

Issued on: December 2, 1997.

**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 97-32037 Filed 12-5-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-97-3164]

#### Decision That Nonconforming 1988-1989 Audi 80 Passenger Cars Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of decision by NHTSA that nonconforming 1988-1989 Audi 80 passenger cars are eligible for importation.

**SUMMARY:** This notice announces the decision by NHTSA that 1988-1989 Audi 80 passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 1988-1989 Audi 80), and they are capable of being readily altered to conform to the standards.

**DATES:** This decision is effective as of December 8, 1997.

**FOR FURTHER INFORMATION CONTACT:** George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. § 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with

NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Champagne Imports, Inc. of Lansdale, Pennsylvania (Champagne) (Registered Importer R-90-009) petitioned NHTSA to decide whether 1988-1989 Audi 80 passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on August 5, 1997 (62 FR 42156) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

One comment was received in response to the notice, from Volkswagen of America, Inc. (Volkswagen), the U.S. representative of Audi AG, the vehicle's manufacturer. In its comment, Volkswagen observed that the alterations identified in the petition are the minimum that are necessary to conform non-U.S. certified 1988-1989 Audi 80 passenger cars to the applicable Federal motor vehicle safety standards. Volkswagen further observed that in addition to differences in the bumper system, modifications were made to the body components and structure of U.S. certified 1988-1989 Audi 80 passenger cars to achieve compliance with the Bumper Standard found in 49 CFR part 581.

Petitioners for eligibility determinations are not required to submit arguments in support of the capability of a non-conforming vehicle to comply with the Bumper Standard. Under statute, eligibility determinations are based solely on the capability of a vehicle to comply with the Federal motor vehicle safety standards.

However, a passenger motor vehicle that does not meet the Bumper Standard at the time of importation must be brought into compliance after importation in order to comply with the law. Therefore, a vehicle eligibility notice affords a forum through which issues of compliance with the Bumper Standard can be raised and discussed. However, NHTSA has no authority to deny an eligibility petition solely on the basis that the vehicle is incapable of being conformed to meet the Bumper Standard.

Volkswagen's first observation, as described above, appears to be generally

supportive of the petition. Although Volkswagen's second observation identifies a potential need for alterations beyond those specified in the petition to conform non-U.S. certified 1988-89 Audi 80 passenger cars to the Bumper Standard, the company nowhere contends that these alterations cannot be readily made. The petitioner and other RIs seeking to import 1988-89 Audi 80s under this exemption should recognize Volkswagen's concern and may be assured that NHTSA will carefully examine data they submit in support of their certification of compliance with the Bumper Standard.

#### Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-223 is the eligibility number assigned to vehicles admissible under this decision.

#### Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that 1988-1989 Audi 80 passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are substantially similar to 1988-1989 Audi 80 passenger cars originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and are capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CAR 593.8; delegations of authority at 49 CAR 1.50 and 501.8.

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**Marilynne Jacobs,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF THE TREASURY

[Treasury Directive Number 12-53]

### Delegation of Authority to Make Decisions on Appeals of the Initial Denial of Records Under the Freedom of Information Act

Dated: December 1, 1997.

#### 1. Delegation

a. This Directive delegates to the Deputy Assistant Secretary (Human Resources) the authority to make appeal decisions on the initial denial of records or other adverse determinations made

by the Office of Equal Opportunity Program under 5 U.S.C. 552; 5 U.S.C. 552a; and 31 Code of Federal Regulations (CFR) Part 1, Subparts A and C.

b. This Directive delegates to the Director, Office of Equal Opportunity Program, the authority to make appeal decisions on the initial denial of records and other adverse determinations made by the Regional Complaint Centers under 5 U.S.C. 552; 5 U.S.C. 552a; and 31 CFR Part 1, Subparts A and C.

## 2. Authority

a. Treasury Order 101-05, "Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury."

b. 31 CFR Part 1, Subparts A and C.

## 3. Reference

Treasury Directive 25-05, "The Freedom of Information Act," dated January 18, 1996.

## 4. Expiration Date

This Directive expires three years from the date of issuance unless superseded or cancelled prior to that date.

## 5. Office of Primary Interest

Office of Equal Opportunity Program, Office of the Deputy Assistant Secretary (Human Resources), Office of the Assistant Secretary for Management and Chief Financial Officer.

**Nancy Killefer,**

*Assistant Secretary for Management and Chief Financial Officer.*

[FR Doc. 97-32025 Filed 12-5-97; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

December 1, 1997.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

### Bureau of the Public Debt (PD)

*OMB Number:* 1535-0104.

*Form Number:* PD F 2066.

*Type of Review:* Extension.

*Title:* Application by Survivors for Payment of Bond or Check Issued Under the Armed Forces Leave Act of 1946, as Amended.

*Description:* Form 2066 is used as an application by survivors for payment of a bond or check issued under the Armed Forces Leave Act of 1946 to veterans of World War II.

*Respondents:* Individuals or households.

*Estimated Number of Respondents:* 400.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden Hours:* 200 hours.

*OMB Number:* 1535-0105.

*Form Number:* PD F 2481.

*Type of Review:* Extension.

*Title:* Application for Recognition as Natural Guardian of Minor Not Under Legal Guardianship and for Disposition of Minor's Interest in Registered Securities.

*Description:* The form is used by the natural guardian or a minor not under legal guardianship to request proper disposition of securities registered in the name of a minor.

*Respondents:* Individuals or households.

*Estimated Number of Respondents:* 25.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden Hours:* 13 hours.

*OMB Number:* 1535-0108.

*Form Number:* PD F 2471.

*Type of Review:* Extension.

*Title:* Certificate to Support Application for Relief on Account of Lost, Stolen or Destroyed United States Securities.

*Description:* The form is executed by individuals to support an application for relief on account of lost, stolen or destroyed United States securities.

*Respondents:* Individuals or households.

*Estimated Number of Respondents:* 400.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden Hours:* 200 hours.

*Clearance Officer:* Vicki S. Thorpe, (304) 480-6553, Bureau of the Public Debt, 200 Third Street, Parkersburg, West VA 26106-1328.

*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*

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## DEPARTMENT OF THE TREASURY

### Submission to OMB for Review; Comment Request

November 24, 1997.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0949.

*Form Number:* IRS Form 2587.

*Type of Review:* Extension.

*Title:* Application for Special Enrollment Examination.

*Description:* This information relates to the determination of the eligibility of individuals seeking enrollment status to practice before the Internal Revenue Service.

*Respondents:* Individual or households.

*Estimated Number of Respondents/Recordkeepers:* 8,000.

*Estimated Burden Hours Per Respondent/Recordkeeper:* 6 minutes.

*Frequency of Response:* Other (one-time filing).

*Estimated Total Reporting/Recordkeeping Burden:* 25,550 hours.

*Clearance Officer:* Garrick Shear (202) 622-3869, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Alexander T. Hunt (202) 395-7860, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*

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