.

SUMMARY: The Trade Policy Staff Committee (TPSC) is informing the public of interim 1999 import statistics relating to Competitive Need Limitations (CNL) under the Generalized System of Preferences (GSP) program. The TPSC also invites public comments by 5:00 p.m. March 31, regarding possible *de minimis* CNL waivers with respect to particular articles, and possible redesignations under the GSP program of articles currently subject to CNLs.

FOR FURTHER INFORMATION CONTACT: GSP Subcommittee, Office of the United States Trade Representative, 600 17th Street, NW., Room 518, Washington, DC 20508. The telephone number is (202) 395–6971.

SUPPLEMENTARY INFORMATION:

I. Competitive Need Limitations

Section 503(c)(2)(A) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2463(c)(2)(A)), provides for Competitive Need Limitations on duty-free treatment under the GSP program. When the President determines that a beneficiary developing country exported to the United States during a calendar year either (1) a quantity of a GSP-eligible article having a value in excess of the applicable amount for that year ($90 million for 1999), or (2) a quantity of a GSP-eligible article having a value equal to or greater than 50 percent of the value of total U.S. imports of the article from all countries (the ''50 percent'' CNL), the President shall terminate GSP duty-free treatment for that article from that beneficiary developing country by no later than July 1 of the next calendar year.

II. Discretionary Decisions

A. De Minimis Waivers

Section 503 (c)(2)(F) of the 1974 Act provides the President with discretion to waive the 50 percent CNL with respect to an eligible article imported from a beneficiary developing country if the value of total imports of that article from all countries during the calendar year did not exceed the applicable amount for that year ($14.5 million for 1999).

B. Redesignation of Eligible Articles

Where an eligible article from a beneficiary developing country ceased to receive duty-free treatment due to exceeding the CNL in a prior year, Section 503(c)(2)(C) of the 1974 Act provides the President with discretion to redesignate such an article for duty free treatment if imports in the most recently completed calendar year did not exceed the CNLs.

III. Implementation of Competitive Need Limitations, Waivers, and Redesignations

Exclusions from GSP duty-free treatment where CNLs have been exceeded, as well as the return of GSP duty-free treatment to products for which the President has used his discretionary authority to grant redesignations, will be effective July 1, 2000. Decisions on these matters, as well as decisions with respect to *de minimis* waivers, will be based on full 1999 calendar year import statistics.

IV. Interim 1999 Import Statistics

In order to provide advance indication of possible changes in the list of eligible articles pursuant to exceeding CNLs, and to afford an earlier opportunity for comment regarding possible *de minimis* waivers and redesignations, interim import statistics covering the first 10 months of 1999 are included with this notice.

The following lists contain the HTSUS numbers and beneficiary country of origin for GSP-eligible articles, the value of imports of such articles for the first ten months of 1999, and their percentage of total imports of that product from all countries. The flags indicate the status of GSP eligibility.

Articles marked with an ''*'' are those that have been excluded from GSP eligibility for the entire past calendar year. Flags ''1'' or ''2'' indicate products that were not eligible for duty-free treatment under GSP for the first six months or last six months, respectively, of 1999.

The flag ''D'' identifies articles with total U.S. imports from all countries, based on interim 1999 data, less than the applicable amount ($14.5 million in 1999) for eligibility for a *de minimis* waiver of the 50 percent CNL.

List I shows GSP-eligible articles from beneficiary developing countries that have exceeded the CNL of $90 million in 1999. Those articles without a flag identify articles that were GSP eligible during 1999 but stand to lose GSP duty-free treatment on July 1, 2000. In addition, List I shows article (denoted with a flag ''*'' or ''2'') which did not have GSP duty-free treatment in all or the last half of 1999.

List II shows GSP-eligible articles from beneficiary developing countries that (1) have not yet exceeded, but are approaching, the $90 million CNL during the period from January through October 1999, or (2) are close to or above the 50 percent CNL. Depending on final calendar year 1999 import data, these products also stand to lose GSP duty-free treatment on July 1, 2000.

List III is a subset of List II. List III identifies GSP-eligible articles from beneficiary developing countries that are near or above the 50 percent CNL, but that may be eligible for a *de minimis* waiver of the 50 percent CNL. Actual eligibility for *de minimis* waivers will depend on final calendar year 1999 import data.

List IV shows GSP articles from beneficiary developing countries which are currently not receiving GSP duty-free treatment, but which have import levels (based on interim 1999 data) below the CNLs and which thus may be eligible for redesignation pursuant to the President's discretionary authority. Articles with a ''D'' exceed the 50 percent CNL and would require both *de minimis* waivers and redesignation to receive GSP duty-free treatment. The list may contain articles that may not be redesignated until certain conditions are fulfilled, as for example, where GSP eligibility for articles was suspended because of deficiencies in beneficiary countries' protection of the rights of workers or owners of intellectual

property. This list does not include articles from India which do not receive GSP treatment as a result of Presidential Proclamation 6425 of April 29, 1992 (57 FR 19067).

Each list is followed by a summary table that indicates the number of products cited from each beneficiary developing country and the total value of imports of those products from the beneficiary developing country.

The lists appended to this notice are provided for informational purposes only. The attached lists are computer-generated and, based on interim 1999 data, may not include all articles that may be affected by the GSP CNLs. Regardless of whether or not an article is included on the lists, all determinations and decisions regarding the CNLs of the GSP program will depend on full calendar year 1999 import data with respect to each GSP eligible article. Each interested party is advised to conduct its own review of 1999 import data with regard to the possible application of GSP CNLs.

V. Public Comments

All written comments with regard to the matters discussed above should be addressed to: GSP Subcommittee, Office of the U.S. Trade Representative, 600 17th Street, NW., Room 518, Washington, DC 20508. All submissions must be in English and should conform to the information requirements of 15 CFR 2007. Furthermore, each party providing comments should indicate on the first page of the submission its name, the relevant Harmonized Tariff Schedule subheading(s), the beneficiary country or territory of interest, and the type of action (e.g., the use of the President's *de minimis* waiver authority, etc.) in which the party is interested.

A party must provide fourteen copies of its statement which must be received by the Chairman of the GSP Subcommittee no later than 5 p.m., Friday, March 31. Comments received after the deadline will not be accepted. If the comments contain business confidential information, fourteen copies of a non-confidential version must also be submitted. A justification as to why the information contained in the submission should be treated confidentially must be included in the submission. In addition, the submissions containing confidential information should be clearly marked ''confidential'' at the top and bottom of each page of the submission. The version that does not contain confidential information should also be clearly marked, at the top and bottom of each page, ''public version'' or ''non-confidential''.

Written comments submitted in connection with these decisions, except for information granted ''business confidential'' status pursuant to 15 CFR 2007.7, will be available for public inspection shortly after the filing deadline by appointment only with staff of the USTR Public Reading Room (202) 395–6186. Other requests and questions should be directed to the GSP Information Center at USTR by calling (202) 395–6971.

Jon Rosenbaum,

Chairman, GSP Subcommittee of the TPSC.

BILLING CODE 3190–01–M

LIST I : ITEMS GRADUATED OR EXCEEDING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	0603.10.70	Colombia.....	101,276,260	87.8%	Chrysanthemums, standard carnations, anthuriums and orchids, fresh cut
*	2402.10.80	Dominican Republic..	141,436,660	70.0%	Cigars, cheroots and cigarillos containing tobacco, each valued 23 cen
*	2905.11.20	Trinidad and Tobago.	168,814,058	39.9%	Methanol (Methyl alcohol), other than imported only for use in produci
	2909.19.14	Venezuela.....	154,759,607	12.6%	Methyl tertiay-butyl ether. (MTBE)
	2909.19.14	Brazil.....	111,090,400	9.1%	Methyl tertiay-butyl ether. (MTBE)
2	3212.90.00	Colombia.....	162,261,802	76.7%	Pigments dispersed in nonaqueous media, in liquid or paste form, used
*	4104.39.40	Argentina.....	131,669,312	51.4%	Upholstery leather, of bovine and equine leather, nesi, without hair o
*	4412.13.40	Indonesia.....	142,873,005	55.6%	Plywood sheets n/o 6 mm thick, with specified tropical wood outer ply,
*	7113.11.50	Thailand.....	104,479,387	24.7%	Silver articles of jewelry and parts thereof, nesoi, valued over $18 p
*	7113.19.50	Dominican Republic..	105,319,334	3.5%	Precious metal (o/than silver) articles of jewelry and parts thereo, w
*	7113.19.50	India.....	454,852,011	15.2%	Precious metal (o/than silver) articles of jewelry and parts thereo, w
	7113.19.50	Thailand.....	339,190,718	11.3%	Precious metal (o/than silver) articles of jewelry and parts thereo, w
*	7403.11.00	Peru.....	469,368,908	31.5%	Refined copper cathodes and sections of cathodes
*	7403.11.00	Chile.....	335,977,119	22.6%	Refined copper cathodes and sections of cathodes
	8414.51.00	Thailand.....	123,031,287	16.9%	Table, floor, wall, window, ceiling or roof fans, with a self-containe
*	8516.50.00	Thailand.....	112,323,163	12.9%	Microwave ovens of a kind used for domestic purposes
*	8544.30.00	Thailand.....	134,921,329	3.0%	Insulated ignition wiring sets and other wiring sets of a kind used in
	8544.30.00	Philippines.....	259,169,142	5.9%	Insulated ignition wiring sets and other wiring sets of a kind used in
*	9009.12.00	Thailand.....	112,041,220	17.0%	Electrostatic photocopying apparatus, operating by reproducing the ori

FLAGS: '*'=Excluded full yr; '1'=Excluded January/June; '2'=Excluded July/December

LIST I : ITEMS GRADUATED OR EXCEEDING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

TOTALS BY PARTNER

PARTNER	IMPORTS	COUNT
Argentina.....	131,669,312	1
Brazil.....	111,090,400	1
Chile.....	335,977,119	1
Colombia.....	263,538,062	2
Dominican Republic..	246,755,994	2
India.....	454,852,011	1
Indonesia.....	142,873,005	1
Peru.....	469,368,908	1
Philippines.....	259,169,142	1
Thailand.....	925,987,104	6
Trinidad and Tobago.	168,814,058	1
Venezuela.....	154,759,607	1
TOTAL.....	3,664,854,722	19

LIST II : ITEMS APPROACHING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
D	0305.20.20	Russia.....	226,800	75.0%	Sturgeon roe, dried, smoked, salted or in brine
D	0305.63.20	Morocco.....	8,200	79.4%	Anchovies, in brine or salted but not dried or smoked, in immediate ai
D	0410.00.00	Indonesia.....	4,003,799	52.6%	Edible products of animal origin, nesi
	0603.10.30	Colombia.....	27,371,493	95.4%	Miniature (spray) carnations, fresh cut
D	0705.29.00	Chile.....	1,876,053	48.9%	Chicory, other than witloof chicory, fresh or chilled
D	0708.20.10	Peru.....	49,980	70.8%	Lima beans, fresh or chilled, shelled or unshelled, if entered Novembe
D	0710.29.15	India.....	6,092	57.5%	Lentils, uncooked or cooked by steaming or boiling in water, frozen
D	0711.30.00	Morocco.....	412,670	44.4%	Capers, provisionally preserved but unsuitable in that state for immed
D	0712.90.70	Egypt.....	283,700	53.5%	Dried fennel, marjoram, savory and tarragon nesi, whole, cut, sliced,
D	0713.40.20	India.....	1,422,713	52.7%	Dried lentils, shelled
D	0802.90.94	Ivory Coast.....	2,191,464	98.9%	Kola nuts, fresh or dried, shelled
D	0805.90.00	Jamaica.....	1,161,400	97.3%	Citrus fruit, nesi, fresh or dried, including kumquats, citrons and be
	0811.20.20	Chile.....	8,558,389	56.6%	Raspberries, loganberries, black currants and gooseberries, frozen, in
D	0813.30.00	Chile.....	3,971,177	52.6%	Apples, dried
D	0813.40.10	Thailand.....	1,144,859	97.5%	Papayas, dried
D	1102.30.00	Thailand.....	2,020,702	68.1%	Rice flour
D	1301.90.40	Brazil.....	88,000	65.6%	Turpentine gum (oleoresinous exudate from living trees)
D	1515.60.00	Argentina.....	1,005,232	49.7%	Jojoba oil and its fractions, whether or not refined, not chemically m
D	1604.14.50	Ecuador.....	2,240,144	42.2%	Tunas and skipjack, not in airtight containers, not in bulk or in imme
D	1604.15.00	Chile.....	6,072,671	53.2%	Prepared or preserved mackerel, whole or in pieces, but not minced
D	1604.30.20	Kazakhstan.....	6,483,335	46.7%	Caviar
D	1605.90.10	Thailand.....	3,829,124	61.1%	Boiled clams in immediate airtight containers, the contents of which d
D	1701.11.05	Colombia.....	29,562	100.0%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
D	1702.90.35	Guatemala.....	1,227,776	44.2%	Invert molasses
D	1702.90.35	Brazil.....	1,546,825	55.7%	Invert molasses
D	1703.10.30	Brazil.....	1,177,917	53.9%	Cane molasses imported for (a) the commercial extraction of sugar or (
D	1901.20.02	Turkey.....	3,942	100.0%	Mixes for bakers wares, o/25% butterfat, not retail, subject to gen. n
D	2002.90.40	Morocco.....	473,237	66.4%	Tomatoes in powder, prepared or preserved otherwise than by vinegar or
D	2008.99.28	Turkey.....	210,210	48.1%	Figs, otherwise prepared or preserved, nesi
D	2008.99.35	Thailand.....	2,794,409	88.2%	Lychees and longans, otherwise prepared or preserved, nesi
D	2008.99.45	Philippines.....	65,922	55.9%	Papaya pulp, otherwise prepared or preserved, nesi
D	2008.99.50	Thailand.....	1,053,694	44.4%	Papayas, other than pulp, otherwise prepared or preserved, nesi
D	2008.99.80	Dominican Republic..	861,342	44.6%	Pulp of fruit nesi, and other edible parts of plants nesi, excluding m
D	2103.90.74	Croatia.....	797,645	71.7%	Mixed condiments and mixed seasonings (described in add US note 3 to C
D	2204.21.30	Hungary.....	34,624	48.7%	Tokay wine (not carbonated) not over 14% alcohol, in containers not ov
D	2207.10.30	Barbados.....	383,454	72.0%	Undenatured ethyl alcohol of 80 percent vol. alcohol or higher, for be
D	2305.00.00	Argentina.....	237,649	99.0%	Oilcake and other solid residues, resulting from the extraction of pea
D	2306.30.00	Ukraine.....	18,173	100.0%	Oilcake and other solid residues, resulting from the extraction of veg
D	2515.12.20	Turkey.....	539,018	43.2%	Travertine, merely cut into blocks or slabs of a rectangular (includin
D	2603.00.00	Ukraine.....	5,025	48.2%	Copper ores and concentrates
D	2603.00.00	Philippines.....	5,380	51.7%	Copper ores and concentrates
D	2804.29.00	Ukraine.....	7,050,771	58.2%	Rare gases, other than argon
D	2811.29.50	Brazil.....	8,389,920	63.3%	Other inorganic oxygen compounds of nonmetals, nesoi
D	2819.10.00	Kazakhstan.....	8,015,914	66.3%	Chromium trioxide
D	2825.30.00	Republic of South Af	5,631,695	98.5%	Vanadium oxides and hydroxides
D	2825.70.00	Chile.....	3,091,242	45.3%	Molybdenum oxides and hydroxides
	2836.91.00	Chile.....	16,908,492	83.9%	Lithium carbonates
D	2841.61.00	Czech Republic.....	1,245,092	51.2%	Potassium permanganate
D	2841.70.10	Chile.....	4,125,094	42.0%	Ammonium molybdate
D	2841.90.10	Republic of South Af	434,110	51.0%	Vanadates
D	2841.90.20	Kazakhstan.....	1,422,738	88.4%	Ammonium perrhenate

FLAGS: '1'=Excluded January/June; 'D'=De minimis;

LIST II : ITEMS APPROACHING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
D	2849.90.50	Republic of South Af	9,522,102	69.9%	Carbides, nesoi
D	2903.51.00	Romania.....	398,725	62.5%	1,2,3,4,5,6-Hexachlorocyclohexane
	2905.11.20	Venezuela.....	83,882,735	19.8%	Methanol (Methyl alcohol), other than imported only for use in produci
D	2909.50.40	Indonesia.....	2,814,407	60.5%	Odoriferous or flavoring compounds of ether-phenols, ether-alcohol-phe
D	2917.19.10	Hungary.....	1,387,535	82.6%	Ferrous fumarate
D	2917.32.00	Indonesia.....	4,397,788	49.1%	Dioctyl orthophthalates
D	2918.13.50	Czech Republic.....	194,000	43.7%	Salts and esters of tartaric acid, nesoi
D	2918.21.10	Brazil.....	5,033,564	53.4%	Salicylic acid and its salts, suitable for medicinal use
D	2918.90.35	Romania.....	807,721	52.7%	Odoriferous or flavoring compounds of carboxylic acids with additional
D	2924.21.16	Brazil.....	9,050,427	65.4%	Aromatic ureines and their derivatives pesticides, nesoi
D	2928.00.10	Colombia.....	250,604	60.9%	Methyl ethyl ketoxime
D	2929.10.30	Poland.....	27,496	100.0%	3,4-Dichlorophenylisocyanate
D	2931.00.25	Brazil.....	2,200,961	53.1%	Pesticides of aromatic organo-inorganic (except organo-sulfur) compoun
D	2933.39.23	Guatemala.....	1,809,756	100.0%	o-Paraquat dichloride
D	2933.40.08	Hungary.....	198,520	91.0%	4,7-Dichloroquinoline
	2933.40.30	Brazil.....	12,182,706	76.8%	Pesticides of heterocyclic compounds with nitrogen hetero-atom(s) only
D	2933.59.10	Hungary.....	12,000	100.0%	Aromatic or modified aromatic herbicides of heterocyclic compounds wit
D	2935.00.32	Croatia.....	2,080,928	47.6%	Acetylsulfisoxazole; sulfacetamide, sodium; and sulfamethazine, sodium
D	2938.10.00	Brazil.....	863,721	51.5%	Rutoside (Rutin) and its derivatives
D	3801.10.10	Brazil.....	4,173,355	57.2%	Artificial graphite plates, rods, powder and other forms, for manufact
D	3805.10.00	Argentina.....	1,161,134	42.3%	Gum, wood or sulfate turpentine oils
	3921.12.19	Colombia.....	17,631,817	46.2%	Nonadhesive plates, sheets, film, foil and strip, cellular, of polymer
	4012.90.45	Sri Lanka (Ceylon)..	10,752,443	60.8%	Interchangeable tire treads and tire flaps, of natural rubber, nesoi
	4107.90.60	Republic of South Af	12,356,688	53.2%	Leather of animals, nesi, without hair on, not including chamois, pate
D	4202.22.35	Philippines.....	98,609	65.7%	Handbags with or without shoulder strap or without handle, with outer
D	4202.29.20	Philippines.....	293,753	76.6%	Handbags w. or w/o shld. strap or w/o handle of mat. (o/t leather, sht
	4203.21.20	Indonesia.....	13,230,195	62.0%	Batting gloves, of leather or of composition leather
D	4302.20.60	Brazil.....	265,795	66.0%	Heads, tails, paws and other pieces or cuttings of dressed or tanned f
D	4412.13.25	Brazil.....	3,704,184	97.9%	Plywood sheet n/o 6 mm thick,tropical hard wood outer ply, face ply of
D	4412.14.25	Brazil.....	2,897,238	86.1%	Plywood sheet n/o 6 mm thick,outer ply of nontropical hardwood,face pl
D	4412.99.45	Brazil.....	386,852	52.6%	Plywood nesoi, softwood outer plies, no trop. hard wood ply, no partic
D	4601.10.00	India.....	645,487	54.1%	Plaits and similar products of plaiting materials, whether or not asse
D	4602.10.23	Philippines.....	6,389	69.9%	Articles of a kind normally carried in the pocket or in the handbag, o
D	4811.90.10	Thailand.....	585,502	46.9%	Handmade paper of cellulose fibers
	4823.59.40	Indonesia.....	75,475,400	15.9%	Paper and paperboard of a kind used for writing, printing or other gra
D	5607.30.20	Philippines.....	3,336,535	87.8%	Twine, cordage, rope and cables of abaca or other hard (leaf) fibers (
D	5904.92.00	India.....	91,102	100.0%	Floor coverings consisting of a coating applied on a textile backing,
	7113.11.20	Thailand.....	35,933,810	48.2%	Silver articles of jewelry and parts thereof, nesoi, valued not over $
	7113.19.10	Peru.....	35,961,098	65.1%	Precious metal (o/than silver) rope, curb, etc. in continuous lengths,
	7113.19.29	Turkey.....	87,434,234	11.8%	Gold necklaces and neck chains (o/than of rope or mixed links)
D	7115.10.00	Ukraine.....	840,750	52.9%	Platinum catalysts in the form of wire cloth or grill
D	7202.11.10	Republic of South Af	16,823	87.1%	Ferromanganese containing by weight more than 2 percent but not more t
D	7202.21.10	Macedonia (Skopje)..	1,696,638	70.3%	Ferrosilicon containing by weight more than 55% but not more than 80%
	7202.41.00	Republic of South Af	79,436,824	42.8%	Ferrochromium containing by weight more than 4 percent of carbon
	7202.49.50	Russia.....	23,941,521	47.1%	Ferrochromium containing by weight 3 percent or less of carbon
D	7202.50.00	Kazakhstan.....	4,783,985	46.3%	Ferrosilicon chromium
D	7202.99.10	Brazil.....	365,434	99.3%	Ferrozirconium
	7403.11.00	Russia.....	93,228,693	6.2%	Refined copper cathodes and sections of cathodes
	7403.11.00	Kazakhstan.....	80,640,030	5.4%	Refined copper cathodes and sections of cathodes
D	7403.12.00	Russia.....	8,159,622	99.8%	Refined copper, wire bars
	7403.19.00	Chile.....	40,056,556	46.4%	Refined copper, unwrought articles nesoi

FLAGS: '1'=Excluded January/June; 'D'=De minimis;

LIST II : ITEMS APPROACHING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
D	7407.22.30	Turkey.....	560,153	57.1%	Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base al
	7418.19.20	India.....	19,894,544	49.5%	Copper-zinc alloy (brass), table, kitchen or other household articles
	7604.10.50	Russia.....	51,051,201	78.4%	Aluminum (o/than alloy), bar and rods, other than with a round cross s
	8108.90.60	Russia.....	19,190,648	53.4%	Titanium, wrought nesoi
D	8112.91.50	Chile.....	10,070,966	88.0%	Rhenium, unwrought; rhenium, powders
D	8112.99.00	Chile.....	4,304,692	57.4%	Gallium, hafnium, indium, niobium, rhenium, and thallium, articles the
D	8419.50.10	Malta and Gozo.....	7,120,035	55.2%	Brazed aluminum plate-fin heat exchangers
	8483.10.30	Brazil.....	73,874,893	34.6%	Camshafts and crankshafts nesi
	8527.21.10	Brazil.....	79,906,538	4.8%	Radio-tape player combinations not operable without external power sou
	8527.39.00	Indonesia.....	78,178,985	17.2%	Radiobroadcast receivers nesi, including apparatus capable of receivin
D	8528.12.80	Thailand.....	2,006,115	96.8%	Color television reception apparatus nesoi, video display diagonal ove
D	9013.10.30	Ukraine.....	947,612	50.3%	Telescopic sights for rifles designed for use with infrared light
D	9303.30.40	Czech Republic.....	140,000	94.8%	Rifles (o/than muzzle-loading), for sport, hunting or target-shootings
D	9305.10.40	Republic of South Af	85,675	88.3%	Parts and accessories nesoi, for revolvers or pistols designed to fire

FLAGS: '1'=Excluded January/June; 'D'=De minimis;

LIST II : ITEMS APPROACHING COMPETITIVE NEED LIMITS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

TOTALS BY PARTNER

PARTNER	IMPORTS	COUNT
Argentina.....	2,404,015	3
Barbados.....	383,454	1
Brazil.....	206,108,330	17
Chile.....	99,035,339	10
Colombia.....	45,283,476	4
Croatia.....	2,878,573	2
Czech Republic.....	1,579,092	3
Dominican Republic..	861,342	1
Ecuador.....	2,240,144	1
Egypt.....	283,700	1
Guatemala.....	3,037,532	2
Hungary.....	1,632,679	4
India.....	22,059,938	5
Indonesia.....	178,100,574	6
Ivory Coast.....	2,191,464	1
Jamaica.....	1,161,400	1
Kazakhstan.....	101,346,002	5
Macedonia (Skopje)..	1,696,638	1
Malta and Gozo.....	7,120,035	1
Morocco.....	894,107	3
Peru.....	36,011,078	2
Philippines.....	3,806,588	6
Poland.....	27,496	1
Republic of South Af	107,483,917	7
Romania.....	1,206,446	2
Russia.....	195,798,485	6
Sri Lanka (Ceylon)..	10,752,443	1
Thailand.....	49,368,215	8
Turkey.....	88,747,557	5
Ukraine.....	8,862,331	5
Venezuela.....	83,882,735	1
TOTAL.....	1,266,245,125	116

LIST III : POSSIBLE de MINIMIS ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
D	0305.20.20	Russia.....	226,800	75.0%	Sturgeon roe, dried, smoked, salted or in brine
D	0305.63.20	Morocco.....	8,200	79.4%	Anchovies, in brine or salted but not dried or smoked, in immediate ai
D	0410.00.00	Indonesia.....	4,003,799	52.6%	Edible products of animal origin, nesi
D	0705.29.00	Chile.....	1,876,053	48.9%	Chicory, other than witloof chicory, fresh or chilled
D	0708.20.10	Peru.....	49,980	70.8%	Lima beans, fresh or chilled, shelled or unshelled, if entered Novembe
D	0710.29.15	India.....	6,092	57.5%	Lentils, uncooked or cooked by steaming or boiling in water, frozen
D	0711.30.00	Morocco.....	412,670	44.4%	Capers, provisionally preserved but unsuitable in that state for immed
D	0712.90.70	Egypt.....	283,700	53.5%	Dried fennel, marjoram, savory and tarragon nesi, whole, cut, sliced,
D	0713.40.20	India.....	1,422,713	52.7%	Dried lentils, shelled
D	0802.90.94	Ivory Coast.....	2,191,464	98.9%	Kola nuts, fresh or dried, shelled
D	0805.90.00	Jamaica.....	1,161,400	97.3%	Citrus fruit, nesi, fresh or dried, including kumquats, citrons and be
D	0813.30.00	Chile.....	3,971,177	52.6%	Apples, dried
D	0813.40.10	Thailand.....	1,144,859	97.5%	Papayas, dried
D	1102.30.00	Thailand.....	2,020,702	68.1%	Rice flour
D	1301.90.40	Brazil.....	88,000	65.6%	Turpentine gum (oleoresinous exudate from living trees)
D	1515.60.00	Argentina.....	1,005,232	49.7%	Jojoba oil and its fractions, whether or not refined, not chemically m
D	1604.14.50	Ecuador.....	2,240,144	42.2%	Tunas and skipjack, not in airtight containers, not in bulk or in imme
D	1604.15.00	Chile.....	6,072,671	53.2%	Prepared or preserved mackerel, whole or in pieces, but not minced
D	1604.30.20	Kazakhstan.....	6,483,335	46.7%	Caviar
D	1605.90.10	Thailand.....	3,829,124	61.1%	Boiled clams in immediate airtight containers, the contents of which d
D	1701.11.05	Colombia.....	29,562	100.0%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
D	1702.90.35	Guatemala.....	1,227,776	44.2%	Invert molasses
D	1702.90.35	Brazil.....	1,546,825	55.7%	Invert molasses
D	1703.10.30	Brazil.....	1,177,917	53.9%	Cane molasses imported for (a) the commercial extraction of sugar or (
D	1901.20.02	Turkey.....	3,942	100.0%	Mixes for bakers wares, o/25% butterfat, not retail, subject to gen. n
D	2002.90.40	Morocco.....	473,237	66.4%	Tomatoes in powder, prepared or preserved otherwise than by vinegar or
D	2008.99.28	Turkey.....	210,210	48.1%	Figs, otherwise prepared or preserved, nesi
D	2008.99.35	Thailand.....	2,794,409	88.2%	Lychees and longans, otherwise prepared or preserved, nesi
D	2008.99.45	Philippines.....	65,922	55.9%	Papaya pulp, otherwise prepared or preserved, nesi
D	2008.99.50	Thailand.....	1,053,694	44.4%	Papayas, other than pulp, otherwise prepared or preserved, nesi
D	2008.99.80	Dominican Republic..	861,342	44.6%	Pulp of fruit nesi, and other edible parts of plants nesi, excluding m
D	2103.90.74	Croatia.....	797,645	71.7%	Mixed condiments and mixed seasonings (described in add US note 3 to C
D	2204.21.30	Hungary.....	34,624	48.7%	Tokay wine (not carbonated) not over 14% alcohol, in containers not ov
D	2207.10.30	Barbados.....	383,454	72.0%	Undenatured ethyl alcohol of 80 percent vol. alcohol or higher, for be
D	2305.00.00	Argentina.....	237,649	99.0%	Oilcake and other solid residues, resulting from the extraction of pea
D	2306.30.00	Ukraine.....	18,173	100.0%	Oilcake and other solid residues, resulting from the extraction of veg
D	2515.12.20	Turkey.....	539,018	43.2%	Travertine, merely cut into blocks or slabs of a rectangular (includin
D	2603.00.00	Ukraine.....	5,025	48.2%	Copper ores and concentrates
D	2603.00.00	Philippines.....	5,380	51.7%	Copper ores and concentrates
D	2804.29.00	Ukraine.....	7,050,771	58.2%	Rare gases, other than argon
D	2811.29.50	Brazil.....	8,389,920	63.3%	Other inorganic oxygen compounds of nonmetals, nesoi
D	2819.10.00	Kazakhstan.....	8,015,914	66.3%	Chromium trioxide
D	2825.30.00	Republic of South Af	5,631,695	98.5%	Vanadium oxides and hydroxides
D	2825.70.00	Chile.....	3,091,249	45.3%	Molybdenum oxides and hydroxides
D	2841.61.00	Czech Republic.....	1,245,092	51.2%	Potassium permanganate
D	2841.70.10	Chile.....	4,125,094	42.0%	Ammonium molybdate
D	2841.90.10	Republic of South Af	434,110	51.0%	Vanadates
D	2841.90.20	Kazakhstan.....	1,422,738	88.4%	Ammonium perrhenate
D	2849.90.50	Republic of South Af	9,522,102	69.9%	Carbides, nesoi
D	2903.51.00	Romania.....	398,725	62.5%	1,2,3,4,5,6-Hexachlorocyclohexane
D	2909.50.40	Indonesia.....	2,814,407	60.5%	Odoriferous or flavoring compounds of ether-phenols, ether-alcohol-phe

FLAGS: '1'=Excluded January/June; 'D'=De minimis;

LIST III : POSSIBLE de MINIMIS ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
D	2917.19.10	Hungary.....	1,387,535	82.6%	Ferrous fumarate
D	2917.32.00	Indonesia.....	4,397,788	49.1%	Dioctyl orthophthalates
D	2918.13.50	Czech Republic.....	194,000	43.7%	Salts and esters of tartaric acid, nesoi
D	2918.21.10	Brazil.....	5,033,564	53.4%	Salicylic acid and its salts, suitable for medicinal use
D	2918.90.35	Romania.....	807,721	52.7%	Odoriferous or flavoring compounds of carboxylic acids with additional
D	2924.21.16	Brazil.....	9,050,427	65.4%	Aromatic ureines and their derivatives pesticides, nesoi
D	2928.00.10	Colombia.....	250,604	60.9%	Methyl ethyl ketoxime
D	2929.10.30	Poland.....	27,496	100.0%	3,4-Dichlorophenylisocyanate
D	2931.00.25	Brazil.....	2,200,961	53.1%	Pesticides of aromatic organo-inorganic (except organo-sulfur) compoun
D	2933.39.23	Guatemala.....	1,809,756	100.0%	o-Paraquat dichloride
D	2933.40.08	Hungary.....	198,520	91.0%	4,7-Dichloroquinoline
D	2933.59.10	Hungary.....	12,000	100.0%	Aromatic or modified aromatic herbicides of heterocyclic compounds wit
D	2935.00.32	Croatia.....	2,080,928	47.6%	Acetylsulfisoxazole; sulfacetamide, sodium; and sulfamethazine, sodium
D	2938.10.00	Brazil.....	863,721	51.5%	Rutoside (Rutin) and its derivatives
D	3801.10.10	Brazil.....	4,173,355	57.2%	Artificial graphite plates, rods, powder and other forms, for manufact
D	3805.10.00	Argentina.....	1,161,134	42.3%	Gum, wood or sulfate turpentine oils
D	4202.22.35	Philippines.....	98,609	65.7%	Handbags with or without shoulder strap or without handle, with outer
D	4202.29.20	Philippines.....	293,753	76.6%	Handbags w. or w/o shld. strap or w/o handle of mat. (o/t leather, sht
D	4302.20.60	Brazil.....	265,795	66.0%	Heads, tails, paws and other pieces or cuttings of dressed or tanned f
D	4412.13.25	Brazil.....	3,704,184	97.9%	Plywood sheet n/o 6 mm thick,tropical hard wood outer ply, face ply of
D	4412.14.25	Brazil.....	2,897,238	86.1%	Plywood sheet n/o 6 mm thick,outer ply of nontropical hardwood,face pl
D	4412.99.45	Brazil.....	386,852	52.6%	Plywood nesoi, softwood outer plies, no trop. hard wood ply, no partic
D	4601.10.00	India.....	645,487	54.1%	Plaits and similar products of plaiting materials, whether or not asse
D	4602.10.23	Philippines.....	6,389	69.9%	Articles of a kind normally carried in the pocket or in the handbag, o
D	4811.90.10	Thailand.....	585,502	46.9%	Handmade paper of cellulose fibers
D	5607.30.20	Philippines.....	3,336,535	87.8%	Twine, cordage, rope and cables of abaca or other hard (leaf) fibers (
D	5904.92.00	India.....	91,102	100.0%	Floor coverings consisting of a coating applied on a textile backing,
D	7115.10.00	Ukraine.....	840,750	52.9%	Platinum catalysts in the form of wire cloth or grill
D	7202.11.10	Republic of South Af	16,823	87.1%	Ferromanganese containing by weight more than 2 percent but not more t
D	7202.21.10	Macedonia (Skopje)..	1,696,638	70.3%	Ferrosilicon containing by weight more than 55% but not more than 80%
D	7202.50.00	Kazakhstan.....	4,783,985	46.3%	Ferrosilicon chromium
D	7202.99.10	Brazil.....	365,434	99.3%	Ferrozirconium
D	7403.12.00	Russia.....	8,159,622	99.8%	Refined copper, wire bars
D	7407.22.30	Turkey.....	560,153	57.1%	Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base al
D	8112.91.50	Chile.....	10,070,966	88.0%	Rhenium, unwrought; rhenium, powders
D	8112.99.00	Chile.....	4,304,692	57.4%	Gallium, hafnium, indium, niobium, rhenium, and thallium, articles the
D	8419.50.10	Malta and Gozo.....	7,120,035	55.2%	Brazed aluminum plate-fin heat exchangers
D	8528.12.80	Thailand.....	2,006,115	96.8%	Color television reception apparatus nesoi, video display diagonal ove
D	9013.10.30	Ukraine.....	947,612	50.3%	Telescopic sights for rifles designed for use with infrared light
D	9303.30.40	Czech Republic.....	140,000	94.8%	Rifles (o/than muzzle-loading), for sport, hunting or target-shootings
D	9305.10.40	Republic of South Af	85,675	88.3%	Parts and accessories nesoi, for revolvers or pistols designed to fire

FLAGS: '1'=Excluded January/June; 'D'=De minimis;

LIST III : POSSIBLE de MINIMIS ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

TOTALS BY PARTNER

PARTNER	IMPORTS	COUNT
Argentina.....	2,404,015	3
Barbados.....	383,454	1
Brazil.....	40,144,193	14
Chile.....	33,511,902	7
Colombia.....	280,166	2
Croatia.....	2,878,573	2
Czech Republic.....	1,579,092	3
Dominican Republic..	861,342	1
Ecuador.....	2,240,144	1
Egypt.....	283,700	1
Guatemala.....	3,037,532	2
Hungary.....	1,632,679	4
India.....	2,165,394	4
Indonesia.....	11,215,994	3
Ivory Coast.....	2,191,464	1
Jamaica.....	1,161,400	1
Kazakhstan.....	20,705,972	4
Macedonia (Skopje)..	1,696,638	1
Malta and Gozo.....	7,120,035	1
Morocco.....	894,107	3
Peru.....	49,980	1
Philippines.....	3,806,588	6
Poland.....	27,496	1
Republic of South Af	15,690,405	5
Romania.....	1,206,446	2
Russia.....	8,386,422	2
Thailand.....	13,434,405	7
Turkey.....	1,313,323	4
Ukraine.....	8,862,331	5
TOTAL.....	189,165,192	92

LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	0202.30.10	Argentina.....	0	0.0%	High-qual. beef cuts, boneless, processed, frozen, descr in add. US no
*	0404.90.10	Argentina.....	240,098	0.1%	Milk protein concentrates
*	0703.10.20	Chile.....	11,441	0.6%	Onion sets, fresh or chilled
*	0703.20.00	Argentina.....	3,645,572	15.3%	Garlic, fresh or chilled
* D	0708.10.20	Guatemala.....	881,088	47.7%	Peas, fresh or chilled, shelled or unshelled, if entered July 1 to Sep
*	0708.90.30	Ecuador.....	104,265	34.1%	Pigeon peas, fresh or chilled, shelled or unshelled, if entered Oct. 1
*	0709.10.00	Chile.....	9,400	1.2%	Globe artichokes, fresh or chilled
* D	0709.20.10	Peru.....	7,414,678	81.2%	Asparagus, fresh or chilled, not reduced in size, if entered September
* D	0710.29.30	Ecuador.....	614,439	59.8%	Pigeon peas, uncooked or cooked by steaming or boiling in water, froze
*	0710.29.30	Dominican Republic..	0	0.0%	Pigeon peas, uncooked or cooked by steaming or boiling in water, froze
*	0710.80.70	Guatemala.....	390,497	5.9%	Vegetables nesi, uncooked or cooked by steaming or boiling in water, f
* D	0710.80.93	Guatemala.....	1,945,693	71.3%	Okra, reduced in size, frozen
*	0711.30.00	Turkey.....	184,967	19.9%	Capers, provisionally preserved but unsuitable in that state for immed
* D	0712.90.30	Peru.....	48,173	55.2%	Dried potatoes, whether or not cut or sliced but not further prepared
*	0712.90.74	Turkey.....	88,455	0.3%	Dried tomatoes in powder, but not further prepared
*	0713.33.20	El Salvador.....	162,988	8.4%	Dried kidney beans, including white pea beans, shelled, if entered May
*	0713.90.10	Peru.....	54,599	18.2%	Seeds of leguminous vegetables nesi, of a kind used for sowing
* D	0714.10.10	Costa Rica.....	4,690,476	91.1%	Cassava (manioc), frozen, whether or not sliced or in the form of pell
* D	0714.10.20	Costa Rica.....	8,706,859	96.1%	Cassava (manioc), fresh, chilled or dried, whether or not sliced or in
2 D	0714.20.10	Colombia.....	22,925	42.8%	Sweet potatoes, frozen, whether or not sliced or in the form of pellet
*	0714.20.10	Dominican Republic..	0	0.0%	Sweet potatoes, frozen, whether or not sliced or in the form of pellet
* D	0714.20.20	Dominican Republic..	3,204,498	97.7%	Sweet potatoes, fresh, chilled or dried, whether or not sliced or in t
2	0714.90.45	Costa Rica.....	203,419	25.7%	Frozen dasheens, yams, arrowroot, salep, Jerusalem artichokes and simi
* D	0802.50.20	Turkey.....	372,962	94.3%	Pistachios, fresh or dried, in shell
*	0802.90.80	Guatemala.....	131,750	12.2%	Nuts nesi, fresh or dried, in shell
*	0805.90.00	Turkey.....	0	0.0%	Citrus fruit, nesi, fresh or dried, including kumquats, citrons and be
*	0811.90.10	Costa Rica.....	1,341,924	28.4%	Bananas and plantains, frozen, in water or containing added sweetening
* D	0811.90.50	Costa Rica.....	2,532,068	78.9%	Pineapples, frozen, in water or containing added sweetening
*	0813.10.00	Turkey.....	22,666,237	95.0%	Apricots, dried
*	0813.30.00	Argentina.....	2,823,858	37.4%	Apples, dried
*	1005.90.20	Argentina.....	0	0.0%	Yellow dent corn
*	1005.90.40	Argentina.....	0	0.0%	Corn (maize), other than seed and yellow dent corn
*	1007.00.00	Argentina.....	0	0.0%	Grain sorghum
2	1102.90.30	El Salvador.....	11,750	33.1%	Cereal flours nesi, mixed together
*	1106.30.20	Ecuador.....	32,937	15.4%	Flour, meal and powder of banana and plantain
*	1301.90.40	Indonesia.....	0	0.0%	Turpentine gum (oleoresinous exudate from living trees)
* D	1403.90.40	India.....	925,609	46.7%	Piassava, couch-grass and other vegetable materials nesi, of a kind us
* D	1602.50.09	Argentina.....	10,858,874	91.6%	Prepared or preserved meat of bovine animals, cured or pickled, not co
2	1602.50.20	Brazil.....	28,752,252	56.4%	Prepared or preserved beef in airtight containers, other than corned b
*	1602.50.20	Argentina.....	20,488,613	40.2%	Prepared or preserved beef in airtight containers, other than corned b
*	1604.14.50	Colombia.....	875,733	16.5%	Tunas and skipjack, not in airtight containers, not in bulk or in imme
*	1604.14.50	Indonesia.....	82,915	1.5%	Tunas and skipjack, not in airtight containers, not in bulk or in imme
*	1604.14.50	Thailand.....	0	0.0%	Tunas and skipjack, not in airtight containers, not in bulk or in imme
* D	1605.90.55	Indonesia.....	977,784	49.7%	Prepared or preserved snails, other than sea snails
*	1701.11.05	Brazil.....	0	0.0%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
*	1701.11.10	Dominican Republic..	72,483,775	21.0%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
*	1701.11.10	Brazil.....	55,997,804	16.2%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
*	1701.11.10	Argentina.....	15,150,514	4.4%	Cane sugar, raw, in solid form, w/o added flavoring or coloring, subje
*	1701.11.20	Guatemala.....	11,522,244	23.5%	Cane sugar, raw, in solid form, to be used for certain polyhydric alco
*	1701.11.20	Brazil.....	0	0.0%	Cane sugar, raw, in solid form, to be used for certain polyhydric alco
*	1701.12.10	Brazil.....	0	0.0%	Beet sugar, raw, in solid form, w/o added flavoring or coloring, subje

FLAGS: '*'=Excluded full year; '2'=Excluded July/December; 'D'=De minimis;

LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	1701.91.42	Jamaica.....	0	0.0%	Cane/beet sugar & pure sucrose, refined, solid, w/added flavoring, o/6
*	1701.99.05	Brazil.....	0	0.0%	Cane/beet sugar & pure sucrose, refined, solid, w/o added coloring or
*	1701.99.10	Brazil.....	552,212	3.8%	Cane/beet sugar & pure sucrose, refined, solid, w/o added coloring or
2 D	1702.30.22	Jamaica.....	42,583	50.2%	Glucose & glucose syrup nt containing or containing in dry state less
* D	1702.30.22	Argentina.....	42,089	49.7%	Glucose & glucose syrup nt containing or containing in dry state less
*	1702.90.35	Belize.....	0	0.0%	Invert molasses
*	1702.90.40	Brazil.....	11,999,274	45.0%	Other cane/beet syrups nesi
*	1702.90.40	Dominican Republic..	0	0.0%	Other cane/beet syrups nesi
*	1703.10.30	Dominican Republic..	0	0.0%	Cane molasses imported for (a) the commercial extraction of sugar or (
*	1703.90.50	Poland.....	3,022,351	12.2%	Molasses nesi
*	1806.10.22	Colombia.....	0	0.0%	Cocoa powder, o/65% but less than 90% by dry wt of sugar, subject to g
*	1806.32.55	Colombia.....	85,554	40.8%	Cocoa preps, not filled, in blocks, slabs or bars weighing 2 kg or les
*	2002.90.40	Turkey.....	0	0.0%	Tomatoes in powder, prepared or preserved otherwise than by vinegar or
*	2004.10.40	Colombia.....	5,280	33.9%	Yellow (Solano) potatoes, prepared or preserved otherwise than by vine
2 D	2004.10.40	Peru.....	10,267	66.0%	Yellow (Solano) potatoes, prepared or preserved otherwise than by vine
*	2005.10.00	Turkey.....	0	0.0%	Homogenized vegetables, prepared or preserved otherwise than by vinega
*	2007.99.48	Argentina.....	29,602	12.8%	Apple, quince and pear pastes and purees, being cooked preparations
*	2007.99.50	Brazil.....	930,193	11.5%	Guava and mango pastes and purees, being cooked preparations
2	2008.19.25	Peru.....	0	0.0%	Pecans, otherwise prepared or preserved, nesi
2	2008.19.30	Turkey.....	149,359	23.2%	Pignolia and pistachio nuts, otherwise prepared or preserved, nesi
*	2008.19.30	Pakistan.....	7,200	1.1%	Pignolia and pistachio nuts, otherwise prepared or preserved, nesi
*	2008.30.10	Dominican Republic..	14,473	8.2%	Peel of oranges, mandarins, clementines, wilkings and similar citrus h
* D	2008.50.20	Argentina.....	14,510	87.5%	Apricot pulp, otherwise prepared or preserved, nesi
2	2008.50.20	Turkey.....	0	0.0%	Apricot pulp, otherwise prepared or preserved, nesi
* D	2008.99.13	Costa Rica.....	5,032,719	63.5%	Banana pulp, otherwise prepared or preserved, nesi
* D	2008.99.23	Dominican Republic..	86,085	89.4%	Cashew apples, mameyes colorados, sapodillas, soursops and sweetsops,
2	2008.99.45	Dominican Republic..	20,411	17.3%	Papaya pulp, otherwise prepared or preserved, nesi
*	2009.30.10	Honduras.....	0	0.0%	Lime juice, unfit for beverage purposes
*	2106.90.12	Dominican Republic..	0	0.0%	Compound alcoholic preparations of a kind used for the manufacture of
*	2202.90.36	Dominican Republic..	0	0.0%	Single fruit or vegetable juice (other than orange), fortified with vi
*	2401.20.57	Indonesia.....	0	0.0%	Tobacco, partly or wholly stemmed/stripped, n/threshed or similarly pr
*	2516.90.00	Republic of South Af	2,447,115	35.6%	Porphyry, basalt and other monument. or build. stone (except granite/s
*	2603.00.00	Chile.....	0	0.0%	Copper ores and concentrates
*	2603.00.00	Indonesia.....	0	0.0%	Copper ores and concentrates
*	2607.00.00	Peru.....	305,625	4.6%	Lead ores and concentrates
*	2804.69.10	Brazil.....	21,314,101	23.6%	Silicon, containing by weight less than 99.99 percent but not less tha
*	2805.40.00	Argentina.....	0	0.0%	Mercury
*	2813.90.50	Argentina.....	0	0.0%	Sulfides of nonmetals, excluding carbon disulfide and sulfides of arse
*	2825.90.15	Brazil.....	8,592,067	35.8%	Niobium oxide
*	2832.30.10	Argentina.....	0	0.0%	Sodium thiosulfate
*	2839.90.00	Argentina.....	0	0.0%	Silicates and commercial alkali metal silicates, excluding those of so
* D	2840.11.00	Turkey.....	472,748	90.7%	Anhydrous disodium tetraborate (refined borax)
* D	2840.19.00	Turkey.....	97,373	97.7%	Disodium tetraborate (refined borax) except anhydrous
*	2841.30.00	Argentina.....	0	0.0%	Sodium dichromate
*	2841.50.00	Argentina.....	0	0.0%	Chromates and dichromates except of sodium, potassium, lead or zinc; p
*	2843.30.00	Colombia.....	48,602,705	83.3%	Gold compounds
*	2843.30.00	Chile.....	0	0.0%	Gold compounds
*	2843.30.00	Argentina.....	0	0.0%	Gold compounds
*	2849.10.00	Argentina.....	28,840	7.4%	Calcium carbide
*	2850.00.50	Argentina.....	0	0.0%	Hydrides, nitrides, azides, silicides and borides other than of calciu
*	2902.11.00	Argentina.....	0	0.0%	Cyclohexane

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LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	2904.90.15	Brazil.....	0	0.0%	4-Chloro-3-nitro-alpha,alpha,alpha-trifluorotoluene; and other specifi
*	2905.12.00	Argentina.....	119,178	0.3%	Propan-1-ol (Propyl alcohol) and Propan-2-ol (isopropyl alcohol)
*	2905.13.00	Argentina.....	21,512	4.3%	Butan-1-ol (n-Butyl alcohol)
*	2905.22.50	Argentina.....	11,219	0.1%	Acyclic terpene alcohols, other than geraniol and isophytol
2	2905.42.00	Brazil.....	1,667,248	9.0%	Pentaerythritol
*	2906.11.00	Brazil.....	1,689,795	9.4%	Menthol
*	2906.14.00	Argentina.....	0	0.0%	Terpineols
*	2907.23.00	Brazil.....	31,837	1.4%	4,4'-Isopropylidenediphenol (Bisphenol A, Diphenylolpropane) and its s
*	2914.12.00	Argentina.....	0	0.0%	Butanone (Methyl ethyl ketone)
*	2914.13.00	Argentina.....	0	0.0%	4-Methylpentan-2-one (Methyl isobutyl ketone)
*	2915.31.00	Brazil.....	0	0.0%	Ethyl acetate
*	2915.70.00	Argentina.....	273,053	0.8%	Palmitic acid, stearic acid, their salts and esters
*	2917.14.50	Argentina.....	173,392	2.9%	Maleic anhydride, except derived in whole or in part from benzene or o
*	2918.21.50	Argentina.....	0	0.0%	Salicylic acid and its salts, not suitable for medicinal use
*	2918.22.10	Argentina.....	782,093	9.2%	O-Acetylsalicylic acid (Aspirin)
*	2918.22.10	Turkey.....	0	0.0%	O-Acetylsalicylic acid (Aspirin)
*	2918.22.50	Argentina.....	0	0.0%	Salts and esters Of O-acetylsalicylic acid
*	2921.42.23	Guatemala.....	0	0.0%	3,4-Dichloroaniline
*	2929.10.15	Argentina.....	0	0.0%	Mixtures of 2,4- and 2,6-toluenediisocyanates
*	2932.99.90	Argentina.....	0	0.0%	Nonaromatic heterocyclic compounds with oxygen hetero-atom(s) only, ne
*	2933.40.30	Argentina.....	0	0.0%	Pesticides of heterocyclic compounds with nitrogen hetero-atom(s) only
*	2933.90.55	Argentina.....	0	0.0%	Aromatic or modified aromatic analgesics, etc., affecting the CNS, of
*	2934.90.15	Brazil.....	673,791	4.0%	Aromatic or modified aromatic herbicides of other heterocyclic compoun
*	3204.12.20	Argentina.....	244,771	1.5%	Acid black 61 and other specified acid and mordant dyes and preparatio
*	3204.12.30	Argentina.....	0	0.0%	Mordant black 75, blue 1, brown 79, red 81, 84 and preparations based
*	3204.12.45	Argentina.....	178,910	0.8%	Acid dyes, whether or not premetallized, and preparations based thereo
*	3204.12.50	Argentina.....	12,330	0.1%	Synthetic acid and mordant dyes and preparations based thereon, nesoi
*	3209.90.00	Argentina.....	88,791	0.1%	Paints and varnishes based on synthetic polymers or chemically modifie
*	3301.12.00	Brazil.....	11,000,619	65.7%	Essential oils of orange
*	3301.19.10	Argentina.....	85,456	5.7%	Essential oils of grapefruit
*	3301.90.10	Argentina.....	0	0.0%	Extracted oleoresins consisting essentially of nonvolatile components
*	3307.20.00	Argentina.....	0	0.0%	Personal deodorants and antiperspirants
*	3307.49.00	Argentina.....	0	0.0%	Preparations for perfuming or deodorizing rooms, including odoriferous
*	3501.90.20	Dominican Republic..	0	0.0%	Casein glues
*	3504.00.50	Argentina.....	0	0.0%	Peptones and their derivatives; protein substances and their derivativ
*	3506.99.00	Argentina.....	8,378	0.0%	Prepared glues and other prepared adhesives, excluding adhesives based
*	3701.10.00	Argentina.....	0	0.0%	Photographic plates and film in the flat, sensitized, unexposed, of an
*	3702.10.00	Argentina.....	0	0.0%	Photographic film in rolls, sensitized, unexposed, for X-ray use; of a
*	3706.10.30	Argentina.....	4,991	0.3%	Sound recordings on motion-picture film of a width of 35 mm or more, s
*	3707.90.32	Argentina.....	1,453,274	0.3%	Chemical preparations for photographic uses, nesoi
*	3806.30.00	Argentina.....	0	0.0%	Ester gums
*	3824.60.00	Indonesia.....	0	0.0%	Sorbitol other than that of subheading 2905.44
*	3824.90.40	Brazil.....	1,410,396	2.5%	Fatty substances of animal or vegetable origin and mixtures thereof, n
*	3901.90.90	Argentina.....	0	0.0%	Polymers of ethylene, nesoi, in primary forms, other than elastomeric
*	3902.10.00	Argentina.....	2,774	0.0%	Polypropylene, in primary forms
*	3902.20.50	Argentina.....	2,647,002	39.1%	Polyisobutylene, other than elastomeric, in primary forms
*	3902.90.00	Argentina.....	102,578	0.2%	Polymers of propylene or of other olefins, nesoi, in primary forms
*	3903.90.50	Argentina.....	0	0.0%	Polymers of styrene, nesoi, in primary forms
*	3904.21.00	Brazil.....	1,159	0.0%	Polyvinyl chloride, mixed with other substances, nonplasticized, in pr
*	3904.40.00	Argentina.....	0	0.0%	Vinyl chloride copolymers nesoi, in primary forms
*	3906.10.00	Argentina.....	0	0.0%	Polymethyl methacrylate, in primary forms

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LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	3906.90.50	Argentina.....	0	0.0%	Acrylic polymers (except plastics or elastomers), in primary forms, ne
*	3907.30.00	Argentina.....	0	0.0%	Epoxide resins in primary forms
*	3907.60.00	Argentina.....	2,763	0.0%	Polyethylene terephthalate in primary forms
*	3907.99.00	Argentina.....	0	0.0%	Polyesters nesoi, saturated, in primary forms
*	3909.10.00	Argentina.....	0	0.0%	Urea resins; thiourea resins
*	3909.50.50	Argentina.....	720	0.0%	Polyurethanes, other than elastomeric or cements, in primary forms
*	3913.90.20	Argentina.....	0	0.0%	Polysaccharides and their derivatives, nesoi, in primary forms
*	3920.59.80	Dominican Republic..	306,512	17.8%	Plates, sheets, film, etc, noncellular, not reinforced, laminated, com
*	3921.90.50	Argentina.....	251,625	0.2%	Nonadhesive plates, sheets, film, foil and strip, nonflexible, nesoi,
*	3923.90.00	Argentina.....	82,431	0.0%	Articles nesoi, for the conveyance or packing of goods, of plastics
*	3926.20.30	Pakistan.....	1,091,267	18.8%	Gloves specially designed for use in sports, nesoi, of plastics
*	4006.10.00	Brazil.....	18,315	1.4%	"Camel-back" strips of unvulcanized rubber, for retreading rubber tire
2 D	4010.19.50	Brazil.....	882,083	44.7%	Conveyor belts/belting of vulcanized rubber, nesoi, combined w/textile
*	4011.10.10	Brazil.....	65,834,268	3.6%	New pneumatic radial tires, of rubber, of a kind used on motor cars (i
*	4011.10.10	Argentina.....	15,547,028	0.8%	New pneumatic radial tires, of rubber, of a kind used on motor cars (i
*	4011.10.50	Brazil.....	94,312	0.1%	New pneumatic tires excluding radials, of rubber, of a kind used on mo
*	4011.20.10	Brazil.....	83,481,699	5.9%	New pneumatic radial tires, of rubber, of a kind used on buses or truc
*	4011.20.50	Brazil.....	69,693	0.0%	New pneumatic tires excluding radials, of rubber, of a kind used on bu
*	4104.21.00	Argentina.....	2,281,068	13.8%	Bovine leather, without hair on, vegetable pretanned but not further p
*	4104.22.00	Brazil.....	387,745	4.6%	Bovine leather, without hair on, pretanned, other than vegetable preta
*	4104.22.00	Argentina.....	241,260	2.9%	Bovine leather, without hair on, pretanned, other than vegetable preta
*	4104.29.50	Argentina.....	14,600	0.8%	Upper & sole equine and bovine (ex. buffalo & pretanned bovine) leathe
*	4104.29.90	Argentina.....	3,453,881	17.1%	Bovine (except buffalo) leather, nesi, and equine leather, w/o hair, p
*	4104.31.40	Argentina.....	65,157,098	24.4%	Upholstery leather, of bovine and equine leather, without hair on, ful
*	4104.31.50	Argentina.....	1,254,673	4.7%	Upper & sole leather of bovine (except buffalo) or equine animals, par
*	4104.31.60	Argentina.....	83,467	0.4%	Bovine and equine leather, without hair on, nesi, full grains and grai
*	4104.31.80	Argentina.....	5,291,468	6.5%	Bovine and equine leather, without hair on, nesi, full grains and grai
*	4104.39.50	Argentina.....	1,620	0.0%	Upper & sole leather of bovine (ex. buffalo) or eqine animals, parchme
*	4104.39.60	Argentina.....	2,535,680	18.7%	Bovine and equine leather, excl. buffalo, without hair on, parchment-d
*	4104.39.80	Argentina.....	6,011,789	15.5%	Bovine and equine leather, excl. buffalo, without hair on, parchment-d
*	4105.20.60	Argentina.....	4,960	0.0%	Sheep or lamb skin leather, w/o wool on, excl. leather of heading 4108
*	4106.12.00	India.....	30,424	21.0%	Goat or kidskin leather, w/o hair on, not incl. chamois, patent, paten
* D	4106.12.00	Pakistan.....	86,111	59.6%	Goat or kidskin leather, w/o hair on, not incl. chamois, patent, paten
*	4106.19.30	Pakistan.....	296,371	40.0%	Goat or kidskin leather, without hair on, not incl. chamois, patent, p
*	4106.20.30	India.....	225,935	10.9%	Goat or kidskin leather, w/o hair on, excluding leather of heading 410
2 D	4106.20.30	Pakistan.....	1,057,532	51.3%	Goat or kidskin leather, w/o hair on, excluding leather of heading 410
* D	4106.20.60	India.....	1,741,710	55.8%	Goat or kidskin leather, w/o hair on, excluding leather of heading 410
*	4106.20.60	Pakistan.....	212,483	6.8%	Goat or kidskin leather, w/o hair on, excluding leather of heading 410
*	4107.21.00	Argentina.....	0	0.0%	Leather of reptiles, excluding leather of heading 4108 or 4109, vegeta
*	4107.90.60	Argentina.....	2,280	0.0%	Leather of animals, nesi, without hair on, not including chamois, pate
*	4109.00.70	Argentina.....	0	0.0%	Patent laminated leather or metallized leather, other than calf or kip
*	4201.00.60	Argentina.....	3,890,680	4.7%	Saddlery and harnesses for animals nesi, (incl. traces, leads, knee pa
*	4203.21.20	Pakistan.....	131,136	0.6%	Batting gloves, of leather or of composition leather
*	4203.21.55	Pakistan.....	97,796	7.0%	Cross-country ski gloves, mittens and mitts, of leather or of composit
*	4203.21.60	Pakistan.....	401,018	7.3%	Ski or snowmobile gloves, mittens and mitts, nesi, of leather or of co
*	4203.21.80	Pakistan.....	8,221,844	9.6%	Gloves, mittens and mitts specially designed for use in sports, nesi,
*	4205.00.60	Argentina.....	0	0.0%	Articles of reptile leather, nesi
*	4303.10.00	Argentina.....	1,215,651	0.8%	Articles of apparel and clothing accessories, of furskins
*	4411.29.90	Brazil.....	0	0.0%	Fiberboard nesi, density between 0.5 g/cm3 and 0.8 g/cm3
*	4412.13.25	Indonesia.....	0	0.0%	Plywood sheet n/o 6 mm thick,tropical hard wood outer ply, face ply of
*	4412.13.50	Brazil.....	847,968	3.6%	Plywood sheets n/o 6 mm thick, tropical wood nesoi outer ply, with fac

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2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	4412.13.50	Indonesia.....	14,246,480	62.0%	Plywood sheets n/o 6 mm thick, tropical wood nesoi outer ply, with fac
*	4412.13.60	Indonesia.....	370,310	17.1%	Plywood sheets n/o 6 mm thick, with certain specified tropical wood ou
*	4412.13.90	Brazil.....	64,602	1.8%	Plywood sheets n/o 6 mm thick, tropical wood nesoi outer ply, surface
* D	4412.13.90	Indonesia.....	3,004,315	84.2%	Plywood sheets n/o 6 mm thick, tropical wood nesoi outer ply, surface
*	4412.14.30	Brazil.....	26,104,835	20.5%	Plywood sheets n/o 6 mm thick, outer ply of nontropical hardwood, with
*	4412.14.30	Indonesia.....	18,571,113	14.6%	Plywood sheets n/o 6 mm thick, outer ply of nontropical hardwood, with
*	4412.14.55	Brazil.....	823,559	3.9%	Plywood sheets n/o 6 mm thick, outer ply of nonconiferous wood, surfac
*	4412.14.55	Indonesia.....	349,920	1.6%	Plywood sheets n/o 6 mm thick, outer ply of nonconiferous wood, surfac
*	4412.22.30	Brazil.....	1,858,497	8.6%	Plywood nesoi, least one hardwood outer ply, w/tropical hardwood ply,
*	4412.22.30	Indonesia.....	11,373,335	52.8%	Plywood nesoi, least one hardwood outer ply, w/tropical hardwood ply,
* D	4412.22.40	Brazil.....	94,205	69.8%	Plywood nesoi, at least one hardwood outer ply, w/tropical hardwood pl
*	4412.22.40	Indonesia.....	4,167	3.0%	Plywood nesoi, at least one hardwood outer ply, w/tropical hardwood pl
*	4412.22.40	Colombia.....	0	0.0%	Plywood nesoi, at least one hardwood outer ply, w/tropical hardwood pl
*	4412.29.35	Brazil.....	545,910	8.0%	Plywood nesoi, at least one hardwood outer ply nesoi, no particle boar
*	4412.29.35	Indonesia.....	737,821	10.8%	Plywood nesoi, at least one hardwood outer ply nesoi, no particle boar
* D	4412.29.45	Ecuador.....	3,288,826	85.6%	Plywood nesoi, at least one hardwood outer ply nesoi, no particle boar
*	4412.29.45	Brazil.....	4,975	0.1%	Plywood nesoi, at least one hardwood outer ply nesoi, no particle boar
*	4412.29.45	Indonesia.....	97,287	2.5%	Plywood nesoi, at least one hardwood outer ply nesoi, no particle boar
2	4412.92.40	Ecuador.....	0	0.0%	Plywood nesoi,softwood outer plies,least 1 ply trop. hardwood,no parti
* D	4412.92.50	Guyana.....	205,816	56.4%	Plywood nesoi,softwood outer plies, at least 1 ply trop. hardwood, no
*	4412.92.50	Indonesia.....	0	0.0%	Plywood nesoi,softwood outer plies, at least 1 ply trop. hardwood, no
*	4412.99.55	Colombia.....	0	0.0%	Plywood nesoi, softwood outer plies, no trop. hard wood ply, no partic
*	4421.90.60	Brazil.....	0	0.0%	Wooden skewers, candy sticks, ice cream sticks, tongue depressors, dri
*	4602.10.23	Indonesia.....	814	8.9%	Articles of a kind normally carried in the pocket or in the handbag, o
*	4802.52.10	Argentina.....	0	0.0%	Writing paper, weighing 40 g/m2 to 150 g/m2, cont. n/o 10% by weight t
*	4809.10.20	Guatemala.....	0	0.0%	Carbon or similar copying paper, in rolls over 36 cm wide or rectangul
*	4823.20.10	Brazil.....	0	0.0%	Paint filters and strainers of paper or paperboard
* D	4823.90.20	Philippines.....	5,133,776	42.0%	Articles of papier-mache, nesi
*	5701.10.13	Pakistan.....	92,031	17.5%	Carpet & other textile floor covering,hand-knotted/hand-inserted,w/ov
*	5702.10.10	Pakistan.....	17,236	1.9%	Certified hand-loomed and folklore products being "Kelem", "Schumacks"
* D	5702.49.15	India.....	1,511,712	51.4%	Carpets and other textile floor coverings of pile construction, woven,
*	5702.91.20	Pakistan.....	8,760	2.2%	Certified hand-loomed & folklore floor covering, woven not on power-dr
*	5805.00.20	Pakistan.....	0	0.0%	Certified hand-loomed and folklore hand-woven tapestries nesoi and nee
*	5904.92.00	Guatemala.....	0	0.0%	Floor coverings consisting of a coating applied on a textile backing,
*	6304.99.10	Pakistan.....	0	0.0%	Wall hangings, not knitted or crocheted, of wool or fine animal hair,
* D	6304.99.40	Pakistan.....	2,285	46.3%	Certified hand-loomed and folklore pillow covers of wool or fine anima
*	6501.00.60	Colombia.....	0	0.0%	Hat forms, hat bodies and hoods, not blocked to shape or with made bri
*	6908.10.20	Thailand.....	370,789	7.0%	Glazed ceramic tiles, cubes & similar arts. w/largest area enclosable
*	6910.10.00	Brazil.....	4,713,092	4.6%	Porcelain or china ceramic sinks, washbasins, baths, bidets, water clo
*	6910.90.00	Brazil.....	65,773	0.0%	Ceramic (o/than porcelain or china) sinks, washbasins, baths, bidets,
*	6910.90.00	Argentina.....	359,482	0.2%	Ceramic (o/than porcelain or china) sinks, washbasins, baths, bidets,
*	6911.90.00	Brazil.....	0	0.0%	Porcelain or china (o/than bone china) household and toilet articles (
*	6912.00.44	Brazil.....	2,229,645	2.8%	Ceramic (o/than porcelain or china) household mugs and steins w/o atta
*	7007.11.00	Argentina.....	18,542	0.0%	Toughened (tempered) safety glass, of size and shape suitable for inco
*	7106.92.50	Chile.....	7,188	0.0%	Silver (including silver plated with gold or platinum), in semimanufac
*	7109.00.00	Peru.....	0	0.0%	Base metals or silver clad with gold, but not further worked than semi
*	7113.19.21	Peru.....	15,729,357	48.1%	Gold rope necklaces and neck chains
*	7113.19.50	Turkey.....	88,599,912	2.9%	Precious metal (o/than silver) articles of jewelry and parts thereo, w
*	7114.11.60	Argentina.....	0	0.0%	Articles of silver nesoi, for household, table or kitchen use, toilet
*	7114.19.00	Peru.....	0	0.0%	Precious metal (o/than silver) articles, nesoi, whether or not plated
*	7115.90.30	Colombia.....	0	0.0%	Gold (including metal clad with gold) articles (o/than jewellry or gol

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2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

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*	7115.90.30	Argentina.....	0	0.0%	Gold (including metal clad with gold) articles (o/than jewellry or gol
*	7115.90.40	Argentina.....	6,600	0.1%	Silver (including metal clad with silver) articles (o/than jewellry or
*	7116.10.10	Thailand.....	0	0.0%	Natural pearl articles
*	7116.20.05	Thailand.....	4,289,905	10.3%	Jewelry articles of precious or semiprecious stones, valued not over $
*	7116.20.15	Thailand.....	2,225,489	6.8%	Jewelry articles of precious or semiprecious stones, valued over $40 p
*	7117.90.55	Peru.....	14,638	1.0%	Imitation jewelry nesoi, not of base metal, n/o 20 cents/doz. pcs or p
*	7202.21.10	Brazil.....	132,379	5.4%	Ferrosilicon containing by weight more than 55% but not more than 80%
*	7202.21.50	Brazil.....	3,768,872	2.7%	Ferrosilicon containing by weight more than 55% but not more than 80%
*	7202.21.50	Argentina.....	0	0.0%	Ferrosilicon containing by weight more than 55% but not more than 80%
*	7202.30.00	Brazil.....	20,405	0.0%	Ferrosilicon manganese
*	7202.30.00	Argentina.....	35,200	0.0%	Ferrosilicon manganese
*	7307.21.50	Brazil.....	35,036	0.0%	Stainless steel, not cast, flanges for tubes/pipes, not forged or forg
*	7307.91.30	Brazil.....	0	0.0%	Alloy steel (o/than stainless), not cast, flanges for tubes/pipes, for
*	7307.91.50	Brazil.....	89,135	0.2%	Iron or steel (o/than stainless), not cast, flanges for tubes/pipes, n
*	7308.90.70	Venezuela.....	57,299	0.5%	Steel, grating for structures or parts of structures
*	7308.90.95	Argentina.....	960,399	0.3%	Iron or steel, structures (excluding prefab structures of 9406) and pa
*	7315.90.00	Argentina.....	76,490	0.4%	Iron or steel, parts of chain (other than articulated link chain)
*	7403.12.00	Peru.....	0	0.0%	Refined copper, wire bars
*	7403.12.00	Chile.....	0	0.0%	Refined copper, wire bars
*	7403.21.00	Chile.....	0	0.0%	Copper-zinc base alloys (brass), unwrought nesoi
*	7403.22.00	Chile.....	0	0.0%	Copper-tin base alloys (bronze), unwrought nesoi
*	7403.23.00	Chile.....	0	0.0%	Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base al
*	7403.29.00	Chile.....	0	0.0%	Copper alloys (o/than copper-zinc, copper-tin, copper-nickel(cupro-nic
*	7407.21.90	Brazil.....	1,168,153	1.1%	Copper-zinc base alloys (brass), bars & rods nesoi, not having a recta
*	7407.22.30	Russia.....	0	0.0%	Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base al
*	7409.11.50	Argentina.....	0	0.0%	Refined copper, plates, sheets and strip, in coils, with a thickness o
*	7409.21.00	Argentina.....	207,212	0.4%	Copper-zinc base alloys (brass), plates, sheets and strip, in coils
*	7409.39.50	Hungary.....	198,891	31.4%	Copper-tin base alloys (bronze), plates, sheets and strip, with a thic
*	7411.21.50	Trinidad and Tobago.	0	0.0%	Copper-zinc base alloys (brass), tubes and pipes, other than seamless
*	7604.10.30	Venezuela.....	0	0.0%	Aluminum (o/than alloy), bar and rods, with a round cross section
*	7604.29.30	Venezuela.....	1,329,067	2.4%	Aluminum alloy, bars and rods, having a round cross section
*	7605.11.00	Venezuela.....	0	0.0%	Aluminum (o/than alloy), wire, with a maximum cross-sectional dimensio
*	7605.21.00	Venezuela.....	279,551	0.8%	Aluminum alloy, wire, with a maximum cross-sectional dimension over 7
*	7614.90.20	Venezuela.....	2,299,103	29.0%	Aluminum, elect. conductors of stranded wire, cables & the like (o/tha
*	7614.90.50	Venezuela.....	38,655	7.6%	Aluminum, stranded wire, cables and the like (o/than w/steel core), no
2 D	7801.99.30	Colombia.....	29,707	100.0%	Lead (o/than refined lead), bullion
*	7801.99.30	Dominican Republic..	0	0.0%	Lead (o/than refined lead), bullion
*	7901.11.00	Argentina.....	0	0.0%	Zinc (o/than alloy), unwrought, containing o/99.99% by weight of zinc
*	7901.12.50	Argentina.....	0	0.0%	Zinc (o/than alloy), unwrought, o/than casting-grade zinc, containing
*	7904.00.00	Republic of South Af	737,008	28.1%	Zinc, bars, rods, profiles and wire
* D	7905.00.00	Peru.....	7,670,143	67.4%	Zinc, plates, sheets, strip and foil
*	8104.11.00	Russia.....	18,271,839	36.3%	Magnesium, unwrought, containing at least 99.8 percent by weight of ma
*	8112.30.60	Russia.....	411,054	9.8%	Germanium, unwrought
*	8207.20.00	Argentina.....	0	0.0%	Interchangeable dies for drawing or extruding metal, and base metal pa
* D	8211.92.60	Pakistan.....	1,688,069	53.2%	Hunting knives w/fixed blades, with wood handles
2	8211.95.50	Pakistan.....	47,750	36.5%	Base metal handles for knives (o/than table knivies) w/fixed blades
*	8408.20.20	Brazil.....	20,174,431	12.0%	Compression-ignition internal-combustion piston engines to be installe
*	8408.20.90	Brazil.....	89,006	0.3%	Compression-ignition internal-combustion piston engines used for propu
*	8409.91.50	Brazil.....	44,132,269	2.3%	Parts nesi, used solely or principally with spark-ignition internal-co
*	8409.91.50	Argentina.....	6,304,117	0.3%	Parts nesi, used solely or principally with spark-ignition internal-co
*	8409.91.99	Argentina.....	2,456,858	0.6%	Parts nesi, used solely or principally with spark-ignition internal-co

FLAGS: '*'=Excluded full year; '2'=Excluded July/December; 'D'=De minimis;

LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

FLAGS	HTSUS	PARTNER	IMPORTS	SHARE	DESCRIPTION
*	8409.99.91	Argentina.....	2,249,318	0.5%	Parts nesi, used solely or principally with the engines of heading 840
*	8413.30.10	Brazil.....	20,695,574	10.1%	Fuel-injection pumps for compression-ignition engines, not fitted with
2	8450.90.20	Ecuador.....	0	0.0%	Tubs and tub assemblies for household- or laundry-type washing machine
*	8477.51.00	Argentina.....	216,800	1.3%	Machinery for molding or retreading pneumatic tires or for molding or
*	8480.30.00	Argentina.....	0	0.0%	Molding patterns
*	8481.30.20	Argentina.....	53,568	0.1%	Check valves of iron or steel for pipes, boiler shells, tanks, vats or
*	8481.80.30	Argentina.....	140,308	0.0%	Taps, cocks, valves & similar appliances for pipes, boiler shells, tan
*	8481.80.90	Argentina.....	1,233,049	0.0%	Taps, cocks, valves & similar appliances for pipes, boiler shells, tan
*	8481.90.30	Argentina.....	0	0.0%	Parts of hand operated and check appliances for pipes, boiler shells,
*	8503.00.65	Argentina.....	4,750	0.0%	Stators and rotors for electric motors & generators of heading 8501, n
*	8524.52.10	Argentina.....	0	0.0%	Pre-recorded magnetic video tape recordings of a width exceeding 4 mm
*	8528.12.16	Thailand.....	2,574	0.0%	Non-high def. color television reception app., nonprojection, w/CRT, d
*	8535.40.00	Dominican Republic..	0	0.0%	Lightning arrestors, voltage limiters and surge suppressors, for a vol
*	8536.90.80	Argentina.....	0	0.0%	Electrical apparatus nesi, for switching or making connections to or i
*	8538.90.80	Argentina.....	2,500	0.0%	Other parts nesi, suitable for use solely or principally with the appa
*	8708.40.50	Brazil.....	145,302	0.2%	Pts. & access. of mtr. vehic. of 8701, nesoi, and of 8705, gear boxes
*	8708.60.80	Argentina.....	121,914	0.0%	Pts. & access. of mtr. vehic. of 8701, nesoi, of 8702, and of 8704-870
*	8708.70.60	Argentina.....	0	0.0%	Pts. & access. of mtr. vehicc of 8701, nesoi, and of 8702-8705, pts. &
2	8708.99.67	Brazil.....	61,739,947	3.2%	Pts. & access. of motor vehicles of 8701, nesoi, and 8702-8705, pts. f
*	8708.99.80	Argentina.....	606,738	0.0%	Pts. & access., nesoi, of motor vehicles of 8701, nesoi, and 8702-8705
*	8716.90.50	Argentina.....	2,500	0.0%	Parts of trailers and semi-trailers and vehicles, not mechanically pro
*	9001.30.00	Indonesia.....	69,520,987	45.7%	Contact lenses
*	9003.90.00	Argentina.....	0	0.0%	Parts of frames and mountings for spectacles, goggles or the like
*	9105.19.10	Brazil.....	0	0.0%	Alarm clocks nesoi, not electrically operated, movement measuring not
*	9105.19.40	Brazil.....	0	0.0%	Alarm clocks nesoi, not electrically operated, movement measuring ove
*	9113.10.00	Argentina.....	0	0.0%	Watch straps, watch bands and watch bracelets, of precious metal or of
*	9113.20.60	Argentina.....	0	0.0%	Parts of watch bracelet of base metal, whether or not gold- or silver-
*	9405.30.00	Thailand.....	3,838,334	1.0%	Lighting sets of a kind used for Christmas trees
*	9506.62.80	Pakistan.....	756,268	0.9%	Inflatable balls (o/than footballs and soccer balls) nesoi
*	9506.91.00	Pakistan.....	384,216	0.0%	Arts. and equip. for general physical exercise, gymnastics or athletic
* D	9614.20.60	Turkey.....	119,296	91.6%	Smoking pipes and bowls, wholly of clay, and other smoking pipes w/bow

FLAGS: '*'=Excluded full year; '2'=Excluded July/December; 'D'=De minimis;

LIST IV : POSSIBLE REDESIGNATION ITEMS

2000 U.S. IMPORTS - JANUARY THROUGH OCTOBER

TOTALS BY PARTNER

PARTNER	IMPORTS	COUNT
Argentina.....	181,913,359	124
Belize.....	0	1
Brazil.....	484,924,433	57
Chile.....	28,029	10
Colombia.....	49,621,904	11
Costa Rica.....	22,507,465	6
Dominican Republic..	76,115,754	15
Ecuador.....	4,040,467	6
El Salvador.....	174,738	2
Guatemala.....	14,871,272	8
Guyana.....	205,816	1
Honduras.....	0	1
Hungary.....	198,891	1
India.....	4,435,390	5
Indonesia.....	119,337,248	19
Jamaica.....	42,583	2
Pakistan.....	14,599,373	20
Peru.....	31,247,480	12
Philippines.....	5,133,776	1
Poland.....	3,022,351	1
Republic of South Af	3,184,123	2
Russia.....	18,682,893	3
Thailand.....	10,727,091	7
Trinidad and Tobago.	0	1
Turkey.....	112,751,309	14
Venezuela.....	4,003,675	7
TOTAL.....	1,161,769,420	337

[FR Doc. 01–2604 Filed 1–30–01; 8:45 am]
BILLING CODE 3190–01–C

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D–218]

WTO Consultations Regarding Countervailing Duties on Certain Carbon Steel Products From Brazil

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that on December 21, 2000, the United States received from Brazil a request for consultations under the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement). In its request, Brazil identifies two measures, both of which involve determinations by the U.S. Department of Commerce (Commerce) under U.S. countervailing duty law addressing the benefits of pre-privatization subsidies that may be attributable to privatized firms. These measures are as follows:

- A sunset review determination by Commerce with respect to certain cut-to-length plate from Brazil, 65 FR 18065 (Apr. 6, 2000); and
- A suspended final affirmative countervailing duty determination by Commerce with respect to certain hot-rolled steel from Brazil, 64 FR 38742 (July 19, 1999).

Brazil alleges that each of these determinations is inconsistent with Articles 1.1(b), 10, 14, 19 and 21 of the WTO Agreement on Subsidies and Countervailing Measures (SCM Agreement), because, according to Brazil, there was no proper finding of whether the financial contributions made prior to a change of ownership conferred a benefit to the current producer of the subject goods. With respect to the hot-rolled steel investigation, Brazil also alleges that Commerce's failure to terminate the investigation based on a finding of no subsidization is inconsistent with Article 11.9 of the SCM Agreement.

In its request, Brazil also expresses concern relating to the practice of Commerce with respect to pre-privatization subsidies. However, Brazil does not make any specific allegations as to how this practice is inconsistent with particular provisions of the SCM Agreement or other WTO agreements.

Under Article 4.3 of the WTO Dispute Settlement Understanding (DSU), consultations are to take place within a period of 30 days from the date of receipt of the request, or within a period otherwise mutually agreed between the United States and Brazil. In this case, consultations took place in Geneva, Switzerland, on January 17, 2001. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before March 5, 2001, to be assured of timely consideration by USTR.

ADDRESSES: Submit comments to Sandy McKinzy, Monitoring and Enforcement Unit, Office of the General Counsel, Room 122, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, Attn: Change in Ownership Methodology Dispute—Brazil. Telephone: (202) 395–3582.

FOR FURTHER INFORMATION CONTACT: William D. Hunter, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508. Telephone: (202) 395–3582.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round

Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, but in an effort to provide additional opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO Dispute Settlement Understanding. If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within six to nine months after it is established.

Major Issues Raised by Brazil

In its consultation request, Brazil alleges that in United States—Imposition of Countervailing Duties on Certain Hot-Rolled Lead and Bismuth Carbon Steel Products, WT/DS138/AB/R, the WTO Appellate Body found Commerce's change in ownership methodology to be inconsistent with the SCM Agreement. Brazil alleges that the Appellate Body found that Commerce had not properly examined whether financial contributions made prior to a change of ownership conferred a benefit on the current producer of the subject goods. Therefore, Brazil alleges that the continued application of Commerce's change in ownership methodology in the cited countervailing duty determinations violates Articles 1.1(b), 10, 14, 19 and 21 of the SCM Agreement (and, in the case of the certain hot-rolled steel from Brazil investigation, Article 11.9). According to Brazil, if the United States had properly examined the nature of the change in ownership in each of the countervailing duty proceedings identified in Brazil's request for consultations, Commerce would have found that no benefit was conferred to the purchasers of the companies in question in the context of the privatizations.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked ''BUSINESS CONFIDENTIAL'' in a contrasting color ink at the top if each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as ''SUBMITTED IN CONFIDENCE'' in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a fill on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D–218, Change in Ownership Methodology Dispute—Brazil) may be made by calling Brenda Webb, (202) 395–6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 01–2603 Filed 1–30–01; 8:45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Advisory Circulars; Vibration and Fatigue Evaluation of Airplane Propellers and Guidance Material for Fatigue Limit Tests and Composite Blade Fatigue Substantiation

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability of proposed advisory circulars and request for comments.

SUMMARY: The Federal Aviation Administration (FAA) announces the availability of two draft advisory circulars (ACs): AC No. 20–66 [DRAFT], Vibration and Fatigue Evaluation of Airplane Propellers, and AC 35.37–1[DRAFT], Guidance Material for Fatigue Limit Tests and Composite Blade Fatigue Substantiation.

DATES: Comments must be received on or before April 2, 2001.

ADDRESSES: Send all comments on the proposed ACs to the Federal Aviation Administration, Attn: Engine and Propeller Standards Staff, ANE–110, 12 New England Executive Park, Burlington, MA 01803–5299.

FOR FURTHER INFORMATION CONTACT: Jay Turnberg, Engine and Propeller Standards Staff, ANE–110, at the above address; telephone: (781) 238–7116; fax: (781) 238–7199; e-mail: jay.turnberg@faa.gov

SUPPLEMENTARY INFORMATION:

Comments Invited

A copy of the subject ACs may be obtained by contacting the person named under **FOR FURTHER INFORMATION CONTACT** or by downloading the draft ACs from the following Internet website: www.faa.gov/avr/air/acs/draftach.htm. The FAA invites interested parties to comment on the proposed ACs. Comments should identify the subject of the AC and be submitted to the individual identified under **FOR FURTHER INFORMATION CONTACT**. The FAA will consider all communications received by the closing date before issuing the final ACs.

Background

The FAA issued AC 20–66, ''Vibration Evaluation of Airplane Propellers,'' on January 29, 1970. The FAA issued AC 35.37–1, Change 1, ''Composite Propeller Blade Fatigue Substantiation,'' on September 7, 1993. Since the issuance of these ACs, there have been substantial technological advances in the design, fabrication and continued airworthiness of propellers. These advances have involved the introduction of composite materials, the development of damage tolerance methodologies, and a better understanding of the propeller operating environment.

The FAA has decided to revise AC 20–66 and AC 35.37–1 simultaneously, based on the relationship between the propeller fatigue limits developed to show compliance with § 35.37, Fatigue

limit tests, and the propeller vibration evaluation conducted on an airplane to show compliance with §§ 23.907 and 25.907, Propeller vibration. To update these advisory circulars, the FAA has incorporated substantial contributions from the Propeller Harmonization Working Group (PHWG) tasked on August 17, 1994, by the Aviation Rulemaking Advisory Committee (ARAC). Part of the PHWG task was to clarify and redefine existing propeller requirements to include new standards to reflect recent advancement in the design and construction of composite material propellers. The proposed ACs would revise the Current ACs to address recent technological advances.

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

Issued in Burlington, Massachusetts, on January 19, 2001.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 01–2645 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Advisory Circular; Bird Ingestion Certification Standards

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability of Advisory Circular on Bird Ingestion Certification Standards.

SUMMARY: This notice announces the availability of Advisory Circular (AC) No. 33.76–1, Bird Ingestion Certification Standards.

DATES: Advisory Circular No. 33.76–1 was issued by the New England Aircraft Certification Service, Engine and Propeller Directorate on January 19, 2001.

FOR FURTHER INFORMATION CONTACT: Marc Bouthillier, Engine and Propeller Standards Staff, ANE–110, 12 New England Executive Park, Burlington, MA, 01803; telephone: (781) 238–7120; fax: (781) 238–7199; e-mail: marc.bouthillier@faa.gov. The subject AC is available on the Internet at the following address: *http://www.faa.gov/avr/air/acs/achome.htm.*

SUPPLEMENTARY INFORMATION: This advisory circular (AC) provides guidance and acceptable methods, but not the only methods, that may be used to demonstrate compliance with the new bird ingestion requirements § 33.76 of the Federal Aviation Regulations, Title 14 of the Code of Federal Regulations. These new standards were published in the **Federal Register** on September 14, 2000 (65 FR 66848) and became effective on December 13, 2000. Although this AC refers to regulatory requirements that are mandatory, this AC is not, in itself, mandatory. This AC neither changes any regulatory requirements nor authorizes changes in or deviations from the regulatory requirements.

Background

This effort was adopted as a part 33 and Joint Aviation Regulations for engines (JAR–E) harmonization project and was selected as an Aviation Rulemaking Advisory Committee (ARAC) project. This AC provides information and guidance that address Federal Aviation Administration (FAA) type certification standards for aircraft turbine engines with regard to bird ingestion. The requirements of § 33.76 reflect recent analysis of the bird threat encountered in service by turbine engine powered aircraft.

This advisory circular, published under the authority granted to the Administrator by 49 U.S.C. 106(g), 40113, 44701–44702, 44704, provides guidance for these requirements.

Issued in Burlington, Massachusetts, on January 19, 2001.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 01–2647 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent to Rule on Request to Release Airport Land at the Chiriaco Summit Airport, Chiriaco Summit, California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release airport land.

SUMMARY: The FAA proposes to rule and invites public comment on the release of approximately 1.72 acres of land at Chiriaco Summit Airport, Chiriaco Summit, California, from all restrictions of the surplus property agreement. The purpose of the release is to permit the sale of the property for construction of an electrical substation to serve the airport and surrounding community.

DATES: Comments must be received on or before March 2, 2001.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Keith D. Downs, Grant Manager, Economic Development Agency, Riverside County, 3525 Fourteenth Street, Riverside, CA 92501.

FOR FURTHER INFORMATION CONTACT: Mr. Ellsworth Chan, Manager, Safety and Standards Branch, AWP–620, 15000 Aviation Blvd., Lawndale, CA 90261, Telephone: (310) 725–3620. The request to release airport property may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: On April 5, 2000, new authorizing legislation became effective. That bill, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Public Law 10–181 (Apr. 5, 2000; 114 Stat. 61), requires that a 30 day public notice must be provided before the Secretary may waive any condition imposed on an interest in surplus property.

The following is a brief overview of the request:

The county of Riverside requested the release of approximately 1.72 acres of dedicated airport land at Chiriaco Summit Airport, Chiriaco Summit, California, from surplus property agreement obligations. The purpose of the release is to permit the sale of the property to the Imperial Irrigation District (IID) for non-aviation uses. The IID proposes to use the property for development of an electrical substation to serve the Chiriaco Summit Airport and the surrounding community. The net proceeds will be utilized for airport improvements.

Issued in Hawthorne, California, on January 11, 2001.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 01–2649 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Release the Entire Desert Center Airport, Desert Center, California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release airport land.

SUMMARY: The FAA proposes to rule and invites public comment on the release of the Desert Center Airport, Desert Center, California from all restrictions of the surplus property agreement. The airport is comprised of approximately 1,129 acres of land that was acquired for airport purposes under a federal surplus property agreement with Riverside County. The purpose of the release is to permit the County to market the airport for sale due to its maintenance and insurance costs with no offsetting revenues.

DATES: Comments must be received on or before March 2, 2001.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Keith D. Downs, Grant Manager, Economic Development Agency, Riverside County, 3525 Fourteenth Street, Riverside, CA 92501.

FOR FURTHER INFORMATION CONTACT: Mr. Ellsworth Chan, Manager, Safety and Standards Branch, AWP–620, 15000 Aviation Blvd., Lawndale, CA 90261, Telephone: (310) 725–3620. The request to release airport property may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: On April 5, 2000, new authorizing legislation became effective. That bill, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), Public Law 10–181 (Apr. 5, 2000; 114 Stat. 61), requires that a 30 day public notice must be provided before the Secretary may waive any condition imposed on an interest in surplus property.

The following is a brief overview of the request:

The County of Riverside requested that Desert Center Airport, Desert Center, California, approximately 1,129 acres, be released from its obligation to use the property for aeronautical purposes. The proposal would allow the county of Riverside's Economic Development Agency to begin marketing the airport for sale. While it is possible that the airport could be sold for use as a private airport, it is more likely that the purchaser will utilize the land for agricultural purposes. The proceeds generated from the sale would be reinvested in the county's airport system.

Issued in Hawthorne, California, on January 11, 2001.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 01–2648 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Fort Lauderdale-Hollywood International Airport, Fort Lauderdale, Florida

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Fort Lauderdale-Hollywood International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before March 2, 2001.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. William F. Sherry, A.A.E., Director of Aviation of the Broward County Aviation Department at the following address: 320 Terminal Drive, Fort Lauderdale, Florida 33315.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Broward County Aviation Department under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Moore, Program Manager, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 33822, (407) 812–6331, extension 20. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Fort Lauderdale-Hollywood International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On January 19, 2001, the FAA determined that the application to impose and use the revenue from a PFC submitted by Broward County Aviation Department was substantially complete within the requirements of § 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than May 2, 2001.

The following is a brief overview of the application.

PFC Application No.: 01–04–C–00–FLL.

Level of the proposed PFC: $3.00.

Proposed charge effective date: January 1, 2007.

Proposed charge expiration date: April 1, 2008.

Total estimated net PFC revenue: $35,952,199.

Brief description of proposed project(s): Aviation Easements, Common Use Terminal Equipment (CUTE), Fiber Optic Backbone, Concourse E, F, and H Restrooms, Pedestrian Walkways, Pedestrian Canopies, Curbside Queuing Lanes, Commuter facility Improvements, Westside Road Relocation, Inner Terminal Taxilanes Design, Inner Terminal Taxilanes Reconstruction, Passenger Loading Bridge Utilities Infrastructure, Taxiway B Extension, Communications Center Equipment.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators (ATCO) filing FAA Form 1800–31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Broward County Aviation Department.

Issued in Orlando, Florida on January 19, 2001.

W. Dean Stringer,

Manager, Orlando Airports District Office, Southern Region.

[FR Doc. 01–2646 Filed 1–30–01; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF THE TREASURY

Fiscal Service

Surety Companies Acceptable on Federal Bonds: Cherokee Insurance Company

AGENCY: Financial Management Service, Fiscal Service, Department of the Treasury.

ACTION: Notice.

SUMMARY: This is Supplement No. 8 to the Treasury Department Circular 570; 2000 Revision, published June 30, 2000, at 65 FR 40868.

FOR FURTHER INFORMATION CONTACT: Surety Bond Branch at (202) 874–6765.

SUPPLEMENTARY INFORMATION: A Certificate of Authority as an acceptable surety on Federal bonds is hereby issued to the following Company under 31 U.S.C. 9304 to 9308. Federal bond-approving officers should annotate their reference copies of the Treasury Circular 570, 2000 Revision, on page 40876 to reflect this addition:

Company Name: Cherokee Insurance Company. *Business Address:* 34200 Mound Road, Sterling Heights, Michigan, 48310. *Phone:* (800) 201–0450. *Underwriting Limitation* b/: $782,000. *Surety Licenses* c/: CA, GA, ID, IN, IA, LA, MI, MN, MO, ND, OH, TN, WV, WI. *Incorporated In:* Michigan.

Certificates of Authority expire on June 30 each year, unless revoked prior to that date. The Certificates are subject to subsequent annual renewal as long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Treasury Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information.

The Circular may be viewed and downloaded through the Internet at *http://www.fms.treas.gov/c570/index.html.* A hard copy may be purchased from the Government Printing Office (GPO) Subscription Service, Washington, DC, Telephone (202) 512–1800. When ordering the Circular from GPO, use the following stock number: 048–000–00536–5.

Questions concerning this Notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6A04, Hyattsville, MD 20782.

Dated: January 12, 2001.

Wanda J. Rogers,

Director, Financial Accounting and Services Division, Financial Management Service.

[FR Doc. 01–2637 Filed 1–30–01; 8:45 am]

BILLING CODE 4810–35–M

DEPARTMENT OF THE TREASURY

Fiscal Service

Surety Companies Acceptable on Federal Bonds: Providence Washington Insurance Company

AGENCY: Financial Management Service, Fiscal Service, Department of the Treasury.

ACTION: Notice.

SUMMARY: This is Supplement No. 9 to the Treasury Department Circular 570; 2000 Revision, published June 30, 2000, at 65 FR 40868.

FOR FURTHER INFORMATION CONTACT: Surety Bond Branch at (202) 874–7102.

SUPPLEMENTARY INFORMATION: A Certificate of Authority as an acceptable surety on Federal bonds is hereby issued to the following Company under 31 U.S.C. 9304 to 9308. Federal bond-approving officers should annotate their reference copies of the Treasury Circular 570, 2000 Revision, on page 40896 to reflect this addition:

Company Name: Providence Washington Insurance Company. *Business Address:* P.O. Box 518, Providence, RI 02901–0518. *Phone:* (401) 453–7000. *Underwriting Limitation b/:* $5,999,000 *Surety Licenses c/:* AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY. *Incorporated In:* Rhode Island.

Certificates of Authority expire on June 30 each year, unless revoked prior to that date. The Certificates are subject to subsequent annual renewal as long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Treasury Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information.

The Circular may be viewed and downloaded through the Internet at *http://www.fms.treas.gov/c570/index.html.* A hard copy may be purchased from the Government Printing Office (GPO) Subscription Service, Washington, DC, Telephone (202) 512–1800. When ordering the Circular from GPO, use the following stock number: 048–000–00536–5.

Questions concerning this Notice may be directed to the U.S. Department of the Treasury, Financial Management Service, Financial Accounting and Services Division, Surety Bond Branch, 3700 East-West Highway, Room 6A04, Hyattsville, MD 20782.

Dated: January 12, 2001.

Wanda Rogers,

Director, Financial Accounting and Services Division, Financial Management Service.

[FR Doc. 01–2636 Filed 1–30–01; 8:45 am]

BILLING CODE 4810–35–M

Federal Register

Wednesday,
January 31, 2001

Part II

Federal Reserve System

12 CFR Part 225

Department of the Treasury

Office of the Under Secretary for Domestic Finance

12 CFR Part 1500

Bank Holding Companies and Change in Bank Control; Final Rule

FEDERAL RESERVE SYSTEM

12 CFR Part 225

[Regulation Y; Docket No. R–1065]

DEPARTMENT OF THE TREASURY

Office of the Under Secretary for Domestic Finance

12 CFR Part 1500

RIN 1505–AA78

Bank Holding Companies and Change in Bank Control

AGENCIES: Board of Governors of the Federal Reserve System and the Department of the Treasury.

ACTION: Final rule.

SUMMARY: The Board of Governors of the Federal Reserve System and the Secretary of the Treasury jointly adopt this final rule governing merchant banking investments made by financial holding companies. The rule implements provisions of the Gramm-Leach-Bliley Act that permit financial holding companies to make investments as part of a bona fide securities underwriting or merchant or investment banking activity. The Board and the Secretary have incorporated a number of amendments to the final rule to address issues raised by public commenters, to reduce potential regulatory burdens, and to clarify the application of the rule. These changes include expanding the definition of ''securities affiliate'' to include a department or division of a bank registered as a municipal securities dealer; modifying the provisions defining prohibited routine management and operation of portfolio companies; adopting a sunset provision for the investment thresholds under the interim rule and eliminating the dollar-based threshold for the review of a financial holding company's merchant banking activities; streamlining the rule's reporting and recordkeeping requirements; broadening the definition of ''private equity'' funds and clarifying the rule's application to such funds; and adopting several safe-harbors to the presumptions in the rule governing the definition of affiliate for purposes of sections 23A and 23B of the Federal Reserve Act.

DATES: The final rule is effective February 15, 2001.

FOR FURTHER INFORMATION CONTACT:

Board of Governors: Scott G. Alvarez, Associate General Counsel (202/452–3583), Kieran J. Fallon, Senior Counsel (202/452–5270), or Camille M. Caesar, Counsel (202/452–3513), Legal Division; Jean Nellie Liang, Chief, Capital Markets (202/452–2918), Division of Research & Statistics; Michael G. Martinson, Deputy Associate Director (202/452–3640) or James A. Embersit, Manager, Capital Markets (202/452–5249), Division of Banking Supervision and Regulation; Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551. Users of Telecommunications Device for the Deaf (TDD) only contact Janice Simms at (202) 872–4984.

Department of the Treasury: Roberta K. McInerney, Assistant General Counsel (Banking and Finance) (202/622–0480), Gary Sutton, Senior Banking Counsel (202/622–0480), or Gerry Hughes, Senior Financial Economist (202/622–2740), 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

SUPPLEMENTARY INFORMATION:

A. Background

The Gramm-Leach-Bliley Act (GLB Act) [1] amended the Bank Holding Company Act (BHC Act) to allow a bank holding company that has made an effective election to become a financial holding company to make investments in nonfinancial companies as part of a bona fide securities underwriting or merchant or investment banking activity. These investments may be made in any type of ownership interest in any type of nonfinancial entity (portfolio company), and may represent any amount of the equity of a portfolio company. Investments made under this new authority, which is codified in section 4(k)(4)(H) of the BHC Act (12 U.S.C. 1843(k)(4)(H)), are referred to as ''merchant banking investments.'' The GLB Act imposed conditions on the length of time that these investments may be held, the ability of the financial holding company to routinely manage or operate the portfolio company, and other aspects of the relationship between the financial holding company and its affiliates on the one hand and the portfolio company on the other hand. These restrictions further the fundamental purposes of the BHC Act—to help maintain the separation of banking and commerce and promote safety and soundness.

In March 2000, the Board of Governors of the Federal Reserve System (Board) and the Secretary of the Treasury (Secretary) jointly adopted, on an interim basis, and requested public comment on a rule governing the merchant banking investments of financial holding companies.[2] The interim rule provided guidance concerning the types of investments that are permissible under section 4(k)(4)(H) and defined the term ''securities affiliate'' for purposes of determining those financial holding companies eligible to make merchant banking investments. In addition, the interim rule implemented the provisions of the GLB Act that limit the holding period of merchant banking investments and the ability of financial holding companies to routinely manage or operate a portfolio company.

The interim rule also contained provisions designed to ensure that the merchant banking investment activities of financial holding companies are conducted in compliance with the GLB Act and in a safe and sound manner that does not endanger depository institutions or the federal deposit insurance funds. In this regard, the interim rule established aggregate investment thresholds for the review by the Board of the merchant banking investment activities of a financial holding company. The Board and the Secretary adopted these investment thresholds to allow the agencies to monitor the implementation of the merchant banking investments under the new authority and address situations that could pose a material risk to the safety and soundness of depository institutions. The interim rule also required financial holding companies to establish policies and procedures reasonably designed to monitor and manage the risks associated with merchant banking investments, and to maintain records and file reports necessary for the financial holding company and the Board to monitor the company's merchant banking investments and the company's compliance with the GLB Act and the interim rule. Furthermore, the interim rule implemented the cross-marketing and affiliate transaction restrictions applied by the GLB Act to merchant banking investments.

At the time the Board and the Secretary adopted the interim rule, the Board also issued for public comment proposed amendments to the Board's capital guidelines for bank holding companies to address the appropriate capital treatment for merchant banking and similar investments made by bank holding companies and their subsidiaries. This capital proposal, which was not adopted on an interim basis, generally would have required financial holding companies to deduct 50 percent of the carrying value of their

[1] Pub. L. 106–102, 113 Stat. 1338 (1999).

[2] 65 FR 16460 (March 28, 2000).

merchant banking investments from Tier 1 capital.

Prior to issuing the interim rule and capital proposal, staff of the Federal Reserve and the Department of the Treasury conducted interviews with a number of securities firms that make merchant banking investments to collect information concerning how these firms conduct their merchant banking activities. Staff also conducted interviews with several bank holding companies that were engaged in equity investment activities prior to the GLB Act under the more limited statutory authorities then in existence. The information collected in these interviews, which is described in greater detail in the Supplementary Information accompanying the interim rule and capital proposal,[3] was used in developing the interim rule and this final rule.

B. Overview of Comments

The Board and the Secretary together received more than 140 comments on the interim rule and the related capital proposal. Commenters included Members of Congress, other federal agencies, state banking departments, banking organizations, securities firms, trade associations for the banking and securities industries, law firms and individuals. Most comments focused on the capital charge proposed in conjunction with the interim rule.

Many commenters also addressed one or more specific parts of the interim rule. Some commenters suggested that the Board and the Secretary should eliminate or significantly modify the interim rule's aggregate investment thresholds, holding period limitations or routine management and operation restrictions and instead rely on the examination and supervisory process to address potential safety and soundness concerns and administer and enforce the GLB Act's provisions that are designed to help maintain the separation of banking and commerce. A number of commenters contended that these provisions would frustrate Congress' desire to permit a ''two-way'' street between securities firms and banking organizations or place financial holding companies at a disadvantage in competing with nonbank organizations in making merchant banking investments.

Some commenters also contended that the Board and the Secretary lacked the authority to establish aggregate investment thresholds and maximum holding periods for merchant banking investments or to limit the period of time that a financial holding company may routinely manage or operate a portfolio company without Board approval. Several commenters argued that the Board and the Secretary lacked the legal authority to determine that, in every case without exception, certain types of officer and employee interlocks and investor covenants represent routine management of the portfolio company.

Many commenters suggested specific amendments to the interim rule to clarify its application, reduce potential burden or provide financial holding companies additional flexibility in making merchant banking investments. For example, some commenters requested that the Board and the Secretary extend the permissible holding periods for merchant banking investments or streamline the process for seeking approval to hold a merchant banking investment beyond the periods specified in the rule. Some commenters suggested that the agencies expand the types of relationships that a financial holding company may have with a portfolio company without becoming involved in the routine management or operations of the company or expand the circumstances under which a financial holding company may routinely manage or operate a portfolio company. In addition, some commenters requested that the agencies streamline the rule's recordkeeping and reporting requirements, or clarify or streamline application of the rule to private equity funds.

C. Explanation of Final Rule

The Board and the Secretary have carefully reviewed the comments received on the interim rule in light of the language and purposes of the GLB Act and the BHC Act. After this review, the Board and the Secretary have modified the interim rule in a number of respects. In particular, the Board and the Secretary have—

- Expanded the definition of ''securities affiliate'' to include a registered municipal securities dealer, including a division or department of a bank that is registered as a municipal securities dealer under the Securities Exchange Act of 1934, thereby broadening the eligibility of financial holding companies to make merchant banking investments under the rule;
- Modified the provisions defining actions that represent routine management or operation, clarified the circumstances under which a financial holding company may routinely manage and operate a portfolio company, and extended the period of time that a financial holding company may routinely manage or operate a portfolio company without providing notice to the Board;
- Broadened the definition of private equity funds and created a new section of the rule (section 225.173) that explains how the holding period and management and operations restrictions of the rule apply to private equity funds;
- Adopted an automatic sunset provision for the investment thresholds contained in the interim rule and eliminated the dollar-based threshold for Board review of the merchant banking investment activities of a financial holding company during the period before the sunset;
- Streamlined the recordkeeping and reporting provisions of the rule to reduce burden;
- Clarified the circumstances in which the cross-marketing provisions apply; and
- Adopted three safe harbors to the rebuttable presumptions established under sections 23A and B of the Federal Reserve Act.

These changes as well as the agencies' responses to the comments received are discussed in greater detail below.

As an initial matter, the Board and the Secretary believe that the rule is both within the statutory authority of the agencies and consistent with the language and purposes of the GLB Act and BHC Act. The GLB Act specifically authorizes the Board and the Secretary to issue such regulations implementing section 4(k)(4)(H) as the Board and the Secretary jointly deem appropriate to assure compliance with the purposes and prevent evasions of the BHC Act and the GLB Act and to protect depository institutions.[4] This authority supplements the authority granted the Board by the BHC Act and other federal law to supervise bank holding companies and issue regulations and orders, including reporting and record keeping requirements, to administer and carry out the purposes of the BHC Act and prevent evasions thereof.[5]

[3] *See* 65 FR 16460, 16461–62 (March 28, 2000).

[4] 12 U.S.C. 1843(k)(7)(A); *see also* 145 Cong. Record at H11529 (daily ed. Nov. 4, 1999) (statement by Chairman Leach) (''Importantly, the Act gives the Federal Reserve and the Treasury the authority to jointly develop implementing regulations on merchant banking activities that they deem appropriate to further the purposes and prevent evasions of the [GLB] Act and the Bank Holding Company Act. Under the authority, the Federal Reserve and Treasury may define relevant terms and impose such limitations as they deem appropriate to ensure that this new authority does not foster conflicts of interest or undermine the safety and soundness of depository institutions or the Act's general prohibitions on the mixing of banking and commerce.''); 145 Cong. Record S13788 (daily ed. Nov. 3, 1999) (statement of Sen. Sarbanes).

[5] *See, e.g.,* 12 U.S.C. 1844; 12 U.S.C. 1818(b)(3).

As discussed in detail below, the rule defines the scope of activities permitted by section 4(k)(4)(H) and implements the provisions of section 4(k)(4)(H) that are designed to limit the potential mixing of banking and commerce. The rule also contains provisions that are designed to protect the safety and soundness of depository institutions, as well as recordkeeping and reporting provisions that the agencies believe are appropriate to monitor compliance with, and prevent evasions of, the BHC Act and the GLB Act.

The Board and the Secretary believe that the rule permits a ''two-way'' street between securities firms and banking organizations while, at the same time, giving effect to the statutory limitations and framework adopted by Congress to help maintain the separation of banking and commerce and ensure the safety and soundness of depository institutions. Moreover, the Board and the Secretary believe that adoption of a rule, rather than reliance primarily on the supervisory process, is the most appropriate method for ensuring the fair and effective administration of the GLB Act's merchant banking provisions and preventing evasions of those provisions. The rule provides financial holding companies and members of the public with notice of the limitations generally applicable to merchant banking investment activities. The rule also allows the Board to grant exceptions to the general investment thresholds, holding period, and affiliate transaction limits included in the rule if the facts of a particular case demonstrate that the exemption is consistent with the purposes of the GLB and BHC Acts. The Board intends also to continue to rely on the supervisory process to monitor compliance by financial holding companies with the rule and to address any safety and soundness issues that may arise with respect to the merchant banking investments of individual financial holding companies.

Section 225.170—What Type of Investments Are Permitted by This Subpart, and Under What Conditions May They Be Made?

Section 4(k)(4)(H) and the rule permit a financial holding company to acquire or control any amount of shares, assets, or ownership interests of any company or other entity that is engaged in an activity not otherwise authorized for the financial holding company under section 4 of the BHC Act. Thus, section 4(k)(4)(H) and the rule permit a financial holding company directly or indirectly to acquire or control the shares, assets, or ownership interests of a company or other entity that is engaged in any activity that is not financial in nature, incidental to a financial activity or otherwise permissible for the financial holding company under section 4 of the BHC Act. Shares, assets and ownership interests acquired or controlled pursuant to section 4(k)(4)(H) and the rule are referred to as ''merchant banking investments.'' A financial holding company may acquire or control merchant banking investments only in accordance with the requirements of the rule.

Section 4(k)(4)(H) and the rule allow a financial holding company to acquire the full range of ownership interests in a company, including securities, warrants, partnership interests, trust certificates, and other instruments representing an ownership interest in a company, whether the interest is voting or nonvoting. A financial holding company also may acquire any instrument convertible into a security or other ownership interest under the rule. In addition, a financial holding company may acquire any amount of ownership interests in a company or other entity under the rule, whether or not that amount results in control for purposes of the BHC Act. Thus, this merchant banking authority gives a financial holding company the flexibility to acquire or control a nominal amount, a majority, or all of the shares or other ownership interests of a portfolio company.

Securities Affiliate

The GLB Act grants authority to make merchant banking investments only to a bank holding company that becomes a financial holding company,[6] and either (1) controls or is a ''securities affiliate'' or (2) controls both an insurance underwriter affiliate and an investment adviser affiliate registered under the Investment Advisers Act of 1940 that provides investment advice to an insurance company. In addition, the financial holding company must provide notice to the Board within 30 days after commencing merchant banking investment activities or acquiring any company that makes merchant banking investments.[7]

The interim rule defined a ''securities affiliate'' to include any broker or dealer registered with the Securities and Exchange Commission (SEC) under the Securities Exchange Act of 1934 (Exchange Act). Commenters generally supported the rule's broad definition of ''securities affiliate.'' Some commenters also requested that the definition be expanded to include a separately identifiable division or department of a bank that is registered as a municipal securities dealer under section 15B of the Exchange Act, a small business investment company, or any affiliate predominantly engaged in the purchase, sale or underwriting of securities.

After considering the comments, the Board and the Secretary have amended the definition of securities affiliate to include a registered municipal securities dealer, including a separately identifiable division or department of a bank that is registered as a municipal securities dealer under the Exchange Act. A division or department that is registered with the SEC as a municipal securities dealer performs many of the same functions as a separately incorporated registered securities broker or dealer and would be considered to be a type of securities broker or dealer if the division or department were incorporated outside the bank. The Board and Secretary also have amended the rule to clarify that a financial holding company may make merchant banking investments if the holding company is itself a registered securities broker or dealer.

The agencies do not believe at this time that an SBIC or a company that purchases securities for investment or other purposes without becoming a registered securities broker or dealer are securities affiliates for purposes of section 4(k)(4)(H). Commenters making these suggestions provided no evidence that Congress intended the term ''securities affiliate'' to cover companies that do not engage in significant levels of securities activities.

Authority Limited to Making Investments in Companies Engaged in Nonfinancial Activities

As discussed above, the rule authorizes a financial holding company to acquire or control investments in a company or other entity that is engaged in any activity that is not otherwise authorized for the financial holding company under section 4 of the BHC Act. Some commenters asserted that section 4(k)(4)(H) should be construed to permit financial holding companies to make investments in financial companies under their merchant banking authority. These commenters suggested that any investment made by a financial holding company for investment purposes, rather than for strategic or operating purposes, should be considered a merchant banking investment regardless of the activities

[6] Subpart I of the Board's Regulation Y sets forth the procedures and qualification criteria applicable to bank holding companies that seek to elect to become a financial holding company. *See* 12 CFR 225.81 *et seq.*; 66 FR 400 (Jan. 3, 2001).

[7] *See* 12 U.S.C. 1843(k)(6)(A); 12 CFR 225.87(a).

conducted by the acquired company. Other commenters requested that the Board and Secretary clarify that the rule does not apply to investments made by financial holding companies or other banking organizations under legal authorities other than section 4(k)(4)(H).

The language of section 4(k)(4)(H) authorizes a financial holding company to acquire or control a company or entity ''engaged in any activity not authorized pursuant to [section 4 of the BHC Act].'' Financial holding companies have separate authority under other provisions of the BHC Act to make investments in companies engaged in financial activities. Section 4(k)(4)(H) does not restrict the authority of financial holding companies to acquire or control ownership interests in companies engaged in financial activities. Rather, it authorizes financial holding companies to make investments in companies that would otherwise be prohibited. Together, these sets of authorities allow financial holding companies, without prior approval in most cases, to acquire ownership interests in any type of company other than a depository institution.[8]

The rule does not prohibit a financial holding company from using a combination of authorities to invest through the same subsidiary or fund in ownership interests of both nonfinancial companies and financial companies. In addition, a company held as a merchant banking investment may be engaged in both nonfinancial and financial activities, so long as the investment otherwise complies with the requirements of the rule. Similarly, a financial holding company may retain a merchant banking investment in a nonfinancial company even if the company subsequently commences a financial activity.

Because section 4(k)(4)(H) does not authorize investments in financial companies, the restrictions contained in the rule, such as the restrictions on holding periods and cross-marketing, do not apply to investments by financial holding companies in financial companies that are made under other provisions of the BHC Act and the Board's Regulation Y—whether such investments are made for strategic reasons or for purposes of reselling the investment. A financial holding company may not, however, use the merchant banking authority as a means of evading restrictions, such as consent or approval requirements or restrictions that address conflicts of interest, that govern the acquisition of financial companies under the BHC Act or the Board's Regulation Y.[9]

The authority granted by section 4(k)(4)(H) of the BHC Act to financial holding companies to make merchant banking investments also is an alternative to any other authority that a financial holding company may have to make investments in nonfinancial companies under other provisions of the BHC Act. For example, the rule does not address or apply to investments acquired as part of securities underwriting, dealing or market making activities conducted under section 4(k)(4)(E) of the BHC Act, investments made by insurance underwriting subsidiaries of a financial holding company in accordance with section 4(k)(4)(I) of the BHC Act, investments made under section 4(c)(6) or 4(c)(7) of the BHC Act, or investments made overseas under the Board's Regulation K.[10]

Merchant Banking Investments Must Be Made as Part of a Bona Fide Underwriting or Merchant or Investment Banking Activity

The GLB Act and the rule provide that a financial holding company may make merchant banking investments only as part of a bona fide underwriting or merchant banking or investment banking activity.[11] When issuing the interim rule, the Board and the Secretary noted that this requirement was intended to distinguish between merchant banking investments that, by their very nature, are made for purposes of resale or other disposition, and investments that are made for purposes of allowing the financial holding company to engage in the nonfinancial activities conducted by the portfolio company. The GLB Act and the rule do not authorize a financial holding company to make an investment in a nonfinancial company for the purpose of engaging in the activities of the nonfinancial company and, in this way, the ''bona fide'' requirement preserves the financial nature of merchant banking investment activities and helps further the GLB Act's purpose of maintaining the separation of banking and commerce.

As the agencies stated in the Supplementary Information accompanying the interim rule, the Board intends to monitor the merchant banking investment activities of financial holding companies through the supervisory process to ensure that all merchant banking investments are made in compliance with the Act's ''bona fide'' requirement and that financial holding companies do not use the merchant banking authority as a means of becoming impermissibly involved in nonfinancial activities, such as real estate investment or development. Some commenters expressed concern that the Board and the Secretary intended to discourage or prohibit financial holding companies from making merchant banking investments in companies engaged in real estate investment or development activities.

In considering whether an investment meets the rule's ''bona fide'' requirement, the Board will consider all the relevant facts and circumstances surrounding the investment, including the financial holding company's documented purpose for making the investment and overall relationship with the portfolio company. The ''bona fide'' requirement does not prohibit a financial holding company from specializing in making merchant banking investments in particular industries or from making its first merchant banking investment in a company engaged in real estate investment or development, provided such investments are made for investment purposes as part of an ongoing underwriting or investment or merchant banking activity and are otherwise held in accordance with the requirements of the rule.[12]

Investments May Be Made Directly or Through Funds

A financial holding company may acquire or control merchant banking investments directly or through any subsidiary other than a depository institution or subsidiary of a depository

[8] Nothing in section 4(k)(4)(H) or the rule overrides the prior approval requirements of section 3 of the BHC Act that govern the acquisition of shares of a bank or bank holding company or the provisions of section 4(k)(6) and 4(j) of the BHC Act that govern the acquisition of shares of a savings association or a company that controls a savings association.

[9] *See, e.g.,* 12 U.S.C. 1843(l)(2); 12 CFR 225.84.

[10] Although the rule does not apply to investments held under section 4(c)(6) or 4(c)(7) or the Board's Regulation K, those authorities are only available if the financial holding company's aggregate investment in the relevant company under a combination of authorities—including any investment made under the merchant banking authority—is within the applicable investment limitations and restrictions set forth in section 4(c)(6), 4(c)(7) or Regulation K.

[11] 12 U.S.C. § 1843(k)(4)(H).

[12] Concentration in particular industries or in individual investments may present supervisory concerns. The Board expects all financial holding companies that engage in merchant banking investment activities to establish policies governing portfolio diversification and to maintain capital that is adequate in light of the company's investment portfolio. *See* Federal Reserve SR Letter No. 00–9 (SPE) (June 22, 2000).

institution.[13] A financial holding company also may not acquire or control merchant banking investments on behalf of a depository institution or subsidiary of a depository institution. In order to assure competitive equality between U.S. and foreign banking organizations conducting merchant banking activities, the rule provides that a U.S. branch or agency of a foreign bank is considered a ''depository institution'' for purpose of the rule. Accordingly, a U.S. branch or agency of a foreign bank may not acquire or control merchant banking investments under the rule, and merchant banking investments may not be acquired or controlled on behalf of a U.S. branch or agency of a foreign bank.

As discussed more fully below, the rule allows a financial holding company to make merchant banking investments through a private equity fund or other investment fund that itself makes investments in nonfinancial companies. Where a financial holding company makes an investment in a private equity fund or other fund that in turn makes merchant banking investments, the investment by the holding company in the fund is considered a ''merchant banking investment'' and must comply with the requirements of the rule. As described further below, the rule provides certain benefits for investments in or held through a qualifying private equity fund, including an extended holding period and certain relief from the rule's cross-marketing restrictions. Investments in funds that do not qualify as private equity funds are treated as any other type of merchant banking investment held under the rule.

Definition of Portfolio Company and Financial Holding Company

Certain of the rule's requirements—such as the restrictions on routine management and operation—apply only with respect to ''portfolio companies.'' The rule defines a ''portfolio company'' to mean any company or entity that is directly or indirectly held, owned or controlled by a financial holding company using the merchant banking authority and that is engaged in an activity that is not authorized for the financial holding company under section 4 of the BHC Act. (See section 225.177).

As a general matter, a ''financial holding company'' is defined for purposes of the rule to mean the financial holding company and any direct or indirect subsidiary of the holding company. The term does not include (i) a portfolio company that is controlled by the financial holding company, or (ii) a depository institution controlled by the financial holding company or any subsidiary of such a depository institution. As discussed below, the definition of financial holding company is modified to include depository institutions and certain types of affiliates of the financial holding company for purposes of certain provisions governing routine management.

Requirement That Assets Be Acquired by or Transferred to a Portfolio Company

As noted above, the rule permits a financial holding company to acquire any type of ownership interest in a portfolio company. The interim rule also permits a financial holding company to acquire and control ''assets'' other than debt or equity securities or other ownership interests of a company. These assets may, for example, be real estate or the assets of a division of an operating company. To be permissible under the interim rule, the assets must be acquired through, or promptly transferred to, a portfolio company that has and maintains separate corporate existence, management, and operations to the extent otherwise required by the rule. (*See* § 225.170(e)(3).) Some commenters asserted that the rule should allow a financial holding company directly to acquire and hold all types of nonfinancial assets.

The final rule retains the requirement of the interim rule that a financial holding company hold any nonfinancial assets acquired as a merchant banking investment through a portfolio company that is separate from the financial holding company. The agencies believe that this requirement is consistent with the language of section 4(k)(4)(H), which allows a financial holding company to acquire only assets ''of a company.'' In addition, this requirement facilitates compliance with the routine management and operation restrictions of the Act by interposing separate management between the financial holding company and any nonfinancial assets acquired, and enhances safety and soundness by providing the benefits of corporate separation.

Section 225.171—What Are the Limitations on Managing or Operating a Portfolio Company Held as a Merchant Banking Investment?

The GLB Act prohibits a financial holding company from routinely managing or operating a portfolio company except as may be necessary or required to obtain a reasonable return on the resale or disposition of the investment. The interim rule addressed a number of arrangements that would not be considered to represent routinely managing or operating a company and that would, therefore, be permissible at any time as well as arrangements that represent routinely managing or operating a company. In particular, the interim rule provided that a financial holding company would generally not be considered to routinely manage or operate a portfolio company by having one or more representatives on the board of directors of the portfolio company, or by requiring a portfolio company (through written covenants or otherwise) to obtain the financial holding company's approval to take actions outside the ordinary course of business, such as the acquisition of another company; the sale, recapitalization or liquidation of the portfolio company; the issuance of additional capital stock; or making significant changes to the portfolio company's business plan. On the other hand, the interim rule also provided that a financial holding company would be considered to be routinely managing or operating a portfolio company if a director, officer, employee or agent of the financial holding company served as an officer or employee of the portfolio company, or if the financial holding company (through written covenants or otherwise) restricted the ability of the portfolio company to make routine business decisions.

The interim rule permitted a financial holding company to routinely manage or operate a portfolio company when such action was necessary to address a material risk to the value or operation of the portfolio company. In these special situations, a financial holding company was required to obtain the Board's approval if the company routinely managed or operated a portfolio company for more than 6 months.

Commenters supported the agencies' decision to allow financial holding companies to have director interlocks with portfolio companies. Commenters also supported allowing an investing company to participate in decisions by the portfolio company that are outside the ordinary course of business. These commenters viewed these actions as

[13] A financial subsidiary may make merchant banking investments only if, after five years of the date of enactment of the GLB Act, the Board and the Secretary jointly adopt rules in accordance with section 122 of the GLB Act that permit financial subsidiaries to make merchant banking investments.

necessary protections for investors that did not involve the investor in the day-to-day management or operations of the portfolio company.

Many commenters, however, also requested that the Board and Secretary expand the types of relationships that a financial holding company may have with a portfolio company without being deemed to be routinely managing or operating the portfolio company. For example, commenters argued that the agencies should permit a financial holding company to have some officer or employee interlocks with a portfolio company on either a permanent or temporary basis. Commenters contended that an interlocking employee or junior officer would not necessarily involve the financial holding company in routinely managing or operating the company or in many cases confer authority on the financial holding company to make management decisions at the portfolio company.

Commenters also requested that the agencies strike the rule's prohibition on ''agents'' of a financial holding company serving as officers or employees of a portfolio company in light of the potential breadth and ambiguity of the term. In addition, commenters requested that the rule allow a financial holding company to have any type of ''negative'' covenant or other type of covenant as part of an investment in a portfolio company, and to participate in decisions regarding the hiring or firing of the portfolio company's independent accountant and lower-level officers and employees.

Commenters also asserted that the interim rule improperly limited the circumstances when a financial holding company is permitted to routinely manage or operate a portfolio company and the length of time such involvement may exist. In particular, commenters argued that section 4(k)(4)(H) allows a financial holding company to routinely manage or operate a portfolio company when ''necessary or required to obtain a reasonable return on [the] investment upon resale or disposition.'' Some commenters asserted that this standard would be met if the portfolio company experienced a decline in profitability or the loss of key customers or personnel. Some commenters also asserted that the rule should not place any time limit on a financial holding company's involvement in the routine management or operations of a portfolio company or, alternatively, should allow a financial holding company to routinely manage or operate a portfolio company for a period longer than 6 months without Board approval.

As discussed below, the final rule contains modifications that address these points.

Relationships That Involve Routine Management or Operation

Section 225.171(a) of the rule implements the GLB Act's general prohibition on a financial holding company routinely managing or operating any portfolio company. As explained below, the final rule retains the definition of certain types of relationships as representing routinely managing or operating a portfolio company contained in the interim rule. The rule has been modified in several cases to construct presumptions that certain types of relationships represent routine management or operation, and to allow financial holding companies to have these relationships where they do not result in routine management or operation.

The agencies continue to believe that in all circumstances an executive officer of a company is involved in the day-to-day management or operations of the company and participates in management and operational decisions that occur in the ordinary course of the company's business and, thus, is involved in routinely managing or operating the company. For this reason, the final rule continues to provide that a financial holding company routinely manages or operates a portfolio company if any director, officer or employee of the financial holding company serves as, or has the responsibilities of, an executive officer of the portfolio company. The final rule defines the term ''executive officer'' in the same manner as the Board's Regulation O. As a general matter, this definition includes any person who participates or has the authority to participate (other than in the capacity as a director) in major policymaking functions of the portfolio company, whether or not the officer has an official title, the title designates the officer as an assistant, or the officer serves without salary or other compensation. (*See* section 225.177(d); 12 CFR 215.2(e)(1).)[14] The agencies believe using this definition, which is familiar to banking organizations, will facilitate compliance with the rule.

The final rule also provides that a financial holding company routinely manages or operates a portfolio company if an executive officer of the parent financial holding company or of certain of its major subsidiaries becomes an officer or employee of the portfolio company. These executive officers are the highest officers of the financial holding company and its major subsidiaries and, by definition, exercise management and operational control over the financial holding company and its subsidiaries. In the context of a situation in which the financial holding company is a direct or indirect investor in a portfolio company, allowing these executive officers to serve as an officer or employee of the portfolio company would permit the financial holding company to routinely manage or operate the portfolio company.

Finally, the final rule provides that covenants or agreements that restrict the portfolio company's ability to make routine business decisions represent routinely managing or operating the portfolio company. Covenants or agreements affected by this provision include restrictions on the portfolio company entering into transactions in the ordinary course of business or hiring non-executive officers or employees. As explained below, the rule permits covenants and agreements that restrict actions that are outside the ordinary course of business. In response to several comments, the final rule also permits covenants or other arrangements that govern the employment of any or all of the ''executive officers'' of a portfolio company (rather than just the 5 highest ranking officials of the portfolio company, as in the interim rule).

As noted above, the final rule modifies several other restrictions contained in the interim rule from absolute prohibitions to rebuttable presumptions. In particular, the agencies believe that, in most circumstances, a financial holding company would become involved in the day-to-day management or operations of a portfolio company if a director, officer or employee of the financial holding company serves as a non-executive officer or employee of the portfolio company or if an officer or employee of the portfolio company is supervised by or reports to an officer or employee of the financial holding company. The agencies also recognize, however, that there may be cases where the specific facts demonstrate that such a relationship with the portfolio company

[14] An ''executive officer'' does not include a person who may exercise a certain measure of discretion in the performance of their duties, including the discretion to make decisions in the ordinary course of business, but who does not participate in the determination of major policies of the company and whose decisions are limited by policy standards fixed by senior management. In addition, the term does not include any person who is excluded from participating (other than in the capacity of a director) in major policymaking functions of the company by resolution of the board of directors of by the bylaws of the company provided the person does not in fact participate in such policymaking functions.

would not involve the investing financial holding company in routinely managing or operating the company. Accordingly, the agencies have modified the rule to establish a rebuttable presumption that these relationships represent routine management or operation of a portfolio company. In addition, in response to commenters, the reference in these presumptions to ''agents'' of the financial holding company has been deleted because the term is ambiguous.

The rule allows a financial holding company to request a determination from the Board that a presumption of routine management or operations is rebutted. (*See* section 225.171(c).) Any request to rebut a presumption should fully describe all the facts and circumstances related to the financial holding company's investment in, and relationships with, the portfolio company.

Relationships That Do Not Constitute Routine Management or Operation

Section 225.171(d) of the final rule identifies relationships with a portfolio company that would not involve a financial holding company in routinely managing or operating the portfolio company. The list of relationships included in section 225.171(d) is not intended to be a complete list of the types of contacts or relationships that a financial holding company may have with a portfolio company without being deemed to routinely manage or operate the portfolio company. Instead, the list is intended to identify types of relationships that commonly occur with a portfolio company and that would not involve the financial holding company in routinely managing or operating the portfolio company.

1. *Director interlocks.* The final rule continues to permit a financial holding company to have one or more representatives on the board of directors of a portfolio company. Consistent with the Board's existing interpretations, the selection of the partners (including the general partner) of a partnership is considered to be the equivalent of selecting the directors of a company. A representative of a financial holding company that serves as a director of a portfolio company may participate fully in those matters that are typically presented to directors of a company, whether the director participates in these matters at a meeting of the board, at meetings of committees of the board, through written votes, through meetings with officers or employees of the portfolio company or otherwise.

The financial holding company's director representatives, however, may not participate in the day-to-day operations of the portfolio company or in management decisions that are made in the ordinary course of business and not customarily presented to the directors of a company. In this manner, the rule prevents a financial holding company from using a person that is nominally designated as a director to routinely manage or operate a portfolio company. In order for a financial holding company to have a director interlock and not be deemed to be routinely managing or operating the portfolio company, the portfolio company also must have officers and employees that routinely manage and operate the company, and the financial holding company must not have other arrangements or relationships with the portfolio company that would involve the financial holding company in the routine management or operation of the portfolio company.

2. *Covenants concerning actions outside the ordinary course of business.* The final rule permits a financial holding company to restrict, by covenant or otherwise, the ability of a portfolio company to take actions outside the ordinary course of business. In response to comments, the final rule contains an expanded list of examples of actions that are outside the ordinary course of business and that may be subject to these types of covenants or agreements. These examples are—

- The acquisition of significant assets or control of another company by the portfolio company or any of its subsidiaries;
- The removal or selection of the portfolio company's independent accountant or investment banker;
- Significant changes to the portfolio company's business plan or accounting methods or policies;
- The removal or replacement of any or all of the executive officers of the portfolio company;
- The redemption, authorization or issuance of any equity or debt securities of the portfolio company;
- Any borrowing by the portfolio company that is outside the ordinary course of business;
- The amendment of the portfolio company's articles of incorporation or by-laws or similar governing documents; and
- The sale, merger, consolidation, spin-off, recapitalization, liquidation, dissolution or sale of substantially all of the assets of the portfolio company or any of its significant subsidiaries.

The examples included in the rule are not exclusive and are intended only to illustrate the types of actions that a financial holding company may restrict, by covenant or otherwise, without becoming involved in the routine management or operations of the portfolio company.

3. *Providing advisory and underwriting services to, and consulting with, a portfolio company.* The final rule also clarifies that a financial holding company does not routinely manage or operate a portfolio company by providing financial, investment or management consulting advisory services to the portfolio company as otherwise permitted by the Board's Regulation Y.[15] Any management consulting services provided to a portfolio company must remain solely advisory in nature, and the financial holding company may not assume responsibility for decision-making or for the day-to-day management or operations of the portfolio company.[16]

In addition, the final rule clarifies that a financial holding company may underwrite or act as placement agent for the securities of a portfolio company and provide assistance to the portfolio company in connection with the underwriting or placement of its securities without being considered to be involved in routinely managing or operating the company. The rule also clarifies that a financial holding company may have regular or periodic meetings with the officers or employees of a portfolio company to monitor and provide advice regarding the portfolio company's performance or activities so long as the financial holding company, through such meeting or otherwise, does not routinely manage or operate the portfolio company.

These provisions were added to the final rule to address questions raised by commenters. They are not intended to identify all of the contacts that may be permissible between a financial holding company and a portfolio company.

When May a Financial Holding Company Routinely Manage or Operate a Portfolio Company?

Section 4(k)(4)(H) permits a financial holding company to routinely manage or operate a portfolio company when such action is ''necessary or required to obtain a reasonable return on [the] investment upon resale or disposition.''[17] The Board and the Secretary have amended the rule to incorporate this statutory standard. The final rule also provides examples of situations where intervention by a financial holding company might be necessary or required to obtain a

[15] *See* 12 CFR 225.28(b)(6) and 225.86(b)(1).

[16] *See* 12 CFR 225.28(b)(9) and 225.86(b)(1).

[17] 12 U.S.C. 1843(k)(4)(H)(iv).

reasonable return, such as when the portfolio company experiences a significant operating loss or the loss of senior management. The situations listed in the rule as examples are not intended to represent an exclusive list of situations when a financial holding company may permissibly intervene in the routine management or operation of a portfolio company.

The agencies note, however, that once the financial holding company has taken appropriate actions to obtain a reasonable return on the resale or disposition of the investment, the GLB Act requires the financial holding company to cease routinely managing or operating the portfolio company. Accordingly, the rule provides that a financial holding company may routinely manage or operate a portfolio company only for the period of time as may be necessary to address the cause of the holding company's involvement in the routine management or operations of the portfolio company, to obtain suitable management arrangements, to dispose of the investment or to otherwise obtain a reasonable return upon the resale or disposition of the investment.

The Board and the Secretary recognize that the determination whether and how long intervention by the financial holding company is necessary or required will depend on the facts and circumstances associated with the particular investment. The final rule includes two requirements to assist the Board in monitoring interventions by financial holding companies in the routine management or operations of portfolio companies to ensure that such actions are consistent with the GLB Act's limitations.

First, the rule requires financial holding companies to maintain and make available to the Board upon request a written record describing the company's involvement in routinely managing or operating a portfolio company (*see* section 225.171(e)(4)). Second, the rule requires that a financial holding company provide the Board written notice if the company routinely manages or operates a portfolio company for more than 9 months (*see* section 225.171(e)(3)). This notice procedure substitutes for the prior approval process included in the interim rule. The notice may be in letter form and should identify the portfolio company, the date on which the financial holding company first became involved in the routine management or operations of the portfolio company, the reasons for the involvement, the actions that the financial holding company has taken to address the circumstances giving rise to the intervention, and an estimate of when the financial holding company anticipates ceasing routinely managing or operating the portfolio company. These records and notice will permit the Board to monitor the company's involvement in routinely managing or operating a portfolio company to assure that such actions remain consistent with the GLB Act and the rule.

Depository Institutions Prohibited From Managing or Operating Portfolio Companies

The final rule provides that a depository institution and a subsidiary of a depository institution may not routinely manage or operate a portfolio company held by a financial holding company under the rule. Depository institutions and their subsidiaries are not authorized to make merchant banking investments or to routinely manage or operate portfolio companies acquired by an affiliated financial holding company. The rule is not intended to prevent a depository institution from having covenants or from taking actions pursuant to covenants that are typically found in credit agreements to ensure repayment of extensions of credit in the ordinary course of business where the covenant or action is not an attempt to evade the restrictions of this subpart. To ensure competitive equality, this limitation would also apply to U.S. branches and agencies of foreign banks.

The rule does not prohibit a director, officer or employee of a depository institution (or subsidiary of a depository institution) or U.S. branch or agency from serving as a director of a portfolio company to the same extent as would be permitted for a director, officer or employee of a financial holding company or to take other actions that the rule does not define to be routine management or operation. In order to clarify these points, the rule includes a depository institution and its subsidiaries in the definition of financial holding company for purposes of the provisions defining routine management and operation. In addition, the rule does not apply the prohibition on routinely managing or operating a portfolio company to a financial subsidiary held in accordance with section 5136A of the Revised Statutes or section 46 of the Federal Deposit Insurance Act, or to a subsidiary that is a small business investment company held in accordance with the Small Business Investment Act of 1958, so long as the subsidiary exercises routine management or operation in accordance with the limitations that apply to financial holding companies under this subpart. As noted above, an affiliated depository institution may not, however, routinely manage or operate a portfolio company under section 225.171(e).

Section 225.172—What Are the Holding Periods Permitted for Merchant Banking Investments?

The GLB Act requires that shares, assets, and ownership interests be held only for a period of time that enables the sale or disposition of the interest on a reasonable basis consistent with the financial viability of the financial holding company's merchant banking activities. The interim rule included this statutory limitation and implemented it by establishing holding periods governing the retention of merchant banking investments by financial holding companies. Financial holding companies could hold merchant banking investments beyond the periods established by the rule only with the approval of the Board.

Permissible Holding Periods for Merchant Banking Investments

The interim rule generally permitted financial holding companies to hold any merchant banking investment for a period of up to 10 years. In addition, the rule allowed financial holding companies to hold an interest in a private equity fund for the life of the fund, up to 15 years. Financial holding companies could hold any merchant banking investment for a longer period with the Board's approval.

The holding periods included in the rule reflect information collected by Federal Reserve and Treasury staff from a number of securities firms that currently make merchant banking investments and from several bank holding companies that have relatively large portfolios of similar equity investments that were made under legal authorities that pre-date the GLB Act. In developing these holding periods, the Board and the Secretary also considered the System's experience in supervising the equity investment activities of bank holding companies under these pre-existing authorities.

These data indicate that merchant banking and similar investments typically are held only for relatively short periods of time. Although the holding period for individual investments vary, these data indicate that the average holding period for investments under current market conditions is approximately 5 years, with a shorter average holding period for investments held through private equity funds and other pooled

investment vehicles. These data also indicate that investments are only rarely held for a period in excess of 10 years.

Several commenters, including banking organizations active in equity investment activities and a securities trade association, concurred that the holding periods established by the interim rule generally are consistent with industry practice and that merchant banking investments are only occasionally held beyond the periods permitted by the rule. Another banking trade association also fully supported the holding periods included in the interim rule, noting that the periods were consistent with Congress' intent to maintain the separation between banking and commerce.

A number of commenters, on the other hand, asserted that Congress intended to leave the decision of when to sell a merchant banking investment to the discretion of the financial holding company. These commenters argued that establishing a regulatory holding period for merchant banking investments would place financial holding companies at a competitive disadvantage or require financial holding companies to dispose of investments prematurely. Some commenters recommended that the agencies eliminate or delay adoption of any fixed holding periods and rely on the supervisory process to enforce the limitations in the GLB Act restricting the period of time that merchant banking investments may be held. In addition, several commenters suggested that the agencies allow all merchant banking investments to be held for up to 15 years without approval, or establish a regulatory holding period that is based on the average holding period of the merchant banking investment portfolio of the financial holding company.

After carefully considering the comments in light of the language and purposes of the GLB Act and BHC Act, the agencies have retained the holding period provisions of the interim rule with several modifications discussed below. Under the final rule, a financial holding company, without any prior approval, may own or control a merchant banking investment for up to 10 years, and may own or control an investment in or held through a private equity fund for the duration of the fund, up to 15 years. The agencies have not amended the rule to use the average duration of a financial holding company's merchant banking portfolio as the criteria for measuring compliance with the rule's holding periods. Because merchant banking investments typically are held for only short periods of time, adopting an average duration approach could allow a financial holding company to retain individual merchant banking investments for an extended and virtually indefinite period of time in conflict with the purposes of the GLB and BHC Acts.

The agencies believe that the holding periods in the rule are appropriate to implement the limitation in section 4(k)(4)(H) that allows financial holding companies to own or control a merchant banking investment only for ''a period of time to enable the sale or disposition thereof on a reasonable basis consistent with the financial viability'' of the financial holding company's merchant banking investment activities, and are consistent with the purpose of the GLB Act and BHC Act to maintain the separation between banking and commerce.

Nevertheless, the Board and the Secretary recognize that there may be circumstances where retention of a merchant banking investment beyond the periods established by the rule would be appropriate and consistent with the limitations in, and purposes of, the GLB and BHC Acts. Accordingly, the rule continues to allow a financial holding company to retain any merchant banking investment beyond the periods set forth in the rule with the Board's approval. This process provides financial holding companies with the flexibility to retain merchant banking investments beyond the holding periods in the rule where the financial holding company can demonstrate that such retention is necessary to enable the sale or other disposition of the investment on a reasonable basis and is otherwise consistent with the GLB and BHC Acts.

The rule lists the factors that the Board will consider in reviewing a request for an extension of the applicable holding period. These factors include the cost to the financial holding company of disposing of the investment within the applicable time period; the total exposure of the financial holding company to the portfolio company and the risks that disposing of the investment without an extension may pose to the financial holding company; market conditions; the nature of the portfolio company's business; the extent and history of the financial holding company's involvement in the management and operations of the portfolio company; and the average holding period of the financial holding company's merchant banking investments. The Board may also consider any other relevant information related to the investment.

In response to comments, the agencies also have streamlined the process for obtaining the Board's approval to retain a merchant banking investment beyond the applicable holding period. The final rule provides that an extension request must be filed at least 90 days (rather than 1 year, as in the interim rule) prior to the expiration of the holding period. Any request for an extension must provide the reasons for the request (including information that addresses the factors discussed above) and explain the financial holding company's plan for divesting the investment. A financial holding company may request confidential treatment of any information included in a request in accordance with the Freedom of Information Act (5 U.S.C. 552 *et seq.*) and the Board's Rules Regarding the Availability of Information (12 CFR Part 261).

The final rule provides that, in connection with granting any extension, the Board may impose restrictions that the Board determines to be appropriate in the circumstances. The agencies have eliminated all but one of the restrictions that will be applied by rule in all cases to investments held beyond the applicable holding period. In particular, the final rule retains an automatic capital charge for investments that are held for an extended period. The capital charge must be set by the Board at a rate that is above the highest marginal capital charge that would apply to investments made by that financial holding company under the final capital rules governing merchant banking investments, and may not be below 25 percent of the adjusted carrying value of the investment as reflected on the balance sheet of the financial holding company.

The final rule does not include the provisions from the interim rule prohibiting a financial holding company from entering into any additional transactions with any company held beyond the applicable holding period, including making additional extensions of credit to the company or acquiring additional shares of the company. Removal of these restrictions from the rule recognizes that, in individual circumstances, the acquisition of additional shares of a portfolio company or the addition of certain relationships or transactions (such as participation in underwriting the company's initial public offering) may facilitate the prompt sale of the portfolio company. The Board, in connection with granting a request to hold an investment beyond the applicable holding period, may determine to impose these or other restrictions if such restrictions are appropriate in the individual case.

Tacking Rules

A few commenters recommended that the agencies eliminate the special holding period ''tacking'' provisions included in section 225.172(b)(2) and (3) of the interim rule. These commenters asserted that the tacking provisions, which are designed to prevent evasions of the rule's holding periods, might prevent a financial holding company from receiving securities as part of the liquidation of an investment fund. Commenters also argued that the agencies should rely on the supervisory process to uncover evasions of the holding periods.

The final rule retains the tacking provisions included in the interim rule. The Board and the Secretary believe these provisions are appropriate to prevent a financial holding company from evading the holding periods applicable to merchant banking and certain other types of investments under the banking laws.[18] In particular, these provisions prevent a financial holding company from attempting to circumvent the holding periods on merchant banking investments by transferring a merchant banking investment from one company or fund to another. The rule also provides that, for purposes of calculating compliance with the merchant banking holding periods, an investment acquired by the financial holding company under another authority that imposes a restriction on the amount of time that the financial holding company may hold the investment is considered to have been acquired on the original acquisition date.

Section 225.173—How Are Investments in Private Equity Funds Treated Under This Subpart?

Securities firms typically make a significant percentage of their merchant banking investments through funds that are limited partnerships or other investment vehicles that pool the firm's capital with capital provided by third-party investors. These investors typically are institutional investors, such as other investment companies, pension funds, endowments, financial institutions or corporations, and sophisticated individual investors with high net worth. In most instances, the securities firm is the sponsor or adviser to the fund and has a general partnership or similar interest in the fund. Securities firms also make non-controlling investments in funds that are sponsored and advised by unaffiliated companies.

These pooled investment vehicles frequently have characteristics, such as limited terms, manager compensation arrangements, and the presence of third-party investors that monitor investments, that encourage the fund to dispose of its investments in a relatively short period of time. In light of these factors, the interim rule contained a number of features designed to accommodate merchant banking investment activities conducted through a qualifying ''private equity fund.'' These features included a longer holding period designed to reflect the industry practice with private equity funds, a higher aggregate investment threshold for review of an organization that makes investments in or through private equity funds, and streamlined reporting and recordkeeping provisions for investments in, or held through, private equity funds.

Commenters generally supported the decision to provide regulatory benefits to merchant banking investments that are made in or through private equity funds. A number of commenters argued that private equity funds should be completely exempted from all or some of the rule's requirements, including the rule's provisions related to holding periods, routinely managing or operating portfolio companies, cross-marketing activities and recordkeeping and reporting requirements. Other commenters urged the agencies to clarify or reduce the requirements applicable to private equity funds that are not controlled by a financial holding company.

Commenters also requested modification of the interim rule's definition of a ''private equity fund'' in several respects. For example, a number of commenters asserted that a private equity fund should be permitted to have a term of more than 15 years or have fewer than 10 investors that are not affiliated with the financial holding company. A few commenters stated that the agencies should permit a financial holding company to own or control more than 25 percent of the total equity of a fund without losing the benefits that accrue to a private equity fund. Some commenters urged elimination of the requirement that a private equity fund maintain policies on diversification.

In light of the comments, the agencies have retained the special treatment for investments made in or through private equity funds. The final rule contains a number of modifications to the definition of ''private equity fund'' to address matters raised by commenters. In addition, the final rule has been reorganized to add a new section 225.173 that includes the definition of a ''private equity fund'' and describes how the rule's holding periods and routine management and operation restrictions apply to private equity funds. The agencies believe these changes make it easier for users to understand how the rule applies to private equity funds.

Definition of Private Equity Fund

The agencies have modified and expanded the definition of a ''private equity fund'' in the final rule in response to public comments. The agencies believe the definition included in the final rule is consistent with prevalent industry practice and ensures that a private equity fund retains the characteristics that encourage it to be operated in a manner consistent with the requirements of the GLB Act.

Under the final rule, a private equity fund qualifies for the special provisions of the rule if the fund has a fixed duration of not more than 15 years including all potential extensions, and the financial holding company (including its officers, directors, employees and principal shareholders) does not own more than 25 percent of the total equity of the fund. The rule does not impose any limits on advisory fees or on the various types of incentive compensation that the financial holding company may receive for services rendered to the fund provided that such fees do not increase the financial holding company's equity stake in the fund above the rule's 25 percent threshold.

The final rule eliminates the requirement that the fund have a specific number of outside investors, the requirement that the fund establish a plan for the resale of each of its investments and the requirement that the fund maintain diversification policies. The agencies believe that the purposes of these restrictions are served by the limitations noted above on the amount of the fund that may be owned or controlled by the financial holding company and by the remaining provisions. These provisions require that the fund not be an operating company, engage exclusively in the business of investing in financial and nonfinancial companies for resale or other disposition, and not be established or operated for the purpose of making investments that are inconsistent with section 4(k)(4)(H) of the BHC Act or evading the limitations on merchant banking activities contained in the GLB Act or the rule. As described below, the fund must have policies and systems for

[18] *See, e.g.*, 12 U.S.C. 1843(c)(2) (maximum 10-year holding period for shares or assets acquired in satisfaction of a debt previously contracted).

monitoring and addressing the various risks associated with merchant banking activities.

The final rule retains the provisions of the interim rule that allow a private equity fund to be organized in any form, including as a partnership, corporation or limited liability company. In addition, the fund may, but need not be, registered as an investment company under the Federal securities laws.

Permissible Holding Period for Private Equity Fund Investments

The final rule permits a financial holding company, without Board approval, to own or control an investment in a private equity fund that makes merchant banking investments for the duration of the fund, which may be up to 15 years. The rule contemplates that a qualifying private equity fund may hold investments in portfolio companies for the duration of the fund. Accordingly, a private equity fund that conducts merchant banking investment activities in accordance with the rule is not required to dispose of its investments within the 10 year period applicable to other types of merchant banking investments.

A financial holding company may seek the Board's approval to retain an investment in a qualifying private equity fund or to extend the duration of a private equity fund for a period longer than 15 years in special circumstances.[19] Any request must be filed at least 90 days prior to the expiration of the holding period and include the information described in section 225.172(b)(4) of the rule. If the Board grants the extension request, the financial holding company must apply the capital charge described in section 225.172(b)(6) of the rule to the financial holding company's investment in the fund and must comply with any other restrictions imposed by the Board.

Application of Routine Management and Operation Restrictions to Private Equity Funds

The GLB Act and the rule prohibit a financial holding company in most circumstances from routinely managing or operating any portfolio company—that is, any company engaged in nonfinancial activities. (*See* sections 225.177(c) and 225.171(a)). The final rule also provides that a financial holding company may not routinely manage or operate a portfolio company that is owned or controlled by a private equity fund in which the financial holding company owns or controls any ownership interest, except in the limited circumstances permitted by section 225.171(e) of the rule. The rule does *not* prohibit a financial holding company from routinely managing or operating a private equity fund.

Some commenters urged the agencies not to limit the ability of a private equity fund to routinely manage or operate a portfolio company under any circumstances. The final rule has been modified in two respects in response to the comments on this matter. First, the final rule applies the restriction on routine management or operation of portfolio companies only to private equity funds that are controlled by a financial holding company and to the financial holding company. Second, the final rule permits a financial holding company to invest in a private equity fund that routinely manages a portfolio company so long as the financial holding company does not control the private equity fund and the financial holding company does not routinely manage or operate the portfolio company, except as permitted in the special circumstances explained above in section 225.171(e).

These changes are based on the view that a financial holding company is considered to be acting through any fund that it controls. On the other hand, in cases in which the financial holding company does not control the private equity fund, the actions of the private equity fund should not be attributed to the financial holding company. These changes are also consistent with other provisions of the BHC Act, which provide that a financial holding company would generally not be considered indirectly to control a company that is owned by an intermediate company unless the financial holding company controls the intermediate company.[20]

In the case of a private equity fund that is controlled by a financial holding company, the agencies do not believe that it is consistent with the terms or purposes of section 4(k)(4)(H) or the BHC Act to allow the private equity fund to routinely manage or operate portfolio companies. Section 4(k)(4)(H) prohibits a financial holding company from routinely managing or operating a portfolio company. This prohibition applies whether the financial holding company acts directly or acts indirectly, including through a company, such as a private equity fund, that is controlled by the financial holding company. The agencies also believe that allowing a fund that is controlled by a financial holding company to routinely manage a portfolio company would remove the separation between banking and commerce that the restriction on routine management was intended to preserve.

Accordingly, the rule continues to apply the routine management restrictions to any private equity fund controlled by a financial holding company. The final rule defines situations in which a financial holding company is considered to control a private equity fund. This definition is based on the provisions of the BHC Act and takes account of the special relationship that advisers have to investment funds.

Under the final rule, a financial holding company is considered to control a private equity fund if the financial holding company, including any director, officer, employee or principal shareholder of the company, (1) serves as a general partner, managing member or trustee of the private equity fund; (2) owns or controls in the aggregate 25 percent or more of any class of voting shares or similar interests in the fund; or (3) selects, controls or constitutes a majority of the directors, trustees or management of the fund. Interviews with securities firms and banking organizations that advise and operate private equity funds, as well as the Board's experience in supervising the pooled investment vehicles advised and operated by banking organizations under pre-existing authorities, indicate that the adviser of a fund typically establishes the policies that govern the fund's investments and operations, makes investment and disposition decisions on behalf of the fund, and otherwise controls the fund and its operations. In light of this information and experience, the rule also provides that a financial holding company is deemed to control a private equity fund for purposes of the rule if the company owns more than 5 percent of any class of voting shares or similar ownership interests in the fund and serves as the fund's investment adviser.

Other Matters Related to Private Equity Funds

Commenters requested guidance regarding how the other provisions of the rule would apply to investments in private equity funds that are not controlled by a financial holding company. As explained above, in circumstances where a financial holding company has a passive (*i.e.*, noncontrolling) investment in a private equity fund that is advised and controlled by an unaffiliated entity, any shares owned by the fund generally are

[19] The holding period tacking rules set forth in section 225.172(b)(2) and (3) and described above must be applied in determining whether a private equity fund investment has been held longer than the period permitted by the rule.

[20] *See* 12 U.S.C. 1841(g)(1).

not considered to be owned or controlled by the passive financial holding company investor.[21] Accordingly, the final rule clarifies that the restrictions on cross-marketing the products or services of a portfolio company, the limitations of sections 23A and 23B of the Federal Reserve Act, and the reporting and recordkeeping requirements of the rule, do not apply with respect to investments in portfolio companies that are held by a private equity fund in which the financial holding company holds a noncontrolling interest. These restrictions and requirements (other than the cross-marketing restrictions) would, however, apply to the financial holding company's investment *in* the private equity fund and govern the relationship of the financial holding company with the private equity fund.

Funds That Are Not Qualifying Private Equity Funds

Although the rule permits certain advantages to funds that meet the rule's definition of a private equity fund, the rule also permits financial holding companies to invest in and control a fund that does not meet the rule's definition of a private equity fund. If the financial holding company controls the non-qualifying fund, then the provisions of the rule, including the provisions governing the holding periods for portfolio companies, the routine management restrictions, the risk-management and recordkeeping requirements, the cross-marketing provisions, and the section 23A provisions, apply to investments made by the non-qualifying fund in the same manner as those provisions would apply if the investment in the portfolio company were held directly by the financial holding company. If the financial holding company owns a noncontrolling interest in the fund, then the fund is itself considered to be a portfolio company and provisions of the rule apply to that investment in the same way as they apply to any other investment in a portfolio company.

Thus, under the rule, a financial holding company may own more than 25 percent of the equity of a fund that has an unlimited life (and, consequently is not a qualifying private equity fund), so long as the fund does not hold investments in portfolio companies for more than the 10-year holding period that would apply if the financial holding company held the investment in the portfolio company directly and the fund complies with the routine management and other restrictions in the rule. Similarly, a financial holding company may invest in a fund that, in addition to making merchant banking investments, engages in other businesses (and, consequently is not a qualifying private equity fund), so long as the financial holding company does not control the fund, divests its interest in the fund within the 10-year holding period, and complies with the other provisions of the rule that apply to other investments in a portfolio company.

This approach allows financial holding companies flexibility to conduct merchant banking investment activities in a variety of ways that are consistent with the restrictions and purposes of the BHC Act and the GLB Act. At the same time, the preferences in the rule for qualifying private equity funds recognize that funds meeting those definitions more regularly include structural incentives and features that reinforce the requirements and purposes of those Acts, and present fewer opportunities to evade those requirements.

Section 225.174—What Aggregate Thresholds Apply to Merchant Banking Investments?

The interim rule required that a financial holding company receive the Board's prior approval to make additional merchant banking investments if the carrying value of the company's existing merchant banking investments exceeded either of two supervisory thresholds. These thresholds were designed to allow the Board to monitor the policies and risk management practices of a financial holding company that devotes significant resources to merchant banking activities. The Board and the Secretary also indicated that the supervisory limits included in the interim rule were transitional in nature, and would be reviewed once rules governing the regulatory capital treatment of merchant banking investments were in place and the agencies and industry gained experience with managing and supervising investments under the new merchant banking authority.

Under the interim rule, a financial holding company met the first threshold if the aggregate carrying value of all of its merchant banking investments exceeded the lesser of 30 percent of the company's Tier 1 capital or $6 billion. A financial holding company met the second threshold if the aggregate carrying value of its merchant banking investments-excluding interests in private equity funds-exceeded the lesser of 20 percent of the company's Tier 1 capital or $4 billion. These thresholds apply only to merchant banking investments made under section 4(k)(4)(H) and the rule, and do not apply to investments that are held under other authorities, such as investments made through SBICs under the Small Business Investment Act, in less than 5 percent of the voting shares of a company under section 4(c)(6) or 4(c)(7) of the BHC Act, or in companies overseas under Regulation K.

Numerous commenters argued that these supervisory thresholds were unnecessary. Some commenters contended that the Board and the Secretary lacked the legal authority to impose the thresholds, or that the thresholds adopted were arbitrary and not supported by sufficient evidence. Commenters also asserted that the thresholds—and particularly the dollar-based thresholds—would have an unfair impact on larger organizations that have significant investment portfolios and organizations whose investment portfolios have experienced significant increases in value. Some commenters also contended that the thresholds would place financial holding companies at a competitive disadvantage to other firms making merchant banking investments or would discourage securities firms from seeking to become a financial holding company.

Commenters also offered a number of suggested revisions to the thresholds if they were retained. For example, commenters suggested that the agencies should remove the dollar-based thresholds from the rule; exempt organizations with significant investment experience from the review provisions; provide higher thresholds for organizations with diversified portfolios; base the thresholds on the historical cost (rather than the carrying value) of merchant banking investments; or establish a definitive sunset date for the review process.

The Board and the Secretary believe that the risk to a financial holding company and its depository institution subsidiaries from merchant banking investments increases as the level of equity investments increases as a percentage of the financial holding company's capital. This is particularly true if the financial holding company has not established appropriate risk management policies, procedures, and controls (including capital reserves) to manage and control the significant potential risks that arise from having a substantial portion of the company's capital exposed to fluctuations in equity prices.

The Board and the Secretary also believe that the financial risks from merchant banking activities are best

[21] *See* 12 U.S.C. 1841(g)(1); 12 CFR 225.2(e)(2)(i).

addressed by appropriate capital levels and by strong risk management policies and practices. The agencies note that the Federal banking agencies are working towards a new minimum regulatory capital proposal for equity investment activities.

While the appropriate regulatory capital standards are being developed and companies and the agencies are gaining experience in developing and implementing appropriate risk management practices and policies, the Board and the Secretary continue to believe that it is appropriate to monitor and review the practices of financial holding companies that commit a significant portion of their capital to new merchant banking investments. For these reasons, the agencies have retained the process for reviewing the policies and practices governing merchant banking activities of a financial holding company. However, the final rule specifically provides that this provision will remain in effect only until a final rule addressing the appropriate regulatory capital treatment of merchant banking and other equity investment activities is adopted and becomes effective.

The agencies have modified in two respects the review thresholds contained in the interim rule. First, the final rule eliminates the absolute dollar thresholds contained in the interim rule. Second, the final rule has been modified to clarify that the rule's review thresholds apply to the investment made by a financial holding company in a private equity fund, but do not apply to the fund itself or to investments in the fund made by unaffiliated third parties. The thresholds also do not restrict the ability of a financial holding company to make additional investments in a fiduciary capacity on behalf of its trust customers.

The Board and the Secretary believe that the agencies have the authority under the GLB Act, BHC Act and other federal banking laws to adopt supervisory thresholds governing merchant banking investments. The agencies also believe that the thresholds and review process included in the interim rule and the final rule are consistent with the purposes of the GLB Act, BHC Act and other Federal banking laws and are appropriate to protect depository institutions that are affiliated with financial holding companies engaged in merchant banking investment activities

Section 225.175—What Risk Management, Record Keeping and Reporting Policies Are Required To Make Merchant Banking Investments?

The interim rule required a financial holding company to adopt policies, procedures and systems reasonably designed to manage the risks associated with making merchant banking investments and to monitor compliance with the statutory and regulatory provisions governing such investments. These policies, procedures and systems must be reasonably designed to, among other things, allow the financial holding company to monitor and adequately assess the value of the company's merchant banking investments (both individually and in the aggregate) and the diversification of the company's merchant banking investment portfolio; identify and manage the market, liquidity, credit and other risks associated with merchant banking investments; and monitor the terms, amounts and types of transactions between the financial holding company and each company acquired under the rule. The interim rule also required a financial holding company to maintain at a central location certain types of records and supporting information related to its merchant banking investment activities, including records that detailed the cost, carrying value, market value, and performance of each merchant banking investment.

Several commenters acknowledged that companies engaged in making merchant banking investments should maintain strong internal controls and recordkeeping policies. A number of commenters also asked that the Board and Secretary streamline the risk management, recordkeeping or reporting requirements in the interim rule. For example, some commenters asserted that the agencies should eliminate the requirement that a financial holding company maintain its merchant banking records at a central location. Commenters also urged that a financial holding company be required to monitor its relationships with a portfolio company only where it has a substantial interest in the portfolio company. Several commenters requested that the rule clarify the way the recordkeeping requirements would apply to private equity funds that are not controlled by a financial holding company.

The Board recently issued supervisory guidance that describes in detail the internal controls and risk management policies, procedures and systems that the Federal Reserve expects bank holding companies engaged in equity investment activities to have and maintain to conduct equity investment activities in a safe and sound manner.[22] The SR Letter provides, among other things, that a financial holding company engaged in merchant banking activities should establish appropriate policies, procedures and systems to manage all elements of the investment decision-making and risk management process. These policies, procedures and systems include limits on the types and amounts of merchant banking investments that may be made; parameters governing portfolio diversification; sound policies governing the valuation and accounting of investments; periodic audits of compliance with established limits and policies; and policies designed to ensure that all investments in, and relationships with, portfolio companies comply with applicable law.

The SR Letter also requires a financial holding company to monitor its lending and other business relationships with a company held under the merchant banking authority to ensure that the financial holding company's aggregate exposure to the company is reasonably limited and that all transactions are on reasonable terms. In addition, the SR Letter requires a financial holding company to maintain records that appropriately document these policies, procedures and systems and make such records available to examiners.

For these reasons, the Board and the Secretary have streamlined section 225.175 of the rule to identify the major areas that must be addressed by the internal policies and controls of a financial holding company engaged in making merchant banking investments. In particular, the final rule requires a financial holding company that makes merchant banking investments to establish and maintain policies, procedures, records and systems reasonably designed to conduct, monitor and manage investment activities and the associated risks in a safe and sound manner. These policies, procedures, records and systems must be reasonably designed to—

- Monitor and assess the carrying value, market value and performance of each merchant banking investment and the company's aggregate merchant banking investment portfolio;
- Identify and manage the market, credit, concentration and other risks

[22] *See* Federal Reserve SR Letter No. 00–9 (SPE) (June 22, 2000) (''SR Letter''). The SR Letter applies to financial holding companies engaged in making merchant banking investments under section 4(k)(4)(H) and the rule, as well as all bank holding companies that make equity investments in nonfinancial companies through SBICs or under section 4(c)(6) or 4(c)(7) of the BHC Act.

associated with merchant banking investments;

• Identify, monitor and assess the terms, amounts and risks arising from transactions and relationships (including contingent fees or contingent interests) with each company in which the financial holding company holds an interest under the rule;

• Ensure the maintenance of corporate separateness between the financial holding company and each company in which the financial holding company holds an interest under the rule and protect the financial holding company and its depository institution subsidiaries from legal liability for the operations conducted and financial obligations of any such company; and

• Ensure compliance with the rule, including the rule's holding period, routine management and operation, and cross-marketing restrictions, and any other applicable provisions of law governing transactions and relationships with companies in which the financial holding company holds an interest under the rule, such as fiduciary principles and sections 23A and 23B of the Federal Reserve Act.

The list of policies, procedures, records and systems included in the rule is intended to identify only some of the most important elements of a sound approach to monitoring merchant banking investment activities. The SR Letter covers these elements and identifies other elements that a financial holding company should have in place to conduct merchant banking investment activities in a safe and sound manner–such as adequate regulatory capital and appropriate policies governing the public disclosure of the company's merchant banking investments. Additional elements may be needed to address the particular approach that a financial holding company takes to making merchant banking investments.

If the financial holding company controls a private equity fund or other fund that makes merchant banking investments, the financial holding company must ensure that the fund has the types of policies, procedures and systems described in the rule for making and monitoring the fund's merchant banking investments. Alternatively, the financial holding company may ensure that the private equity fund or other fund is subject to the financial holding company's merchant banking policies, procedures and systems. These requirements do not apply if the financial holding company does not control the fund. Nevertheless, a financial holding company must apply its merchant banking policies, procedures and systems to any investment made by the company in any fund that is controlled by an unaffiliated entity.

The Board and the Secretary expect that financial holding companies will be able to satisfy the rule's recordkeeping requirements by using internal reports and records that are prepared in the ordinary course of making a merchant banking investment or controlling a private equity fund. Similarly, where a financial holding company makes a noncontrolling investment in a private equity fund, it is anticipated that the financial holding company would be able to use information provided by the fund's adviser or sponsor to satisfy the rule's recordkeeping requirements.

The final rule does not require a financial holding company to maintain the records described in the rule at a central location. Instead, a financial holding company must be able to identify and promptly make the records—wherever located—available to the Federal Reserve upon request.

In light of the potential risks associated with making merchant banking investments and the importance of having in place appropriate policies and systems to monitor and manage such investment activities, the Federal Reserve generally will conduct a review of the investment and risk management policies, procedures and systems of a financial holding company that makes merchant banking investments within a short period after the holding company commences the activity. This review may be conducted either off-site or on-site depending on the expected level and complexity of the financial holding company's merchant banking investments and the company's previous experience in making equity investments under other legal authorities. This review may be deferred until the next regularly scheduled inspection or examination if the financial holding company has significant experience in making equity investments under pre-existing authorities and the Federal Reserve has recently reviewed the company's policies, procedures and systems for managing and controlling the risks associated with equity investment activities.

Quarterly and Annual Reporting Requirements

The interim rule established annual and quarterly reporting requirements for merchant banking investments. The interim rule required financial holding companies to annually provide information concerning any merchant banking investment held longer than five years (or eight years in the case of investments in or held through a private equity fund) and aggregate data on the cost, value, diversification and holding periods of the company's merchant banking investments. The interim rule also required financial holding companies to provide certain other aggregate data on merchant banking investments on a quarterly basis. The Board noted that it anticipated developing forms that could be used to comply with these annual and quarterly reporting requirements.

Some commenters asserted that requiring a financial holding company to provide aggregate merchant banking data on a quarterly basis would be too burdensome and, because of the short reporting period, might not reflect any meaningful changes or trends in the company's merchant banking portfolio. Other commenters argued that the annual report should not require a financial holding company to develop or disclose its plans for divesting any merchant banking investment held longer than 8 years.

The Board and the Secretary continue to believe that it is important to receive at least annually information (including anticipated exit strategies) concerning merchant banking investments that have been held for a significant period of time and to receive at least quarterly aggregate cost and valuation data on a financial holding company's merchant banking investments. This information is necessary and appropriate to allow the Board to monitor a financial holding company's compliance with the holding periods established by the GLB Act and the rule and to monitor the potential impact of merchant banking investments on depository institution subsidiaries of a financial holding company.

The Board anticipates publishing forms in the near future that may be used by financial holding companies to fulfill these annual and quarterly reporting requirements. Accordingly, the agencies have modified the rule to require a financial holding company to submit these reports to the appropriate Federal Reserve Bank on such forms, and at such times, as the may be determined by the Board. The Board will consider the public comments received on the annual and quarterly reporting requirements in connection with issuing these forms.

Notice of Acquisitions

Section 4(k)(6) of the BHC Act requires a financial holding company to provide written notice to the Board within 30 days after acquiring any

company under any authority granted in section 4(k), which is the section that authorizes merchant banking investments. The interim rule provided that a financial holding company is not required to provide the Board with notice under section 4(k)(6) of any merchant banking investment if the financial holding company has previously notified the Board under section 4(k)(6) that it has commenced merchant banking investment activities generally. The rule required, however, that a financial holding company file a post-transaction notice with the Board within 30 days of making a merchant banking investment if (1) the investment represents more than 5 percent of the voting shares, assets or ownership interests of the company and (2) the total cost of the investment to the financial holding company exceeds the lesser of 5 percent of the Tier 1 capital of the financial holding company or $200 million.

The final rule retains these post-transaction notice procedures. In these circumstances, the Board believes supervisory notice of the acquisition is appropriate to allow the Board to monitor the impact of the investment on the financial holding company and any future impact the large exposure to a single company may have on the financial resources of the financial holding company. The procedures included in the rule parallel those contained in section 225.87 of the Board's Regulation Y and are included here solely for the convenience of users. The Board separately has considered the comments submitted on these notice requirements in connection with its adoption of section 225.87.[23]

The Board, in separate rulemakings, has adopted forms to be used by financial holding companies in providing the Board with notice of a merchant banking or other transaction under section 4(k)(6).[24] Accordingly, the agencies have amended the final rule to require that any notice of a large merchant banking investment be provided on the appropriate form.[25]

Section 225.176—How Do the Statutory Cross-Marketing and Sections 23A and B Limitations Apply to Merchant Banking Investments?

Cross-Marketing Restrictions

The GLB Act prohibits any depository institution controlled by a financial holding company from marketing or offering, directly or through any arrangement, any product or service of a company held under section 4(k)(4)(H) or allowing any product or service of the depository institution to be offered or marketed, directly or through any arrangement, by or through any company held under that section. Section 225.175(a) of the interim rule implemented these restrictions and applied them to any subsidiary (other than a financial subsidiary) of a depository institution controlled by a financial holding company.

Several commenters requested that the agencies clarify the scope of the rule's cross-marketing prohibitions, either by including a definition of what constitutes ''cross-marketing'' or by stating that certain types of activities are not prohibited. A few commenters also asserted that the rule's cross-marketing restrictions should not be applied to subsidiaries of depository institutions generally or to any subsidiary that a depository institution is specifically authorized by statute to control, such as SBICs or Edge Act subsidiaries. Others stated that the rule should not prohibit a depository institution from marketing the shares or other ownership interests *in* a private equity fund to its customers.[26]

The Act's cross-marketing restrictions apply to any depository institution controlled by a financial holding company. As noted above, U.S. branches and agencies of a foreign bank are considered depository institutions for purposes of the rule. Accordingly, a U.S. branch or agency of a foreign bank may not cross-market the products or services of a company that is owned or controlled by the foreign bank or an affiliate of the foreign bank under section 4(k)(4)(H).

Depository institutions have long been permitted to own or control so-called ''operating subsidiaries'' that engage in activities permissible for the parent depository institution on the basis that the subsidiary is, in essence, a department or division of the institution. For this same reason, the rule considers a depository institution and a subsidiary of the depository institution to be one and the same for purposes of the cross-marketing restrictions.

In certain instances, however, Congress has specifically authorized depository institutions to own or control subsidiaries that may engage in activities different than those permissible for the parent institution. The rule, therefore, does not apply the cross-marketing restrictions to (1) a financial subsidiary of a depository institution held in accordance with section 5136A of the Revised Statutes or section 46 of the Federal Deposit Insurance Act, (2) any company held by an Edge or Agreement subsidiary controlled pursuant to section 25 or 25A of the Federal Reserve Act, or (3) any company held by a SBIC controlled in accordance with the Small Business Investment Act.

The cross-marketing restrictions of the GLB Act and rule do *not* apply to nondepository affiliates of financial holding companies. In addition, the rule does not apply the cross-marketing restrictions to companies in which the financial holding company, directly or indirectly, owns less than 5 percent of the voting shares or ownership interests since the holding company could own such interests under section 4(c)(6) or 4(c)(7) of the BHC Act without being subject to the GLB Act's cross-marketing restrictions.

The agencies also have amended the rule to clarify the application of the cross-marketing restrictions to interests in or held through private equity funds. A purpose of the cross-marketing restrictions is to assist in maintaining the separation between banking and commerce.[27] Since private equity funds, by definition, may engage only in investment activities for resale or other disposition in accordance with the rule and may not be engaged in impermissible commercial activities, the Board and the Secretary believe that depository institutions (and their subsidiaries) may offer or market the shares or other ownership interests in a private equity fund in which the financial holding company has an interest under the rule. Accordingly, the agencies have amended the rule to provide that section 225.176(a) does not prohibit the sale, offer or marketing of any interest in a private equity fund,

[23] *See* 66 FR 400 (Jan. 3, 2001).

[24] *See* 65 FR 56,910 (Sept. 20, 2000); 65 FR 20,821 (April 18, 2000).

[25] For a domestic financial holding company, the appropriate form is the FR Y–6A, which will soon be replaced by the FR Y–10. For qualifying foreign banking organizations, the appropriate form is the FR Y–7A, which soon will be replaced by the FR Y–10F.

[26] One commenter asserted that the GLB Act authorizes the Board to grant exceptions to the cross-marketing restrictions for arrangements that meet the requirements of section 4(k)(5)(B) of the BHC Act. The exemption described in section 4(k)(5)(B) is available only with respect to investments that are held by insurance company subsidiaries of a financial holding company under section 4(k)(4)(I) and not to merchant banking investments. *See* 12 U.S.C. 1843(k)(5)(B).

[27] *See* H.R. Rep. 106–74, 106th Cong., 1st Sess. at 122–23 (1999).

whether or not the fund is controlled by a financial holding company.

The final rule also provides that the cross-marketing restrictions do not prohibit a depository institution subsidiary of a financial holding company from engaging in cross-marketing activities with a portfolio company held by a private equity fund that is owned but not controlled by the financial holding company. Where the financial holding company does not control a private equity fund, shares held by the fund generally are not attributed to the financial holding company.

The Act and the rule also do not prohibit a depository institution or subsidiary of a depository institution from marketing its own products or services—such as deposit, lending, and advisory products or services—to a portfolio company so long as the portfolio company does not then market those products or services to its customers or others. In addition, the Act and the rule do not prohibit a depository institution from purchasing the products or services of a portfolio company—such as data processing hardware, software or services—to support the depository institution's own operations provided that the institution does not, directly or indirectly or through any arrangement, market the portfolio company's products or services to the institution's customers or others.[28]

The agencies recognize that companies currently may use a wide variety of methods or arrangements to market or offer their products with those of other companies, and new methods or arrangements for cross-marketing may develop with advances in technology, changes in consumer shopping or purchasing habits, or other developments. In light of these facts, the agencies have not attempted in the rule or in this preamble to identify every type of arrangement that would, and would not, be subject to the cross-marketing restrictions of the rule. The agencies believe that questions concerning the application of the rule's cross-marketing restrictions to particular types of activities or arrangements are handled most appropriately on a case-by-case basis, which would allow full consideration of the particular circumstances at issue in the context of the purposes of the GLB Act.

Presumption of Control Under Sections 23A and 23B

Sections 23A and 23B of the Federal Reserve Act impose specific quantitative, qualitative and collateral requirements on certain types of transactions between an insured depository institution and companies that are under common control with the insured depository institution. The GLB Act includes a presumption that a financial holding company or other person controls a company for purposes of sections 23A and 23B if the company or other person, directly or indirectly, or acting through one or more other persons, owns or controls 15 percent or more of the equity capital of the company under section 4(k)(4)(H).

The interim rule included this presumption and stated that a financial holding company could rebut the presumption by providing information acceptable to the Board demonstrating that the financial holding company did not control the company.[29] Several commenters requested that the agencies identify in the rule circumstances that would be sufficient to rebut this presumption of control. For example, some commenters suggested that the presumption should be rebutted if the financial holding company had no more than one director interlock with the portfolio company, or if an unaffiliated investor (or two or more unaffiliated investors acting in concert) owned or controlled a larger equity interest in the portfolio company than the financial holding company.

In light of these comments, the agencies have amended the rule to identify three situations in which the GLB Act's presumption of control will be considered rebutted. In each situation the financial holding company is assumed to own more than 15 percent of the total equity of the portfolio company (thereby triggering the statutory presumption) and less than 25 percent of any class of voting securities of the portfolio company (thereby not meeting the statutory definition of control). In particular, the rule provides that, absent evidence to the contrary, a financial holding company will *not* be presumed to control a portfolio company in any of the following situations—

- No officer, director or employee of the financial holding company serves as a director, trustee or general partner (or individual exercising similar functions) of the portfolio company;
- A person that is not affiliated or associated with the financial holding company owns or controls a greater percentage of the equity capital of the portfolio company than the financial holding company and no more than one officer or employee of the holding company serves as a director or trustee (or individuals exercising similar functions) of the portfolio company; or
- A person that is not affiliated or associated with the financial holding company owns or controls more than 50 percent of the voting shares of the portfolio company and officers and employees of the financial holding company do not constitute a majority of the directors or trustees (or individuals exercising similar functions) of the portfolio company.

These safe harbors do not require Board review or approval under the provisions allowing rebuttal of the presumptions. Moreover, the situations identified in the rule are not intended to be a complete list of circumstances in which the presumption may be rebutted, and the rule permits a financial holding company to submit evidence that would support rebuttal of the presumption in other circumstances.

The agencies note that the presumption of control in section 225.176(b) is independent from the general definition of control in section 23A of the Federal Reserve Act.[30] Accordingly, under the statute, a portfolio company is *per se* an affiliate of any insured depository institution subsidiary of a financial holding company if the financial holding company owns more than 25 percent of a class of voting securities of the portfolio company, even if the financial holding company owns or controls less than 15 percent of the portfolio company's total equity or is within one of the safe harbors contained in the final rule.[31]

A financial holding company generally is considered indirectly to own or control only those shares or other ownership interests that are owned or controlled by a subsidiary of the financial holding company. Accordingly, the rule clarifies that, for purposes of applying the presumption

[28] Likewise, the cross-marketing restrictions would not prohibit a depository institution controlled by a financial holding company from engaging in cross-marketing activities with a company that is a co-investor with the financial holding company in a portfolio company, so long as those activities do not involve products or services of the portfolio company.

[29] The final rule clarifies that the presumption applies only where a financial holding company owns or controls 15 percent or more of the total equity of a portfolio company under section 4(k)(4)(H) and the rule. The Board notes, however, that, under existing Board precedents, a financial holding company may not own any shares of a company in reliance on sections 4(c)(6) or 4(c)(7) of the BHC Act where the company owns or controls, in the aggregate under a combination of authorities, more than 5 percent of any class of voting securities of the company.

[30] *See* 12 U.S.C. 371c(3)(A).

[31] *See* 12 U.S.C. 371c(b)(3)(A)(i).

of control described above, a financial holding company that has an investment in a private equity fund will not be considered indirectly to own the equity capital of a portfolio company held by the fund *unless* the financial holding company controls the private equity fund. For example, if a financial holding company has a noncontrolling investment in a private equity fund that, in turn, owns 20 percent of the total equity of a portfolio company, the portfolio company is not presumed to be an affiliate of the insured depository institution subsidiaries of the financial holding company under section 225.176(b)(1). On the other hand, if a financial holding company acts as general partner of a private equity fund and, thus, controls the fund, and the private equity fund owns or controls more than 15 percent of the total equity of any portfolio company, the portfolio company is presumed to be an affiliate of the insured depository institution subsidiaries of the financial holding company under section 225.176(b)(1).

The rule also applies sections 23A and 23B to covered transactions between a U.S. branch or agency of a foreign bank and (1) any portfolio company controlled by the foreign bank or an affiliate of the foreign bank, and (2) any company controlled by the foreign bank or an affiliate where the company is engaged in making merchant banking investments if the proceeds of the covered transaction are used for the purpose of funding the company's merchant banking activities under this subpart. The presumption of control and exceptions to this presumption described above also apply to a foreign bank or affiliate that makes merchant banking investments in the same manner the presumption and exceptions apply to domestic financial holding companies.

A few commenters contended that the Board should not apply sections 23A and 23B to covered transactions involving a U.S. branch or agency of a foreign bank. These commenters noted that U.S. branches and agencies do not hold federally insured deposits and contended that application of sections 23A and 23B is not necessary to ensure competitive equality and that any potential safety and soundness concerns may be addressed by the appropriate home country supervisor of the foreign bank.

The Board and the Secretary believe application of sections 23A and 23B to covered transactions between a U.S. branch or agency of a foreign bank and portfolio companies held by the foreign bank or an affiliate under the merchant banking authority, and companies engaged in making merchant banking investments, is appropriate to ensure competitive equity and safe and sound banking. Furthermore, the rule only restricts transactions by a foreign bank's branches and agencies with portfolio companies and with affiliated companies that are actually engaged in making merchant banking investments.[32] It does not restrict otherwise permissible lending to affiliated companies where the proceeds of such lending would not be used by these companies to make, or fund the making of, merchant banking investments under this subpart. Moreover, it does not restrict transactions between the U.S. branch or agency and its parent foreign bank.

D. Regulatory Flexibility Act Analysis

In accordance with section 4(a) of the Regulatory Flexibility Act (5 U.S.C. 604(a)), the Board must publish a final regulatory flexibility analysis with this rulemaking. The rule implements provisions of section 103 of the GLB Act that allow entities that have become financial holding companies to make merchant banking investments. Because the rule establishes guidelines for a newly authorized activity, the rule will affect only merchant banking activities that are newly authorized under the GLB Act.

The statute's limits apply to all financial holding companies, regardless of size, that are engaged in merchant banking activities. Similarly, the final rule directs each financial holding company, regardless of size, that is engaged in merchant banking activity to establish necessary internal controls, including recordkeeping procedures, and provide reports to the appropriate Reserve Bank as the Board may require. The internal controls, reporting and recordkeeping requirements that the rule establishes are necessary to ensure that the new activities are conducted in a safe and sound manner that does not adversely affect affiliated depository institutions, to enable the Board to execute properly its supervisory function and to ensure compliance by financial holding companies with the limitations that the GLB Act imposes on merchant banking activities. The Board believes that the information that financial holding companies are required to submit, pursuant to the final rule, will be similar to that appearing in routine reports to senior management, third-party investors, or other regulatory agencies (including the Securities and Exchange Commission), or that will be part of materials that an organization prepares and retains in the normal conduct of its investment activities.

The ability of financial holding companies to participate in the merchant banking business will likely enhance the overall efficiency and competitiveness of these institutions in the market for corporate financial services. In promulgating the interim rule, the Board specifically sought comment on the likely burden that the rule would impose on financial holding companies that engage in merchant banking activities. A few comments argued that the recordkeeping and reporting requirements of the rule were burdensome and unnecessary given other forms of regulatory supervision to which financial holding companies would remain subject. As explained above, the final rule has been streamlined in an attempt to reduce unnecessary burden. Other comments argued that financial holding companies will require a transition period in order to comply with the reporting and recordkeeping requirements of the rule. In this regard, the annual reports proposed under the rule relate only to investments held for a period of approximately five years, which, because the authority to make these investments is new, has the effect of phasing in the annual reporting requirement. Moreover, none of the comments addressed how the interim rule's requirements would substantially increase the regulatory burden for financial holding companies given that most of the data that the interim rule required is found in reports that financial holding companies make to their investors or to other regulatory agencies, or maintain for their own internal use.

E. Executive Order 12866 Determination

The Department of the Treasury has determined that this final rule does not constitute a ''significant regulatory action'' for purposes of Executive Order 12866.

F. Administrative Procedure Act

The provisions of the rule are effective on February 15, 2001 on a final basis. In accordance with requirements of 5 U.S.C. 553, the interim rule set forth procedures to implement statutory changes that had become effective on March 11, 2000. The interim rule itself became effective on March 17, 2000. The Board and the Secretary sought

[32] For purposes of applying the restrictions of sections 23A and 23B to U.S. branches and agencies of foreign banks, the ''capital stock and surplus'' of the U.S. branch or agency is determined by reference to the capital of the foreign bank as calculated under its home country capital standards.

public comment on all aspects of the interim rule and have amended the rule as appropriate after reviewing the comments.

Subject to certain exceptions, 12 U.S.C. 4802(b)(1) provides that new regulations and amendments to regulations prescribed by a federal banking agency that impose additional reporting, disclosure, or other new requirements on an insured depository institution must take effect on the first day of a calendar quarter that begins on or after the date on which the regulations are published in final form. The final rule imposes no additional reporting, disclosure, or other new requirements on an insured depository institution because the new activities that the rule governs cannot be conducted by an insured depository institution. For this reason, section 4802(b)(1) does not apply to this rulemaking.

G. Paperwork Reduction Act

Board: In accordance with section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Ch. 35; 5 CFR 1320 Appendix A.1), the Board reviewed the final rule under the authority delegated to the Board by the Office of Management and Budget.

Most of the collection of information requirements in the final rule are found in 12 CFR 225.171, 225.172, 225.173, and 225.175. This information is required to evidence compliance with the requirements of Title I of the GLB Act (Pub. L. 106–102, 113 Stat. 1338 (1999)), which amends section 4 of the Bank Holding Company Act (12 U.S.C. 1843), and to allow the Board to exercise properly its supervisory responsibility for financial holding companies. The respondents are financial holding companies that choose to engage in merchant banking activities.

The final rule requires that financial holding companies submit reports to the Reserve Bank that the Board may prescribe (12 CFR 225.175(b)). The Board expects to publish a separate notice to issue reporting forms that may be used to comply with reporting requirements. The burden associated with these information collections will be addressed at that time.

In addition, the final rule requires that a financial holding company file a notice with the Reserve Bank within 30 days of making a large merchant banking investment (see 12 CFR 225.175(c)(2)). This requirement is imposed by statute, and the agencies have minimized the information that must be filed to fulfill this statutory requirement. This notice requirement is also codified in section 225.87(b)(4) of the Board's Regulation Y and is included in this rule solely for convenience. The regulatory burden associated with this notice was addressed in the final rule implementing provisions of the Gramm-Leach-Bliley Act that establish certain eligibility requirements for financial holding companies (see 66 FR 400).

In addition, the rule allows a financial holding company to seek relief from the holding period limits imposed by the rule by filing a request and supporting documentation with the Board (12 CFR 225.172(b) and 225.173(c)). The agency form number for these requests will be FR 4019. Information may also be submitted in letter form. The Board expects to receive very few of these notices and requests. The Board estimates that approximately 450 financial holding companies will be engaged in merchant banking activities within the first year of promulgation of the final rule. Of these financial holding companies, the Board believes that a high estimate of the potential number of notices and requests that would be filed under these various requirements during a single year is 100. The Board estimates that these companies will spend approximately 1 hour to prepare these filings, resulting in an estimated annual burden of 100 hours. Based on a rate of $50 per hour, the annual cost to the public will have been $5,000.

The rule also requires a financial holding company to provide notice to the Board prior to routinely managing or operating a portfolio company for more than 9 months (12 CFR 225.171(e)(3)). These notices, which may be in letter form, should contain the information described above under section 225.171. The agency form number for these notices also will be FR 4019. The Board estimates receiving 25 notices during a single year and that financial holding companies will spend approximately 1 hour to prepare these notices, resulting in an estimated annual burden of 25 hours. Based on a rate of $50 per hour, the annual cost to the public would be $1,250.

The final rule also requires that a financial holding company engaged in merchant banking activities establish and maintain certain policies, procedures, and systems to appropriately monitor and manage its merchant banking activities and maintain certain records relating to the company's merchant banking activities (12 CFR 225.175(a), 225.171(a)(4)). The Federal Reserve believes that most of these internal control and recordkeeping requirements are consistent with those established and maintained by organizations in the normal course of conducting a merchant banking business. The Board estimates that the 450 financial holding companies will spend approximately 50 hours in complying with these internal control and recordkeeping requirements, resulting in an estimated annual burden of 22,500 hours. Based on a rate of $50 per hour, the annual cost to the public would be $1.13 million.

In issuing the interim rule, the Federal Reserve specifically requested comment on the accuracy of its original burden estimates. No comments challenged the accuracy of those estimates beyond asserting that the recordkeeping requirements of the interim rule would prove burdensome to financial holding companies. The Board has streamlined many of the recordkeeping and reporting provisions of the interim rule and made them part of the Board's supervisory process.

The Federal Reserve may not conduct or sponsor, and an organization is not required to respond to, an information collection unless the Board has displayed a currently valid OMB control number. The OMB control number for these information collections is 7100–0292. A financial holding company may request confidentiality for the information contained in these information collections pursuant to sections 522(b)(4) and 522(b)(6) of the Freedom of Information Act (5 U.S.C. 552(b)(4) and (b)(6)).

The Federal Reserve has a continuing interest in the public's opinions of our collections of information. At any time, comments regarding the burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden, may be sent to: Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551; and to the Office of Management and Budget, Paperwork Reduction Project (7100–0292), Washington, DC 20503.

Treasury: The collection of information contained in this regulation has been reviewed under the requirements of the Paperwork Reduction Act (44 U.S.C. 3507(j)) and, pending receipt and evaluation of public comments, approved by the Office of Management and Budget (OMB) under control number 1505–0182. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

Comments concerning the collection of information should be directed to OMB, Attention: Desk Officer for the

Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC., 20503, with copies to Gary Sutton, Senior Banking Counsel, Office of General Counsel, 1500 Pennsylvania Avenue NW, Room 2014, Washington, DC. 20220. Any such comments should be submitted not later than April 2, 2001. Comments are specifically requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Secretary, including whether the information will have practical utility; the accuracy of the estimated burden associated with the proposed collection of information (see below); how to enhance the quality, utility, and clarity of the information to be collected; how to minimize the burden of complying with the proposed collection of information, including the application of automated collection techniques or other forms of information technology; and estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

The collection of information in this regulation is in 12 CFR 1500.6. This information is required in order that financial holding companies that conduct merchant banking activities do so in a safe and sound manner consistent with the requirements of the regulation.

Estimated total annual recordkeeping burden: 22,500 hours.

Estimated average annual burden hours per recordkeeper: 50 hours

Estimated number of respondents: 450.

H. Use of ''Plain Language''

Section 722 of the GLB Act requires the Board to use ''plain language'' in all proposed and final rules published after January 1, 2000. The Board invited comments about how to make the rule easier to understand and, in doing so, posed the following questions:

(1) Has the Board organized the material in an effective manner? If not, how could the material be better organized?

(2) Are the terms of the rule clearly stated? If not, how could the terms be more clearly stated?

(3) Does the rule contain technical language or jargon that is unclear? If so, which language requires clarification?

(4) Would a different format (with respect to the grouping and order of sections and use of headings) make the rule easier to understand? If so, what changes to the format would make the rule easier to understand?

(5) Would increasing the number of sections (and making each section shorter) clarify the rule? If so, which portions of the rule should be changed in this respect?

(6) What additional changes would make the rule easier to understand?

The Board also solicited comment about whether including factual examples in the rule, in order to illustrate its terms, is appropriate. The Board noted that creating safe harbors in the rule may generate certain problems over time due to changes in technology or business practices and asked whether alternatives exist that the Board should consider to illustrate the terms in the rule.

One comment questioned the use of an interrogatory format for the headings accompanying each section of the rule but stated that the rule generally complied with the requirements and purpose of the statute.

The Board has streamlined and reorganized parts of the rule in an effort to make the rule more understandable and believes that the final rule is written plainly and clearly.

List of Subjects

12 CFR Part 225

Administrative practice and procedure, Banks, Banking, Federal Reserve System, Holding companies, Reporting and recordkeeping requirements, Securities.

12 CFR Part 1500

Administrative practice and procedure, Banks, Banking, Holding companies.

Federal Reserve System

12 CFR Chapter II

Authority and Issuance

For the reasons set forth in the preamble, the Board of Governors of the Federal Reserve System amends part 225 of Chapter II, Title 12 of the Code of Federal Regulations as follows:

PART 225—BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (REGULATION Y)

1. The authority citation for part 225 continues to read as follows:

Authority: 12 U.S.C. 1817(j)(13), 1818, 1828(o), 1831i, 1831p–1, 1843(c)(8), 1843(k), 1844(b), 1972(*l*), 2903, 2905, 3106, 3108, 3310, 3331–3351, 3907, and 3909.

2. Section 225.1(c)(10) is revised to read as follows:

§ 225.1 Authority, purpose, and scope.

* * * * *

(c) * * *

(10) *Subpart J* governs the conduct of merchant banking investment activities by financial holding companies as permitted under section 4(k)(4)(H) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(H)).

* * * * *

3. Subpart J, is revised to read as follows:

Subpart J—Merchant Banking Investments

Sec.
225.170 What type of investments are permitted by this subpart, and under what conditions may they be made?
225.171 What are the limitations on managing or operating a portfolio company held as a merchant banking investment?
225.172 What are the holding periods permitted for merchant banking investments?
225.173 How are investments in private equity funds treated under this subpart?
225.174 What aggregate thresholds apply to merchant banking investments?
225.175 What risk management, record keeping and reporting policies are required to make merchant banking investments?
225.176 How do the statutory cross marketing and sections 23A and B limitations apply to merchant banking investments?
225.177 Definitions.

Subpart J—Merchant Banking Investments

§ 225.170 What type of investments are permitted by this subpart, and under what conditions may they be made?

(a) *What types of investments are permitted by this subpart?* Section 4(k)(4)(H) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(H)) and this subpart authorize a financial holding company, directly or indirectly and as principal or on behalf of one or more persons, to acquire or control any amount of shares, assets or ownership interests of a company or other entity that is engaged in any activity not otherwise authorized for the financial holding company under section 4 of the Bank Holding Company Act. For purposes of this subpart, shares, assets or ownership interests acquired or controlled under section 4(k)(4)(H) and this subpart are referred to as ''merchant banking investments.'' A financial holding company may not directly or indirectly acquire or control any merchant banking investment except in compliance with the requirements of this subpart.

(b) *Must the investment be a bona fide merchant banking investment?* The acquisition or control of shares, assets or

ownership interests under this subpart is not permitted unless it is part of a bona fide underwriting or merchant or investment banking activity.

(c) *What types of ownership interests may be acquired?* Shares, assets or ownership interests of a company or other entity include any debt or equity security, warrant, option, partnership interest, trust certificate or other instrument representing an ownership interest in the company or entity, whether voting or nonvoting.

(d) *Where in a financial holding company may merchant banking investments be made?* A financial holding company and any subsidiary (other than a depository institution or subsidiary of a depository institution) may acquire or control merchant banking investments. A financial holding company and its subsidiaries may not acquire or control merchant banking investments on behalf of a depository institution or subsidiary of a depository institution.

(e) *May assets other than shares be held directly?* A financial holding company may not under this subpart acquire or control assets, other than debt or equity securities or other ownership interests in a company, unless:

(1) The assets are held by or promptly transferred to a portfolio company;

(2) The portfolio company maintains policies, books and records, accounts, and other indicia of corporate, partnership or limited liability organization and operation that are separate from the financial holding company and limit the legal liability of the financial holding company for obligations of the portfolio company; and

(3) The portfolio company has management that is separate from the financial holding company to the extent required by § 225.171.

(f) *What type of affiliate is required for a financial holding company to make merchant banking investments?* A financial holding company may not acquire or control merchant banking investments under this subpart unless the financial holding company qualifies under at least one of the following paragraphs:

(1) *Securities affiliate.* The financial holding company is or has an affiliate that is registered under the Securities Exchange Act of 1934 (15 U.S.C. 78c, 78o, 78o–4) as:

(i) A broker or dealer; or

(ii) A municipal securities dealer, including a separately identifiable department or division of a bank that is registered as a municipal securities dealer.

(2) *Insurance affiliate with an investment adviser affiliate.* The financial holding company controls:

(i) An insurance company that is predominantly engaged in underwriting life, accident and health, or property and casualty insurance (other than credit-related insurance), or providing and issuing annuities; and

(ii) A company that:

(A) Is registered with the Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 *et seq.*); and

(B) Provides investment advice to an insurance company.

§ 225.171 What are the limitations on managing or operating a portfolio company held as a merchant banking investment?

(a) *May a financial holding company routinely manage or operate a portfolio company?* Except as permitted in paragraph (e) of this section, a financial holding company may not routinely manage or operate any portfolio company.

(b) *When does a financial holding company routinely manage or operate a company?*

(1) *Examples of routine management or operation.*—(i) *Executive officer interlocks at the portfolio company.* A financial holding company routinely manages or operates a portfolio company if any director, officer or employee of the financial holding company serves as or has the responsibilities of an executive officer of the portfolio company.

(ii) Interlocks by executive officers of the financial holding company.—

(A) *Prohibition.* A financial holding company routinely manages or operates a portfolio company if any executive officer of the financial holding company serves as or has the responsibilities of an officer or employee of the portfolio company.

(B) *Definition.* For purposes of paragraph (b)(1)(ii)(A) of this section, the term ''financial holding company'' includes the financial holding company and only the following subsidiaries of the financial holding company:

(*1*) A securities broker or dealer registered under the Securities Exchange Act of 1934;

(*2*) A depository institution;

(*3*) An affiliate that engages in merchant banking activities under this subpart or insurance company investment activities under section 4(k)(4)(I) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(I));

(*4*) A small business investment company (as defined in section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) controlled by the financial holding company or by any depository institution controlled by the financial holding company; and

(*5*) Any other affiliate that engages in significant equity investment activities that are subject to a special capital charge under the capital adequacy rules or guidelines of the Board.

(iii) *Covenants regarding ordinary course of business.* A financial holding company routinely manages or operates a portfolio company if any covenant or other contractual arrangement exists between the financial holding company and the portfolio company that would restrict the portfolio company's ability to make routine business decisions, such as entering into transactions in the ordinary course of business or hiring officers or employees other than executive officers.

(2) *Presumptions of routine management or operation.* A financial holding company is presumed to routinely manage or operate a portfolio company if:

(i) Any director, officer, or employee of the financial holding company serves as or has the responsibilities of an officer (other than an executive officer) or employee of the portfolio company; or

(ii) Any officer or employee of the portfolio company is supervised by any director, officer, or employee of the financial holding company (other than in that individual's capacity as a director of the portfolio company).

(c) *How may a financial holding company rebut a presumption that it is routinely managing or operating a portfolio company?* A financial holding company may rebut a presumption that it is routinely managing or operating a portfolio company under paragraph (b)(2) of this section by presenting information to the Board demonstrating to the Board's satisfaction that the financial holding company is not routinely managing or operating the portfolio company.

(d) *What arrangements do not involve routinely managing or operating a portfolio company?*—(1) *Director representation at portfolio companies.* A financial holding company may select any or all of the directors of a portfolio company or have one or more of its directors, officers, or employees serve as directors of a portfolio company if:

(i) The portfolio company employs officers and employees responsible for routinely managing and operating the company; and

(ii) The financial holding company does not routinely manage or operate the portfolio company, except as

permitted in paragraph (e) of this section.

(2) *Covenants or other provisions regarding extraordinary events.* A financial holding company may, by virtue of covenants or other written agreements with a portfolio company, restrict the ability of the portfolio company, or require the portfolio company to consult with or obtain the approval of the financial holding company, to take actions outside of the ordinary course of the business of the portfolio company. Examples of the types of actions that may be subject to these types of covenants or agreements include, but are not limited to, the following:

(i) The acquisition of significant assets or control of another company by the portfolio company or any of its subsidiaries;

(ii) Removal or selection of an independent accountant or auditor or investment banker by the portfolio company;

(iii) Significant changes to the business plan or accounting methods or policies of the portfolio company;

(iv) Removal or replacement of any or all of the executive officers of the portfolio company;

(v) The redemption, authorization or issuance of any equity or debt securities (including options, warrants or convertible shares) of the portfolio company or any borrowing by the portfolio company outside of the ordinary course of business;

(vi) The amendment of the articles of incorporation or by-laws (or similar governing documents) of the portfolio company; and

(vii) The sale, merger, consolidation, spin-off, recapitalization, liquidation, dissolution or sale of substantially all of the assets of the portfolio company or any of its significant subsidiaries.

(3) *Providing advisory and underwriting services to, and having consultations with, a portfolio company.* A financial holding company may:

(i) Provide financial, investment and management consulting advice to a portfolio company in a manner consistent with and subject to any restrictions on such activities contained in §§ 225.28(b)(6) or 225.86(b)(1) of this part (12 CFR 225.28(b)(6) and 225.86(b)(1));

(ii) Provide assistance to a portfolio company in connection with the underwriting or private placement of its securities, including acting as the underwriter or placement agent for such securities; and

(iii) Meet with the officers or employees of a portfolio company to monitor or provide advice with respect to the portfolio company's performance or activities.

(e) *When may a financial holding company routinely manage or operate a portfolio company?*—(1) *Special circumstances required.* A financial holding company may routinely manage or operate a portfolio company only when intervention by the financial holding company is necessary or required to obtain a reasonable return on the financial holding company's investment in the portfolio company upon resale or other disposition of the investment, such as to avoid or address a significant operating loss or in connection with a loss of senior management at the portfolio company.

(2) *Duration Limited.* A financial holding company may routinely manage or operate a portfolio company only for the period of time as may be necessary to address the cause of the financial holding company's involvement, to obtain suitable alternative management arrangements, to dispose of the investment, or to otherwise obtain a reasonable return upon the resale or disposition of the investment.

(3) *Notice required for extended involvement.* A financial holding company may not routinely manage or operate a portfolio company for a period greater than nine months without prior written notice to the Board.

(4) *Documentation required.* A financial holding company must maintain and make available to the Board upon request a written record describing its involvement in routinely managing or operating a portfolio company.

(f) *May a depository institution or its subsidiary routinely manage or operate a portfolio company?*—(1) *In general.* A depository institution and a subsidiary of a depository institution may not routinely manage or operate a portfolio company in which an affiliated company owns or controls an interest under this subpart.

(2) *Definition applying provisions governing routine management or operation.* For purposes of this section other than paragraph (e) and for purposes of § 225.173(d), a financial holding company includes a depository institution controlled by the financial holding company and a subsidiary of such a depository institution.

(3) *Exception for certain subsidiaries of depository institutions.* For purposes of paragraph (e) of this section, a financial holding company includes a financial subsidiary held in accordance with section 5136A of the Revised Statutes (12 U.S.C. 24a) or section 46 of the Federal Deposit Insurance Act (12 U.S.C. 1831w), and a subsidiary that is a small business investment company and that is held in accordance with the Small Business Investment Act (15 U.S.C. 661 *et seq.*), and such a subsidiary may, in accordance with the limitations set forth in this section, routinely manage or operate a portfolio company in which an affiliated company owns or controls an interest under this subpart.

§ 225.172 What are the holding periods permitted for merchant banking investments?

(a) *Must investments be made for resale?* A financial holding company may own or control shares, assets and ownership interests pursuant to this subpart only for a period of time to enable the sale or disposition thereof on a reasonable basis consistent with the financial viability of the financial holding company's merchant banking investment activities.

(b) *What period of time is generally permitted for holding merchant banking investments?*—(1) *In general.* Except as provided in this section or § 225.173, a financial holding company may not, directly or indirectly, own, control or hold any share, asset or ownership interest pursuant to this subpart for a period that exceeds 10 years.

(2) *Ownership interests acquired from or transferred to companies held under this subpart.* For purposes of paragraph (b)(1) of this section, shares, assets or ownership interests—

(i) Acquired by a financial holding company from a company in which the financial holding company held an interest under this subpart will be considered to have been acquired by the financial holding company on the date that the share, asset or ownership interest was acquired by the company; and

(ii) Acquired by a company from a financial holding company will be considered to have been acquired by the company on the date that the share, asset or ownership interest was acquired by the financial holding company if—

(A) The financial holding company held the share, asset, or ownership interest under this subpart; and

(B) The financial holding company holds an interest in the acquiring company under this subpart.

(3) *Interests previously held by a financial holding company under limited authority.* For purposes of paragraph (b)(1) of this section, any shares, assets, or ownership interests previously owned or controlled, directly or indirectly, by a financial holding company under any other provision of the Federal banking laws that imposes a limited holding period will if acquired

under this subpart be considered to have been acquired by the financial holding company under this subpart on the date the financial holding company first acquired ownership or control of the shares, assets or ownership interests under such other provision of law. For purposes of this paragraph (b)(3), a financial holding company includes a depository institution controlled by the financial holding company and any subsidiary of such a depository institution.

(4) *Approval required to hold interests held in excess of time limit.* A financial holding company may seek Board approval to own, control or hold shares, assets or ownership interests of a company under this subpart for a period that exceeds the period specified in paragraph (b)(1) of this section. A request for approval must:

(i) Be submitted to the Board at least 90 days prior to the expiration of the applicable time period;

(ii) Provide the reasons for the request, including information that addresses the factors in paragraph (b)(5) of this section; and

(iii) Explain the financial holding company's plan for divesting the shares, assets or ownership interests.

(5) *Factors governing Board determinations.* In reviewing any proposal under paragraph (b)(4) of this section, the Board may consider all the facts and circumstances related to the investment, including:

(i) The cost to the financial holding company of disposing of the investment within the applicable period;

(ii) The total exposure of the financial holding company to the company and the risks that disposing of the investment may pose to the financial holding company;

(iii) Market conditions;

(iv) The nature of the portfolio company's business;

(v) The extent and history of involvement by the financial holding company in the management and operations of the company; and

(vi) The average holding period of the financial holding company's merchant banking investments.

(6) *Restrictions applicable to investments held beyond time period.* A financial holding company that directly or indirectly owns, controls or holds any share, asset or ownership interest of a company under this subpart for a total period that exceeds the period specified in paragraph (b)(1) of this section must—

(i) For purposes of determining the financial holding company's regulatory capital, apply to the financial holding company's adjusted carrying value of such shares, assets, or ownership interests a capital charge determined by the Board that must be:

(A) Higher than the maximum marginal Tier 1 capital charge applicable under the Board's capital adequacy rules or guidelines (*see* 12 CFR 225 Appendix A) to merchant banking investments held by that financial holding company; and

(B) In no event less than 25 percent of the adjusted carrying value of the investment; and

(ii) Abide by any other restrictions that the Board may impose in connection with granting approval under paragraph (b)(4) of this section.

§ 225.173 How are investments in private equity funds treated under this subpart?

(a) *What is a private equity fund?* For purposes of this subpart, a ''private equity fund'' is any company that:

(1) Is formed for the purpose of and is engaged exclusively in the business of investing in shares, assets, and ownership interests of financial and nonfinancial companies for resale or other disposition;

(2) Is not an operating company;

(3) No more than 25 percent of the total equity of which is held, owned or controlled, directly or indirectly, by the financial holding company and its directors, officers, employees and principal shareholders;

(4) Has a maximum term of not more than 15 years; and

(5) Is not formed or operated for the purpose of making investments inconsistent with the authority granted under section 4(k)(4)(H) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(H)) or evading the limitations governing merchant banking investments contained in this subpart.

(b) *What form may a private equity fund take?* A private equity fund may be a corporation, partnership, limited liability company or other type of company that issues ownership interests in any form.

(c) *What is the holding period permitted for interests in private equity funds?*

(1) *In general.* A financial holding company may own, control or hold any interest in a private equity fund under this subpart and any interest in a portfolio company that is owned or controlled by a private equity fund in which the financial holding company owns or controls any interest under this subpart for the duration of the fund, up to a maximum of 15 years.

(2) *Request to hold interest for longer period.* A financial holding company may seek Board approval to own, control or hold an interest in or held through a private equity fund for a period longer than the duration of the fund in accordance with § 225.172(b) of this subpart.

(3) *Application of rules.* The rules described in § 225.172(b)(2) and (3) governing holding periods of interests acquired, transferred or previously held by a financial holding company apply to interests in, held through, or acquired from a private equity fund.

(d) *How do the restrictions on routine management and operation apply to private equity funds and investments held through a private equity fund?*—(1) *Portfolio companies held through a private equity fund.* A financial holding company may not routinely manage or operate a portfolio company that is owned or controlled by a private equity fund in which the financial holding company owns or controls any interest under this subpart, except as permitted under § 225.171(e).

(2) *Private equity funds controlled by a financial holding company.* A private equity fund that is controlled by a financial holding company may not routinely manage or operate a portfolio company, except as permitted under § 225.171(e).

(3) *Private equity funds that are not controlled by a financial holding company.* A private equity fund may routinely manage or operate a portfolio company so long as no financial holding company controls the private equity fund or as permitted under § 225.171(e).

(4) *When does a financial holding company control a private equity fund?* A financial holding company controls a private equity fund for purposes of this subpart if the financial holding company, including any director, officer, employee or principal shareholder of the financial holding company:

(i) Serves as a general partner, managing member, or trustee of the private equity fund (or serves in a similar role with respect to the private equity fund);

(ii) Owns or controls 25 percent or more of any class of voting shares or similar interests in the private equity fund;

(iii) In any manner selects, controls or constitutes a majority of the directors, trustees or management of the private equity fund; or

(iv) Owns or controls more than 5 percent of any class of voting shares or similar interests in the private equity fund and is the investment adviser to the fund.

§ 225.174 What aggregate thresholds apply to merchant banking investments?

(a) *In general.* A financial holding company may not, without Board approval, directly or indirectly acquire any additional shares, assets or ownership interests under this subpart or make any additional capital contribution to any company the shares, assets or ownership interests of which are held by the financial holding company under this subpart if the aggregate carrying value of all merchant banking investments held by the financial holding company under this subpart exceeds:

(1) 30 percent of the Tier 1 capital of the financial holding company; or

(2) After excluding interests in private equity funds, 20 percent of the Tier 1 capital of the financial holding company.

(b) *How do these thresholds apply to a private equity fund?* Paragraph (a) of this section applies to the interest acquired or controlled by the financial holding company under this subpart in a private equity fund. Paragraph (a) of this section does not apply to any interest in a company held by a private equity fund or to any interest held by a person that is not affiliated with the financial holding company.

(c) *How long do these thresholds remain in effect?* This § 225.174 shall cease to be effective on the date that a final rule issued by the Board that specifically addresses the appropriate regulatory capital treatment of merchant banking investments becomes effective.

§ 225.175 What risk management, record keeping and reporting policies are required to make merchant banking investments?

(a) *What internal controls and records are necessary?*—(1) *General.* A financial holding company, including a private equity fund controlled by a financial holding company, that makes investments under this subpart must establish and maintain policies, procedures, records and systems reasonably designed to conduct, monitor and manage such investment activities and the risks associated with such investment activities in a safe and sound manner, including policies, procedures, records and systems reasonably designed to:

(i) Monitor and assess the carrying value, market value and performance of each investment and the aggregate portfolio;

(ii) Identify and manage the market, credit, concentration and other risks associated with such investments;

(iii) Identify, monitor and assess the terms, amounts and risks arising from transactions and relationships (including contingent fees or contingent interests) with each company in which the financial holding company holds an interest under this subpart;

(iv) Ensure the maintenance of corporate separateness between the financial holding company and each company in which the financial holding company holds an interest under this subpart and protect the financial holding company and its depository institution subsidiaries from legal liability for the operations conducted and financial obligations of each such company; and

(v) Ensure compliance with this part and any other provisions of law governing transactions and relationships with companies in which the financial holding company holds an interest under this subpart (*e.g.,* fiduciary principles or sections 23A and 23B of the Federal Reserve Act (12 U.S.C. 371c, 371c–1), if applicable).

(2) *Availability of records.* A financial holding company must make the policies, procedures and records required by paragraph (a)(1) of this section available to the Board or the appropriate Reserve Bank upon request.

(b) *What periodic reports must be filed?* A financial holding company must provide reports to the appropriate Reserve Bank in such format and at such times as the Board may prescribe.

(c) *Is notice required for the acquisition of companies?*—(1) *Fulfillment of statutory notice requirement.* Except as required in paragraph (c)(2) of this section, no post-acquisition notice under section 4(k)(6) of the Bank Holding Company Act (12 U.S.C. 1843(k)(6)) is required by a financial holding company in connection with an investment made under this subpart if the financial holding company has previously filed a notice under § 225.87 indicating that it had commenced merchant banking investment activities under this subpart.

(2) *Notice of large individual investments.* A financial holding company must provide written notice to the Board on the appropriate form within 30 days after acquiring more than 5 percent of the voting shares, assets or ownership interests of any company under this subpart, including an interest in a private equity fund, at a total cost to the financial holding company that exceeds the lesser of 5 percent of the Tier 1 capital of the financial holding company or $200 million.

§ 225.176 How do the statutory cross marketing and sections 23A and B limitations apply to merchant banking investments?

(a) *Are cross marketing activities prohibited?*—(1) *In general.* A depository institution, including a subsidiary of a depository institution, controlled by a financial holding company may not:

(i) Offer or market, directly or through any arrangement, any product or service of any company if more than 5 percent of the company's voting shares, assets or ownership interests are owned or controlled by the financial holding company pursuant to this subpart; or

(ii) Allow any product or service of the depository institution, including any product or service of a subsidiary of the depository institution, to be offered or marketed, directly or through any arrangement, by or through any company described in paragraph (a)(1)(i) of this section.

(2) *How are certain subsidiaries treated?* For purposes of paragraph (a)(1) of this section, a subsidiary of a depository institution does not include a financial subsidiary held in accordance with section 5136A of the Revised Statutes (12 U.S.C. 24a) or section 46 of the Federal Deposit Insurance Act. (12 U.S.C. 1831w), any company held by a company owned in accordance with section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601 *et seq.*; 12 U.S.C. 611 *et seq.*), or any company held by a small business investment company owned in accordance with the Small Business Investment Act of 1958 (15 U.S.C. 661 *et seq.*).

(3) *How do the cross marketing restrictions apply to private equity funds?* The restriction contained in paragraph (a)(1) of this section does not apply to:

(i) Portfolio companies held by a private equity fund that the financial holding company does not control; or

(ii) The sale, offer or marketing of any interest in a private equity fund, whether or not controlled by the financial holding company.

(b) *When are companies held under section 4(k)(4)(H) affiliates under sections 23A and B?*—(1) *Rebuttable presumption of control.* The following rebuttable presumption of control shall apply for purposes of sections 23A and 23B of the Federal Reserve Act (12 U.S.C. 371c, 371c-1): if a financial holding company directly or indirectly owns or controls more than 15 percent of the total equity of a company pursuant to this subpart, the company shall be presumed to be an affiliate of

any member bank that is affiliated with the financial holding company.

(2) *Request to rebut presumption.* A financial holding company may rebut this presumption by providing information acceptable to the Board demonstrating that the financial holding company does not control the company.

(3) *Presumptions that control does not exist.* Absent evidence to the contrary, the presumption in paragraph (b)(1) of this section will be considered to have been rebutted without Board approval under paragraph (b)(2) of this section if any one of the following requirements are met:

(i) No officer, director or employee of the financial holding company serves as a director, trustee, or general partner (or individual exercising similar functions) of the company;

(ii) A person that is not affiliated or associated with the financial holding company owns or controls a greater percentage of the equity capital of the portfolio company than the amount owned or controlled by the financial holding company, and no more than one officer or employee of the holding company serves as a director or trustee (or individual exercising similar functions) of the company; or

(iii) A person that is not affiliated or associated with the financial holding company owns or controls more than 50 percent of the voting shares of the portfolio company, and officers and employees of the holding company do not constitute a majority of the directors or trustees (or individuals exercising similar functions) of the company.

(4) *Convertible instruments.* For purposes of paragraph (b)(1) of this section, equity capital includes options, warrants and any other instrument convertible into equity capital.

(5) *Application of presumption to private equity funds.* A financial holding company will not be presumed to own or control the equity capital of a company for purposes of paragraph (b)(1) of this section solely by virtue of an investment made by the financial holding company in a private equity fund that owns or controls the equity capital of the company unless the financial holding company controls the private equity fund as described in § 225.173(d)(4).

(6) *Application of sections 23A and B to U.S. branches and agencies of foreign banks.* Sections 23A and 23B of the Federal Reserve Act (12 U.S.C. 371c, 371c–1) shall apply to all covered transactions between each U.S. branch and agency of a foreign bank that acquires or controls, or that is affiliated with a company that acquires or controls, merchant banking investments and—

(i) Any portfolio company that the foreign bank or affiliated company controls or is presumed to control under paragraph (b)(1) of this section; and

(ii) Any company that the foreign bank or affiliated company controls or is presumed to control under paragraph (b)(1) of this section if the company is engaged in acquiring or controlling merchant banking investments and the proceeds of the covered transaction are used for the purpose of funding the company's merchant banking investment activities.

§ 225.177 Definitions.

(a) *What do references to a financial holding company include?*—(1) Except as otherwise expressly provided, the term ''financial holding company'' as used in this subpart means the financial holding company and all of its subsidiaries, including a private equity fund or other fund controlled by the financial holding company.

(2) Except as otherwise expressly provided, the term ''financial holding company'' does not include a depository institution or subsidiary of a depository institution or any portfolio company controlled directly or indirectly by the financial holding company.

(b) *What do references to a depository institution include?* For purposes of this subpart, the term ''depository institution'' includes a U.S. branch or agency of a foreign bank.

(c) *What is a portfolio company?* A portfolio company is any company or entity:

(1) That is engaged in any activity not authorized for the financial holding company under section 4 of the Bank Holding Company Act (12 U.S.C. 1843); and

(2) Any shares, assets or ownership interests of which are held, owned or controlled directly or indirectly by the financial holding company pursuant to this subpart, including through a private equity fund that the financial holding company controls.

(d) *Who are the executive officers of a company?*—(1) An executive officer of a company is any person who participates or has the authority to participate (other than in the capacity as a director) in major policymaking functions of the company, whether or not the officer has an official title, the title designates the officer as an assistant, or the officer serves without salary or other compensation.

(2) The term ''executive officer'' does not include—

(i) Any person, including a person with an official title, who may exercise a certain measure of discretion in the performance of his duties, including the discretion to make decisions in the ordinary course of the company's business, but who does not participate in the determination of major policies of the company and whose decisions are limited by policy standards fixed by senior management of the company; or

(ii) Any person who is excluded from participating (other than in the capacity of a director) in major policymaking functions of the company by resolution of the board of directors or by the bylaws of the company and who does not in fact participate in such policymaking functions.

By order of the Board of Governors of the Federal Reserve System, January 10, 2001.

Jennifer J. Johnson,

Secretary of the Board.

Department of the Treasury

12 CFR Chapter XV

Authority and Issuance

For the reasons set forth in the preamble, the Department of the Treasury revises part 1500 of subchapter A of Chapter XV, Title 12 of the Code of Federal Regulations to read as follows:

PART 1500—MERCHANT BANKING INVESTMENTS

Sec.

1500.1 What type of investments are permitted by this part, and under what conditions may they be made?
1500.2 What are the limitations on managing or operating a portfolio company held as a merchant banking investment?
1500.3 What are the holding periods permitted for merchant banking investments?
1500.4 How are investments in private equity funds treated under this part?
1500.5 What aggregate thresholds apply to merchant banking investments?
1500.6 What risk management, record keeping and reporting policies are required to make merchant banking investments?
1500.7 How do the statutory cross marketing and sections 23A and B limitations apply to merchant banking investments?
1500.8 Definitions.

Authority: 12 U.S.C. 1843(k).

§ 1500.1 What type of investments are permitted by this part, and under what conditions may they be made?

(a) *What types of investments are permitted by this part?* Section 4(k)(4)(H) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(H)) and this part authorize a financial holding company, directly or indirectly and as

principal or on behalf of one or more persons, to acquire or control any amount of shares, assets or ownership interests of a company or other entity that is engaged in any activity not otherwise authorized for the financial holding company under section 4 of the Bank Holding Company Act. For purposes of this part, shares, assets or ownership interests acquired or controlled under section 4(k)(4)(H) and this part are referred to as ''merchant banking investments.'' A financial holding company may not directly or indirectly acquire or control any merchant banking investment except in compliance with the requirements of this part.

(b) *Must the investment be a bona fide merchant banking investment?* The acquisition or control of shares, assets or ownership interests under this part is not permitted unless it is part of a bona fide underwriting or merchant or investment banking activity.

(c) *What types of ownership interests may be acquired?* Shares, assets or ownership interests of a company or other entity include any debt or equity security, warrant, option, partnership interest, trust certificate or other instrument representing an ownership interest in the company or entity, whether voting or nonvoting.

(d) *Where in a financial holding company may merchant banking investments be made*? A financial holding company and any subsidiary (other than a depository institution or subsidiary of a depository institution) may acquire or control merchant banking investments. A financial holding company and its subsidiaries may not acquire or control merchant banking investments on behalf of a depository institution or subsidiary of a depository institution.

(e) *May assets other than shares be held directly*? A financial holding company may not under this part acquire or control assets, other than debt or equity securities or other ownership interests in a company, unless:

(1) The assets are held by or promptly transferred to a portfolio company;

(2) The portfolio company maintains policies, books and records, accounts, and other indicia of corporate, partnership or limited liability organization and operation that are separate from the financial holding company and limit the legal liability of the financial holding company for obligations of the portfolio company; and

(3) The portfolio company has management that is separate from the financial holding company to the extent required by § 1500.2.

(f) *What type of affiliate is required for a financial holding company to make merchant banking investments*? A financial holding company may not acquire or control merchant banking investments under this part unless the financial holding company qualifies under at least one of the following paragraphs:

(1) *Securities affiliate*. The financial holding company is or has an affiliate that is registered under the Securities Exchange Act of 1934 (15 U.S.C. 78c, 78o, 78o–4) as:

(i) A broker or dealer; or

(ii) A municipal securities dealer, including a separately identifiable department or division of a bank that is registered as a municipal securities dealer.

(2) *Insurance affiliate with an investment adviser affiliate*. The financial holding company controls:

(i) An insurance company that is predominantly engaged in underwriting life, accident and health, or property and casualty insurance (other than credit-related insurance), or providing and issuing annuities; and

(ii) A company that:

(A) Is registered with the Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 *et seq.*); and

(B) Provides investment advice to an insurance company.

§ 1500.2 What are the limitations on managing or operating a portfolio company held as a merchant banking investment?

(a) *May a financial holding company routinely manage or operate a portfolio company*? Except as permitted in paragraph (e) of this section, a financial holding company may not routinely manage or operate any portfolio company.

(b) *When does a financial holding company routinely manage or operate a company*?

(1) *Examples of routine management or operation*.—(i) *Executive officer interlocks at the portfolio company*. A financial holding company routinely manages or operates a portfolio company if any director, officer or employee of the financial holding company serves as or has the responsibilities of an executive officer of the portfolio company.

(ii) *Interlocks by executive officers of the financial holding company*.—(A) *Prohibition*. A financial holding company routinely manages or operates a portfolio company if any executive officer of the financial holding company serves as or has the responsibilities of an officer or employee of the portfolio company.

(B) *Definition*. For purposes of paragraph (b)(1)(ii)(A) of this section, the term ''financial holding company'' includes the financial holding company and only the following subsidiaries of the financial holding company:

(*1*) A securities broker or dealer registered under the Securities Exchange Act of 1934;

(*2*) A depository institution;

(*3*) An affiliate that engages in merchant banking activities under this part or insurance company investment activities under section 4(k)(4)(I) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(I));

(*4*) A small business investment company (as defined in section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) controlled by the financial holding company or by any depository institution controlled by the financial holding company; and

(*5*) Any other affiliate that engages in significant equity investment activities that are subject to a special capital charge under the capital adequacy rules or guidelines of the Board.

(iii) *Covenants regarding ordinary course of business*. A financial holding company routinely manages or operates a portfolio company if any covenant or other contractual arrangement exists between the financial holding company and the portfolio company that would restrict the portfolio company's ability to make routine business decisions, such as entering into transactions in the ordinary course of business or hiring officers or employees other than executive officers.

(2) *Presumptions of routine management or operation*. A financial holding company is presumed to routinely manage or operate a portfolio company if:

(i) Any director, officer, or employee of the financial holding company serves as or has the responsibilities of an officer (other than an executive officer) or employee of the portfolio company; or

(ii) Any officer or employee of the portfolio company is supervised by any director, officer, or employee of the financial holding company (other than in that individual's capacity as a director of the portfolio company).

(c) *How may a financial holding company rebut a presumption that it is routinely managing or operating a portfolio company?* A financial holding company may rebut a presumption that it is routinely managing or operating a portfolio company under paragraph (b)(2) of this section by presenting information to the Board demonstrating to the Board's satisfaction that the financial holding company is not

routinely managing or operating the portfolio company.

(d) *What arrangements do not involve routinely managing or operating a portfolio company?*—(1) *Director representation at portfolio companies.* A financial holding company may select any or all of the directors of a portfolio company or have one or more of its directors, officers, or employees serve as directors of a portfolio company if:

(i) The portfolio company employs officers and employees responsible for routinely managing and operating the company; and

(ii) The financial holding company does not routinely manage or operate the portfolio company, except as permitted in paragraph (e) of this section.

(2) *Covenants or other provisions regarding extraordinary events.* A financial holding company may, by virtue of covenants or other written agreements with a portfolio company, restrict the ability of the portfolio company, or require the portfolio company to consult with or obtain the approval of the financial holding company, to take actions outside of the ordinary course of the business of the portfolio company. Examples of the types of actions that may be subject to these types of covenants or agreements include, but are not limited to, the following:

(i) The acquisition of significant assets or control of another company by the portfolio company or any of its subsidiaries;

(ii) Removal or selection of an independent accountant or auditor or investment banker by the portfolio company;

(iii) Significant changes to the business plan or accounting methods or policies of the portfolio company;

(iv) Removal or replacement of any or all of the executive officers of the portfolio company;

(v) The redemption, authorization or issuance of any equity or debt securities (including options, warrants or convertible shares) of the portfolio company or any borrowing by the portfolio company outside of the ordinary course of business;

(vi) The amendment of the articles of incorporation or by-laws (or similar governing documents) of the portfolio company; and

(vii) The sale, merger, consolidation, spin-off, recapitalization, liquidation, dissolution or sale of substantially all of the assets of the portfolio company or any of its significant subsidiaries.

(3) *Providing advisory and underwriting services to, and having consultations with, a portfolio company.* A financial holding company may:

(i) Provide financial, investment and management consulting advice to a portfolio company in a manner consistent with and subject to any restrictions on such activities contained in §§ 225.28(b)(6) or 225.86(b)(1) of the Board's Regulation Y (12 CFR 225.28(b)(6) and 225.86(b)(1));

(ii) Provide assistance to a portfolio company in connection with the underwriting or private placement of its securities, including acting as the underwriter or placement agent for such securities; and

(iii) Meet with the officers or employees of a portfolio company to monitor or provide advice with respect to the portfolio company's performance or activities.

(e) *When may a financial holding company routinely manage or operate a portfolio company?*—(1) *Special circumstances required.* A financial holding company may routinely manage or operate a portfolio company only when intervention by the financial holding company is necessary or required to obtain a reasonable return on the financial holding company's investment in the portfolio company upon resale or other disposition of the investment, such as to avoid or address a significant operating loss or in connection with a loss of senior management at the portfolio company.

(2) *Duration Limited.* A financial holding company may routinely manage or operate a portfolio company only for the period of time as may be necessary to address the cause of the financial holding company's involvement, to obtain suitable alternative management arrangements, to dispose of the investment, or to otherwise obtain a reasonable return upon the resale or disposition of the investment.

(3) *Notice required for extended involvement.* A financial holding company may not routinely manage or operate a portfolio company for a period greater than nine months without prior written notice to the Board.

(4) *Documentation required.* A financial holding company must maintain and make available to the Board upon request a written record describing its involvement in routinely managing or operating a portfolio company.

(f) *May a depository institution or its subsidiary routinely manage or operate a portfolio company?*—

(1) *In general.* A depository institution and a subsidiary of a depository institution may not routinely manage or operate a portfolio company in which an affiliated company owns or controls an interest under this part.

(2) *Definition applying provisions governing routine management or operation.* For purposes of this section other than paragraph (e) and for purposes of § 1500.4(d), a financial holding company includes a depository institution controlled by the financial holding company and a subsidiary of such a depository institution.

(3) *Exception for certain subsidiaries of depository institutions.* For purposes of paragraph (e) of this section, a financial holding company includes a financial subsidiary held in accordance with section 5136A of the Revised Statutes (12 U.S.C. 24a) or section 46 of the Federal Deposit Insurance Act (12 U.S.C. 1831w), and a subsidiary that is a small business investment company and that is held in accordance with the Small Business Investment Act (15 U.S.C. 661 *et seq.*), and such a subsidiary may, in accordance with the limitations set forth in this section, routinely manage or operate a portfolio company in which an affiliated company owns or controls an interest under this part.

§ 1500.3 What are the holding periods permitted for merchant banking investments?

(a) *Must investments be made for resale*? A financial holding company may own or control shares, assets and ownership interests pursuant to this part only for a period of time to enable the sale or disposition thereof on a reasonable basis consistent with the financial viability of the financial holding company's merchant banking investment activities.

(b) *What period of time is generally permitted for holding merchant banking investments*?—(1) *In general.* Except as provided in this section or § 1500.4, a financial holding company may not, directly or indirectly, own, control or hold any share, asset or ownership interest pursuant to this part for a period that exceeds 10 years.

(2) *Ownership interests acquired from or transferred to companies held under this part.* For purposes of paragraph (b)(1) of this section, shares, assets or ownership interests—

(i) Acquired by a financial holding company from a company in which the financial holding company held an interest under this part will be considered to have been acquired by the financial holding company on the date that the share, asset or ownership interest was acquired by the company; and

(ii) Acquired by a company from a financial holding company will be

considered to have been acquired by the company on the date that the share, asset or ownership interest was acquired by the financial holding company if—

(A) The financial holding company held the share, asset, or ownership interest under this part; and

(B) The financial holding company holds an interest in the acquiring company under this part.

(3) *Interests previously held by a financial holding company under limited authority.* For purposes of paragraph (b)(1) of this section, any shares, assets, or ownership interests previously owned or controlled, directly or indirectly, by a financial holding company under any other provision of the Federal banking laws that imposes a limited holding period will if acquired under this part be considered to have been acquired by the financial holding company under this part on the date the financial holding company first acquired ownership or control of the shares, assets or ownership interests under such other provision of law. For purposes of this paragraph (b)(3), a financial holding company includes a depository institution controlled by the financial holding company and any subsidiary of such a depository institution.

(4) *Approval required to hold interests held in excess of time limit.* A financial holding company may seek Board approval to own, control or hold shares, assets or ownership interests of a company under this part for a period that exceeds the period specified in paragraph (b)(1) of this section. A request for approval must:

(i) Be submitted to the Board at least 90 days prior to the expiration of the applicable time period;

(ii) Provide the reasons for the request, including information that addresses the factors in paragraph (b)(5) of this section; and

(iii) Explain the financial holding company's plan for divesting the shares, assets or ownership interests.

(5) *Factors governing Board determinations.* In reviewing any proposal under paragraph (b)(4) of this section, the Board may consider all the facts and circumstances related to the investment, including:

(i) The cost to the financial holding company of disposing of the investment within the applicable period;

(ii) The total exposure of the financial holding company to the company and the risks that disposing of the investment may pose to the financial holding company;

(iii) Market conditions;

(iv) The nature of the portfolio company's business;

(v) The extent and history of involvement by the financial holding company in the management and operations of the company; and

(vi) The average holding period of the financial holding company's merchant banking investments.

(6) *Restrictions applicable to investments held beyond time period.* A financial holding company that directly or indirectly owns, controls or holds any share, asset or ownership interest of a company under this part for a total period that exceeds the period specified in paragraph (b)(1) of this section must—

(i) For purposes of determining the financial holding company's regulatory capital, apply to the financial holding company's adjusted carrying value of such shares, assets, or ownership interests a capital charge determined by the Board that must be:

(A) Higher than the maximum marginal Tier 1 capital charge applicable under the Board's capital adequacy rules or guidelines (*see* 12 CFR 225 Appendix A) to merchant banking investments held by that financial holding company; and

(B) In no event less than 25 percent of the adjusted carrying value of the investment; and

(ii) Abide by any other restrictions that the Board may impose in connection with granting approval under paragraph (b)(4) of this section.

§ 1500.4 How are investments in private equity funds treated under this part?

(a) *What is a private equity fund*? For purposes of this part, a ''private equity fund'' is any company that:

(1) Is formed for the purpose of and is engaged exclusively in the business of investing in shares, assets, and ownership interests of financial and nonfinancial companies for resale or other disposition;

(2) Is not an operating company;

(3) No more than 25 percent of the total equity of which is held, owned or controlled, directly or indirectly, by the financial holding company and its directors, officers, employees and principal shareholders;

(4) Has a maximum term of not more than 15 years; and

(5) Is not formed or operated for the purpose of making investments inconsistent with the authority granted under section 4(k)(4)(H) of the Bank Holding Company Act (12 U.S.C. 1843(k)(4)(H)) or evading the limitations governing merchant banking investments contained in this part.

(b) *What form may a private equity fund take?* A private equity fund may be a corporation, partnership, limited liability company or other type of company that issues ownership interests in any form.

(c) *What is the holding period permitted for interests in private equity funds?*

(1) *In general.* A financial holding company may own, control or hold any interest in a private equity fund under this part and any interest in a portfolio company that is owned or controlled by a private equity fund in which the financial holding company owns or controls any interest under this part for the duration of the fund, up to a maximum of 15 years.

(2) *Request to hold interest for longer period.* A financial holding company may seek Board approval to own, control or hold an interest in or held through a private equity fund for a period longer than the duration of the fund in accordance with § 1500.3(b) of this part.

(3) *Application of rules.* The rules described in § 1500.3(b)(2) and (3) governing holding periods of interests acquired, transferred or previously held by a financial holding company apply to interests in, held through, or acquired from a private equity fund.

(d) *How do the restrictions on routine management and operation apply to private equity funds and investments held through a private equity fund?—(1) Portfolio companies held through a private equity fund.* A financial holding company may not routinely manage or operate a portfolio company that is owned or controlled by a private equity fund in which the financial holding company owns or controls any interest under this part, except as permitted under § 1500.2(e).

(2) *Private equity funds controlled by a financial holding company.* A private equity fund that is controlled by a financial holding company may not routinely manage or operate a portfolio company, except as permitted under § 1500.2(e).

(3) *Private equity funds that are not controlled by a financial holding company.* A private equity fund may routinely manage or operate a portfolio company so long as no financial holding company controls the private equity fund or as permitted under § 1500.2(e).

(4) *When does a financial holding company control a private equity fund?* A financial holding company controls a private equity fund for purposes of this part if the financial holding company, including any director, officer, employee or principal shareholder of the financial holding company:

(i) Serves as a general partner, managing member, or trustee of the private equity fund (or serves in a

similar role with respect to the private equity fund);

(ii) Owns or controls 25 percent or more of any class of voting shares or similar interests in the private equity fund;

(iii) In any manner selects, controls or constitutes a majority of the directors, trustees or management of the private equity fund; or

(iv) Owns or controls more than 5 percent of any class of voting shares or similar interests in the private equity fund and is the investment adviser to the fund.

§ 1500.5 What aggregate thresholds apply to merchant banking investments?

(a) *In general.* A financial holding company may not, without Board approval, directly or indirectly acquire any additional shares, assets or ownership interests under this part or make any additional capital contribution to any company the shares, assets or ownership interests of which are held by the financial holding company under this part if the aggregate carrying value of all merchant banking investments held by the financial holding company under this part exceeds:

(1) 30 percent of the Tier 1 capital of the financial holding company; or

(2) After excluding interests in private equity funds, 20 percent of the Tier 1 capital of the financial holding company

(b) *How do these thresholds apply to a private equity fund?* Paragraph (a) of this section applies to the interest acquired or controlled by the financial holding company under this part in a private equity fund. Paragraph (a) of this section does not apply to any interest in a company held by a private equity fund or to any interest held by a person that is not affiliated with the financial holding company.

(c) *How long do these thresholds remain in effect?* This § 1500.5 shall cease to be effective on the date that a final rule issued by the Board that specifically addresses the appropriate regulatory capital treatment of merchant banking investments becomes effective.

§ 1500.6 What risk management, record keeping and reporting policies are required to make merchant banking investments?

(a) *What internal controls and records are necessary?*—(1) *General.* A financial holding company, including a private equity fund controlled by a financial holding company, that makes investments under this part must establish and maintain policies, procedures, records and systems reasonably designed to conduct, monitor and manage such investment activities and the risks associated with such investment activities in a safe and sound manner, including policies, procedures, records and systems reasonably designed to:

(i) Monitor and assess the carrying value, market value and performance of each investment and the aggregate portfolio;

(ii) Identify and manage the market, credit, concentration and other risks associated with such investments;

(iii) Identify, monitor and assess the terms, amounts and risks arising from transactions and relationships (including contingent fees or contingent interests) with each company in which the financial holding company holds an interest under this part;

(iv) Ensure the maintenance of corporate separateness between the financial holding company and each company in which the financial holding company holds an interest under this part and protect the financial holding company and its depository institution subsidiaries from legal liability for the operations conducted and financial obligations of each such company; and

(v) Ensure compliance with this part.

(2) *Availability of records.* A financial holding company must make the policies, procedures and records required by paragraph (a)(1) of this section available to the Board or the appropriate Reserve Bank upon request.

(b) Certain additional recordkeeping and reporting requirements for merchant banking investments are set forth in the Board's Regulation Y, 12 CFR 225.175.

§ 1500.7 How do the statutory cross marketing and sections 23A and B limitations apply to merchant banking investments?

Certain cross-marketing limitations and limitations under sections 23A and 23B of the Federal Reserve Act (12 U.S.C. 371c, 371c-1) applicable to merchant banking investments are set forth in the Board's Regulation Y, 12 CFR 225.176.

§ 1500.8 Definitions.

(a) *What do references to a financial holding company include?*—(1) Except as otherwise expressly provided, the term ''financial holding company'' as used in this part means the financial holding company and all of its subsidiaries, including a private equity fund or other fund controlled by the financial holding company.

(2) Except as otherwise expressly provided, the term ''financial holding company'' does not include a depository institution or subsidiary of a depository institution or any portfolio company controlled directly or indirectly by the financial holding company.

(b) *What do references to a depository institution include?* For purposes of this part, the term ''depository institution'' includes a U.S. branch or agency of a foreign bank.

(c) *What is a portfolio company?* A portfolio company is any company or entity:

(1) That is engaged in any activity not authorized for the financial holding company under section 4 of the Bank Holding Company Act (12 U.S.C. 1843); and

(2) Any shares, assets or ownership interests of which are held, owned or controlled directly or indirectly by the financial holding company pursuant to this part, including through a private equity fund that the financial holding company controls.

(d) *Who are the executive officers of a company?*—(1) An executive officer of a company is any person who participates or has the authority to participate (other than in the capacity as a director) in major policymaking functions of the company, whether or not the officer has an official title, the title designates the officer as an assistant, or the officer serves without salary or other compensation.

(2) The term ''executive officer'' does not include—

(i) Any person, including a person with an official title, who may exercise a certain measure of discretion in the performance of his duties, including the discretion to make decisions in the ordinary course of the company's business, but who does not participate in the determination of major policies of the company and whose decisions are limited by policy standards fixed by senior management of the company; or

(ii) Any person who is excluded from participating (other than in the capacity of a director) in major policymaking functions of the company by resolution of the board of directors or by the bylaws of the company and who does not in fact participate in such policymaking functions.

(e) *What is the Board?* The Board means the Board of Governors of the Federal Reserve System.

(f) *How are other terms that are used in this part defined?* Unless otherwise defined in this part, all terms used have the meanings given such terms in the Board's Regulation Y (12 CFR Part 225).

Dated: January 10, 2001.

Gregory A. Baer,

Assistant Secretary for Financial Institutions, Department of the Treasury.

[FR Doc. 01–1305 Filed 1–30–01; 8:45 am]

BILLING CODES 6210–01–P; 4810–25–P

Federal Register

Wednesday,
January 31, 2001

Part III

The President

Executive Order 13198—Agency Responsibilities With Respect to Faith-Based and Community Initiatives

Executive Order 13199—Establishment of White House Office of Faith-Based and Community Initiatives

Federal Register
Vol. 66, No. 21
Wednesday, January 31, 2001

Presidential Documents

Title 3—

The President

Executive Order 13198 of January 29, 2001

Agency Responsibilities With Respect to Faith-Based and Community Initiatives

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. *Establishment of Executive Department Centers for Faith-Based and Community Initiatives.* (a) The Attorney General, the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Housing and Urban Development shall each establish within their respective departments a Center for Faith-Based and Community Initiatives (Center).

(b) Each executive department Center shall be supervised by a Director, appointed by the department head in consultation with the White House Office of Faith-Based and Community Initiatives (White House OFBCI).

(c) Each department shall provide its Center with appropriate staff, administrative support, and other resources to meet its responsibilities under this order.

(d) Each department's Center shall begin operations no later than 45 days from the date of this order.

Sec. 2. *Purpose of Executive Department Centers for Faith-Based and Community Initiatives.* The purpose of the executive department Centers will be to coordinate department efforts to eliminate regulatory, contracting, and other programmatic obstacles to the participation of faith-based and other community organizations in the provision of social services.

Sec. 3. *Responsibilities of Executive Department Centers for Faith-Based and Community Initiatives.* Each Center shall, to the extent permitted by law: (a) conduct, in coordination with the White House OFBCI, a department-wide audit to identify all existing barriers to the participation of faith-based and other community organizations in the delivery of social services by the department, including but not limited to regulations, rules, orders, procurement, and other internal policies and practices, and outreach activities that either facially discriminate against or otherwise discourage or disadvantage the participation of faith-based and other community organizations in Federal programs;

(b) coordinate a comprehensive departmental effort to incorporate faith-based and other community organizations in department programs and initiatives to the greatest extent possible;

(c) propose initiatives to remove barriers identified pursuant to section 3(a) of this order, including but not limited to reform of regulations, procurement, and other internal policies and practices, and outreach activities;

(d) propose the development of innovative pilot and demonstration programs to increase the participation of faith-based and other community organizations in Federal as well as State and local initiatives; and

(e) develop and coordinate department outreach efforts to disseminate information more effectively to faith-based and other community organizations with respect to programming changes, contracting opportunities, and

other department initiatives, including but not limited to Web and Internet resources.

Sec. 4. *Additional Responsibilities of the Department of Health and Human Services and the Department of Labor Centers.* In addition to those responsibilities described in section 3 of this order, the Department of Health and Human Services and the Department of Labor Centers shall, to the extent permitted by law: (a) conduct a comprehensive review of policies and practices affecting existing funding streams governed by so-called ''Charitable Choice'' legislation to assess the department's compliance with the requirements of Charitable Choice; and (b) promote and ensure compliance with existing Charitable Choice legislation by the department, as well as its partners in State and local government, and their contractors.

Sec. 5. *Reporting Requirements.* (a) Report. Not later than 180 days after the date of this order and annually thereafter, each of the five executive department Centers described in section 1 of this order shall prepare and submit a report to the White House OFBCI.

(b) Contents. The report shall include a description of the department's efforts in carrying out its responsibilities under this order, including but not limited to:

(1) a comprehensive analysis of the barriers to the full participation of faith-based and other community organizations in the delivery of social services identified pursuant to section 3(a) of this order and the proposed strategies to eliminate those barriers; and

(2) a summary of the technical assistance and other information that will be available to faith-based and other community organizations regarding the program activities of the department and the preparation of applications or proposals for grants, cooperative agreements, contracts, and procurement.

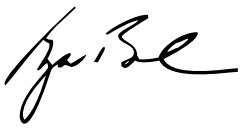
(c) Performance Indicators. The first report, filed 180 days after the date of this order, shall include annual performance indicators and measurable objectives for department action. Each report filed thereafter shall measure the department's performance against the objectives set forth in the initial report.

Sec. 6. *Responsibilities of All Executive Departments and Agencies.* All executive departments and agencies (agencies) shall: (a) designate an agency employee to serve as the liaison and point of contact with the White House OFBCI; and

(b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 7. *Administration and Judicial Review.* (a) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

(b) This order does not create any right or benefit, substantive or procedural, enforceable at law or equity against the United States, its agencies or instrumentalities, its officers or employees, or any other person.



THE WHITE HOUSE,
January 29, 2001.

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Presidential Documents

Executive Order 13199 of January 29, 2001

Establishment of White House Office of Faith-Based and Community Initiatives

By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

Section 1. *Policy.* Faith-based and other community organizations are indispensable in meeting the needs of poor Americans and distressed neighborhoods. Government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes, such as curbing crime, conquering addiction, strengthening families and neighborhoods, and overcoming poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality.

Sec. 2. *Establishment.* There is established a White House Office of Faith-Based and Community Initiatives (White House OFBCI) within the Executive Office of the President that will have lead responsibility in the executive branch to establish policies, priorities, and objectives for the Federal Government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other community organizations to the extent permitted by law.

Sec. 3. *Functions.* The principal functions of the White House OFBCI are, to the extent permitted by law: (a) to develop, lead, and coordinate the Administration's policy agenda affecting faith-based and other community programs and initiatives, expand the role of such efforts in communities, and increase their capacity through executive action, legislation, Federal and private funding, and regulatory relief;

(b) to ensure that Administration and Federal Government policy decisions and programs are consistent with the President's stated goals with respect to faith-based and other community initiatives;

(c) to help integrate the President's policy agenda affecting faith-based and other community organizations across the Federal Government;

(d) to coordinate public education activities designed to mobilize public support for faith-based and community nonprofit initiatives through volunteerism, special projects, demonstration pilots, and public-private partnerships;

(e) to encourage private charitable giving to support faith-based and community initiatives;

(f) to bring concerns, ideas, and policy options to the President for assisting, strengthening, and replicating successful faith-based and other community programs;

(g) to provide policy and legal education to State, local, and community policymakers and public officials seeking ways to empower faith-based and

other community organizations and to improve the opportunities, capacity, and expertise of such groups;

(h) to develop and implement strategic initiatives under the President's agenda to strengthen the institutions of civil society and America's families and communities;

(i) to showcase and herald innovative grassroots nonprofit organizations and civic initiatives;

(j) to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community efforts to solve social problems;

(k) to monitor implementation of the President's agenda affecting faith-based and other community organizations; and

(l) to ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability.

Sec. 4. *Administration.* (a) The White House OFBCI may function through established or ad hoc committees, task forces, or interagency groups.

(b) The White House OFBCI shall have a staff to be headed by the Assistant to the President for Faith-Based and Community Initiatives. The White House OFBCI shall have such staff and other assistance, to the extent permitted by law, as may be necessary to carry out the provisions of this order. The White House OFBCI operations shall begin no later than 30 days from the date of this order.

(c) The White House OFBCI shall coordinate with the liaison and point of contact designated by each executive department and agency with respect to this initiative.

(d) All executive departments and agencies (agencies) shall cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

(e) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

Sec. 5. *Judicial Review.* This order does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

THE WHITE HOUSE,
January 29, 2001.

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REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

RULES GOING INTO EFFECT JANUARY 31, 2001

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:

BMW Rolls-Royce GmbH; published 1-16-01

COMMENTS DUE NEXT WEEK

AGRICULTURE DEPARTMENT

Agricultural Marketing Service

Milk marketing orders:

Northeast et al.; comments due by 2-5-01; published 12-7-00

Onions (Vidalia) grown in—

Georgia; comments due by 2-9-01; published 1-10-01

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service

District of Columbia; plants and plant products; movement; comments due by 2-5-01; published 1-5-01

Plant-related quarantine, domestic:

Citrus canker; comments due by 2-5-01; published 12-7-00

DEFENSE DEPARTMENT

Privacy Act; implementation; comments due by 2-5-01; published 12-5-00

ENVIRONMENTAL PROTECTION AGENCY

Air pollutants, hazardous; national emission standards:

Generic Maximum Achievable Control Technology (GMACT); comments due by 2-5-01; published 12-6-00

Polyvinyl chloride and copolymers production; comments due by 2-6-01; published 12-8-00

Air pollution control; new motor vehicles and engines:

Nonroad large spark ignition engines, marine and land-based recreational engines, and highway motorcycles; emissions control; comments due by 2-5-01; published 12-7-00

Air programs; State authority delegations:

Oklahoma; comments due by 2-8-01; published 1-9-01

Air quality implementation plans; approval and promulgation; various States:

California; comments due by 2-9-01; published 1-10-01

Pennsylvania; comments due by 2-9-01; published 1-10-01

FEDERAL COMMUNICATIONS COMMISSION

Digital television stations; table of assignments:

Montana; comments due by 2-5-01; published 12-18-00

Radio services; special:

Maritime services—

Automated Maritime Telecommunications Systems and high seas public coast stations; comments due by 2-6-01; published 12-8-00

Radio spectrum, efficient use promotion; secondary markets development; regulatory barriers elimination; comments due by 2-9-01; published 12-26-00

Radio spectrum, efficient use promotion; secondary markets development; regulatory barriers elimination; correction; comments due by 2-9-01; published 1-29-01

Radio stations; table of assignments:

Minnesota; comments due by 2-5-01; published 12-27-00

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Human drugs:

Applications for FDA approval to market new drug; postmarketing reporting requirements; comments due by 2-5-01; published 11-7-00

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Civil money penalties; certain prohibited conduct:

Triple damage for failure to engage in loss mitigation; comments due by 2-5-01; published 12-6-00

INTERIOR DEPARTMENT

Fish and Wildlife Service

Endangered and threatened species:

Critical habitat designations—

San Bernardino kangaroo rat; comments due by 2-6-01; published 12-8-00

Yellow-billed cuckoo; status review; comments due by 2-8-01; published 1-9-01

JUSTICE DEPARTMENT

Drug Enforcement Administration

Schedules of controlled substances:

Dichloralphenazone; placement into List IV; comments due by 2-9-01; published 12-11-00

LABOR DEPARTMENT

Occupational Safety and Health Administration

Safety and health standards:

Cotton dust; occupational exposure; comments due by 2-5-01; published 12-7-00

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Acquisition regulations:

Emergency medical services and evacuation; comments due by 2-5-01; published 12-7-00

TRANSPORTATION DEPARTMENT

Coast Guard

Bulk dangerous cargoes:

Liquid noxious substances and obsolete and current hazardous materials in bulk; comments due by 2-6-01; published 11-8-00

Drawbridge operations:

Florida; comments due by 2-6-01; published 12-8-00

Ports and waterways safety:

Macy's July 4th Fireworks, East River, NY; safety zone; comments due by 2-9-01; published 12-26-00

Tampa Bay, FL; safety zone; comments due by 2-5-01; published 12-6-00

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:

Airbus; comments due by 2-8-01; published 1-9-01

Bell; comments due by 2-9-01; published 12-11-00

Boeing; comments due by 2-5-01; published 12-21-00

Eurocopter France; comments due by 2-6-01; published 12-8-00

Pilatus Aircraft Ltd.; comments due by 2-5-01; published 1-2-01

SOCATA-Groupe AEROSPATIALE; comments due by 2-5-01; published 1-2-01

Turbomeca S.A.; comments due by 2-5-01; published 12-6-00

Airworthiness standards:

Special conditions—

Eurocopter France Model EC-130 helicopters; comments due by 2-5-01; published 12-20-00

Commercial space transportation:

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TRANSPORTATION DEPARTMENT

Research and Special Programs Administration

Pipeline safety:

Hazardous liquid transportation—

Hazardous liquid and carbon dioxide pipelines; corrosion control standards; comments due by 2-6-01; published 12-8-00

TREASURY DEPARTMENT

Comptroller of the Currency

Corporate activities:

Federal branches and agencies; operating subsidiaries; comments due by 2-5-01; published 12-5-00

National banks; fiduciary activities; comments due by 2-5-01; published 12-5-00

TREASURY DEPARTMENT

Thrift Supervision Office

Savings and loan holding companies:

Significant transactions or activities and capital adequacy review; comments due by 2-9-01; published 12-12-00

VETERANS AFFAIRS DEPARTMENT

Loan guaranty:

Advertising and solicitation requirements; comments due by 2-6-01; published 12-8-00

LIST OF PUBLIC LAWS

Note: The List of Public Laws for the 106th Congress, Second Session has been completed and will resume when bills are enacted into public law during the next session of Congress.

A cumulative List of Public Laws was published in Part II of the **Federal Register** on January 16, 2001.

Public Laws Electronic Notification Service (PENS)

Note: PENS will resume service when bills are enacted into law during the next session of Congress.

This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.