

**Authority:** 12 U.S.C. 93a, 481, 482, and 3102 and 3108; 15 U.S.C. 78c and 781; and 26 D.C. Code 102.

2. In § 8.6, the section heading is revised and a new paragraph (c) is added to read as follows:

**§ 8.6 Fees and assessments for examinations and investigations; independent trust banks.**

\* \* \* \* \*

(c) *Additional assessments for independent trust banks.* The assessment of independent trust banks will include a component in addition to the assessment calculated according to § 8.2. For purposes of this part, an "independent trust bank" is a national bank that has trust powers, does not primarily offer full service banking, and is not affiliated with a full service national bank.

(1) *Managed assets component.* Independent trust banks having at least \$1 billion in trust assets as reported on Schedule A, Line 18 of the Annual Report of Trust Assets (FFIEC Form 001) shall pay an assessment that is calculated by multiplying the amount of those trust assets by a rate or rates provided by the OCC in the Notice of Fees.

(2) *Flat fee.* Independent trust banks having less than \$1 billion in trust assets as reported on Schedule A, Line 18 of FFIEC Form 001 will pay a flat fee in an amount to be provided in Notice of Comptroller of the Currency Fees (Notice of Fees) published as stated in § 8.8.

Dated: March 14, 2000.

**John D. Hawke, Jr.,**

*Comptroller of the Currency.*

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**BILLING CODE 4810-33-P**

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 108, 109, 111, 129 and 191**

[Docket No. FAA-1999-6673; Notice No. 00-02]

**RIN 2120-AG84**

**Certification of Screening Companies**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of public meetings and extension of comment period.

**SUMMARY:** This action extends the comment period and announces two public meetings on the subject of "Certification of Screening Companies;

Notice of Proposed Rulemaking (NPRM)" (65 FR 560, January 5, 2000). In that NPRM, the FAA proposes to require that all companies that perform aviation security screening be certificated by the FAA and meet enhanced requirements. This extension and the public meetings are a result of a formal request from the Air Transport Association (ATA) and the Regional Airline Association (RAA) to extend the comment period and hold a public meeting on the proposal. These actions will afford interested parties additional opportunity to present their views on the proposed rulemaking.

**DATES:** The public meetings will be on April 4, 2000, in San Francisco, CA and April 6, 2000, in Fort Worth, TX. The meetings will begin at 9 a.m. Persons unable to attend the meetings are invited to provide written comments, which must be received on or before May 4, 2000.

**ADDRESSES:** The public meeting on April 4, 2000, will be held at the State of California Building Auditorium, 455 Golden Gate Avenue, San Francisco, CA 94102. The public meeting on April 6, 2000, will be held at the Fritz Lanham Federal Building, Room 1A03, 819 Taylor Street, Fort Worth, TX 76102. Persons unable to attend the meetings may mail their comments in duplicate to: U.S. Department of Transportation Dockets, Docket No. FAA-1999-6673, 400 Seventh Street, SW., Room Plaza 401, Washington, DC 20590. Comments may be filed and examined in Room Plaza 401 between 10 am and 5 pm weekdays, except Federal holidays. Comments also may be sent electronically to the Dockets Management System (DMS) at the following Internet address: <http://dms.dot.gov/> at anytime. Commenters who wish to file comments electronically should follow the instructions on the DMS web site.

**FOR FURTHER INFORMATION CONTACT:** Requests to present a statement at the meetings or questions regarding the logistics of the meetings should be directed to Judy Courbois, Federal Aviation Administration, Office of Rulemaking, ARM-102, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-9783; fax (202) 267-5075.

Questions concerning the subject matter of the meetings should be directed to Scott Cummings, Office of Civil Aviation Security Policy and Planning (ACP-100), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-9468; fax (202) 267-5359.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments, as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that might result from adopting the proposed rule also are invited. Substantive comments should be accompanied by cost estimates. Comments must identify the regulatory docket or notice number and be submitted in duplicate to the DOT Rules Docket address specified above.

All comments received, as well as a report summarizing each substantive public contact with FAA personnel on this rulemaking, will be filed in the docket. All comments received on or before the closing date will be considered by the Administrator before taking action on this proposed rulemaking. Comments filed late will be considered as far as possible without incurring expense or delay. The proposals in notice No. 99-21 may be changed in light of the comments received.

Comments received on the proposal will be available before and after the closing date for comments in the DOT Rules Docket for examination by interested persons. However, the Assistant Administrator for Civil Aviation Security has determined that the security programs required by parts 108, 109, and 129 contain sensitive security information. As such, the availability of information pertaining to these security programs is governed by part 191. Carriers, screening companies, and others who wish to comment on the NPRM should be cautious not to include in their comments any information contained in any security program.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice or to the NPRM must include a pre-addressed, stamped postcard with those comments on which the following statement is made: "Comments to Docket No. FAA-1999-6673." The postcard will be date stamped and mailed to the commenter.

**Availability of Notices**

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: (703) 321-3339) or the Government Printing Office (GPO)'s electronic bulletin board service (telephone: (202) 512-1661).

Internet users may reach the FAA's web page at <http://www.faa.gov/avr/arm/nprm/nprm.htm> or the GPO's web page at <http://www.access.gpo.gov/nara> for access to recently published rulemaking documents.

Any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Communications must identify the notice number or docket number of this document.

Persons interested in being placed on the mailing list for future notices should request from the above office a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, that describes the application procedure.

### Background

On December 15, 1999, the FAA issued notice No. 99-21, "Certification of Screening Companies, NPRM" (65 FR 560, January 5, 2000). Comments to that document were to be received on or before April 4, 2000.

By letter dated January 20, 2000, ATA and RAA requested that the FAA schedule a public meeting and extend the comment period for notice No. 99-21 by 90 days until July 5, 2000. ATA and RAA stated that given the length and complexity of the rule, it is unreasonable for the FAA to expect that affected parties will be able to thoroughly analyze the operational and financial impact of the proposed rule within the comment period the FAA allocated. It also noted that there are many entities, including small screening companies that are unfamiliar with the FAA's regulatory procedures and may have never participated in the rulemaking process. ATA and RAA further stated that it is in the interest of the FAA and the aviation industry to provide a detailed briefing of the elements of the NPRM.

In accordance with § 11.29(c) of title 14, Code of Federal Regulations, the FAA has reviewed ATA and RAA's petition for extension of the comment period to notice No. 99-21 and request for a public meeting. ATA and RAA have shown a substantive interest in the proposed rule and good cause for the extension and a public meeting.

The FAA scheduled one public meeting in Washington, DC on March 10, 2000, as announced in the **Federal Register** on February 2, 2000. The FAA believes that two additional public meetings and a 30-day extension of the comment period will provide the public sufficient additional opportunity to

present comments on the proposed rule. However, in view of the Congressional mandate to improve the training and testing of screeners without delay, the FAA has determined that the requested 90-day extension of the comment period is not appropriate. The FAA also has determined that extending the comment period and holding public meetings are consistent with the public interest.

### Participation at the Meetings

The FAA should receive requests from persons who wish to present oral statements at either meeting no later than March 24, 2000. Such requests should be submitted to Judy Courbois, as listed above in the section titled **FOR FURTHER INFORMATION CONTACT**, and should include a written summary of oral remarks to be presented and an estimate of time needed for the presentation. The FAA will prepare an agenda of speakers, which will be available at the meetings. The names of those individuals whose requests to present oral statements are received after the date specified above may not appear on the written agenda. To accommodate as many speakers as possible, the amount of time allocated to each speaker may be less than the amount of time requested. Persons requiring audiovisual equipment should notify the FAA when requesting to be placed on the agenda.

### Public Meeting Procedures

The FAA will use the following procedures to facilitate the meetings:

(1) There will be no admission fee or other charge to attend or to participate in the meetings. The meetings will be open to all persons who are scheduled to present statements or who register between 8:30 am and 9 am on the day of the meetings. While the FAA will make every effort to accommodate all persons wishing to participate, admission will be subject to availability of space in the meeting rooms. The meetings may adjourn early if scheduled speakers complete their statements in less time than is scheduled for the meetings.

(2) An individual, whether speaking in a personal or a representative capacity on behalf of an organization, may be limited to a 10-minute statement. If possible, we will notify the speaker if additional time is available.

(3) The FAA will try to accommodate all speakers. If the available time does not permit this, speakers generally will be scheduled on a first-come-first-served basis. However, the FAA reserves the right to exclude some speakers if necessary to present a balance of viewpoints and issues.

(4) Sign and oral interpretation can be made available at the meetings, as well as an assistive listening device, if requested 10 calendar days before the meetings.

(5) Representatives of the FAA will preside over the meetings. A panel of FAA personnel involved in this proposal will be present.

(6) The meetings will be recorded by a court reporter. A transcript of the meetings and any material accepted by the FAA representatives during the meetings will be included in the public docket. Any person who is interested in purchasing a copy of the transcript should contact the court reporter directly. Additional transcript purchase information will be available at the meetings.

(7) The FAA will review and consider all material presented by participants at the meetings. Position papers or material presenting views or arguments related to the certification of screening companies may be accepted at the discretion of the presiding officer and subsequently placed in the public docket. The FAA requests that persons participating in the meetings provide six copies of all materials to be presented for distribution to the FAA representatives; other copies may be provided to the audience at the discretion of the participant.

(8) Statements made by FAA representatives are intended to facilitate discussion of the issues or to clarify issues. Any statement made during the meetings by an FAA representative is not intended to be, and should not be construed as, a position of the FAA.

(9) The meetings are designed to solicit public views and gather additional information on the certification of screening companies. Therefore, the meetings will be conducted in an informal and non-adversarial manner. No individual will be subject to cross-examination by any other participant; however, FAA representatives may ask questions to clarify a statement and to ensure a complete and accurate record.

### Extension of Comment Period

The FAA has reviewed the request for consideration of an extended comment period for notice No. 99-21 and determined that an extension would be in the public interest, and that good cause exists for taking this action.

Accordingly, the comment period for notice No. 99-21 is extended to May 4, 2000.

Issued in Washington, DC on March 15, 2000.

**Jan Brecht-Clark,**

*Director, Office of Civil Aviation Security Policy and Planning.*

[FR Doc. 00-6872 Filed 3-15-00; 3:46 pm]

BILLING CODE 4910-13-U

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Parts 200, 270, 275 and 290

[Notice No. 893; Ref: Notice No. 887]

RIN 1512-AB99

#### Implementation of Public Law 105-33, Section 9302, Relating to Tobacco Importation Restrictions, Markings, Minimum Manufacturing Requirements, and Penalty Provisions (98R-369P)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** This notice reopens the comment period for Notice No. 887, a notice of proposed rulemaking cross-referenced to temporary regulations, published in the **Federal Register** on December 22, 1999. ATF has received several requests to extend the comment period in order to provide sufficient time for all interested parties to respond to the issues raised in the notice.

**DATES:** Written comments must be received by April 20, 2000.

**ADDRESSES:** Send written comments to: Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221; Notice No. 893.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel J. Hiland, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW, Washington, DC 20226; Telephone (202) 927-8210.

**SUPPLEMENTARY INFORMATION:** On December 22, 1999, ATF published a notice of proposed rulemaking cross-referenced to temporary regulations in the **Federal Register**. The notice solicited comments from all interested persons regarding temporary regulations that implemented several provisions of the Balanced Budget Act of 1997. Section 9302 of the new law: (1) Places restrictions on the importation of previously exported tobacco products, (2) requires markings on tobacco

products or cigarette papers and tubes removed or transferred without payment of the federal excise tax, (3) provides penalties for selling, relanding, or receiving, within the jurisdiction of the United States, tobacco products or cigarette papers and tubes which have been labeled and shipped for exportation and were removed after the effective date, and (4) authorizes the Secretary to prescribe minimum capacity or activity requirements as a criteria for issuance of a manufacturer's permit. These new provisions of law became effective on January 1, 2000.

The temporary rule implemented these changes in law by providing new and amended regulations in parts 200, 270, 275 and 290 of title 27 of the Code of Federal Regulations (CFR). Additionally, the Bureau of Alcohol, Tobacco and Firearms (ATF) made several other clarifying changes to the tobacco regulations. The temporary rule will remain in effect until superseded by final regulations.

The comment period for Notice 887 closed on February 22, 2000. Prior to the close of the comment period, ATF received several requests to extend the comment period for an additional 30 days. Several interested parties stated that they would need additional time to prepare a full response for their company or client.

In consideration of the above, ATF finds that a reopening of the comment period is warranted. Therefore, the comment period is being reopened for an additional 30 days until April 20, 2000. The Bureau believes that a comment period totaling 90 days is a sufficient amount of time for all interested parties to respond.

#### Disclosure

Copies of this notice, Notice No. 887, and the written comments will be available for public inspection during normal business hours at: ATF Public Reading Room, Room 6480, 650 Massachusetts Avenue, NW, Washington, DC.

*Drafting Information.* This notice was written by Mr. Daniel Hiland, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

#### List of Subjects

##### 27 CFR Part 200

Administrative practice and procedure, Authority delegations.

##### 27 CFR Part 270

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Claims, Electronic fund transfer, Excise taxes,

Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, Tobacco products.

##### 27 CFR Part 275

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Claims, Customs duties and inspection, Electronic fund transfer, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, Tobacco products, U.S. possessions, Warehouses.

##### 27 CFR Part 290

Administrative practice and procedure, Aircraft, Authority delegations, Cigarette papers and tubes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Penalties, Surety bonds, Tobacco products, Vessels, Warehouses.

#### Authority and Issuance.

This notice is issued under the authority in 26 U.S.C. 7805.

Dated: March 15, 2000.

**Bradley A. Buckles,**

*Director, Bureau of Alcohol, Tobacco and Firearms.*

[FR Doc. 00-6996 Filed 3-20-00; 8:45 am]

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## DEPARTMENT OF EDUCATION

### 34 CFR Parts 606, 607, and 608

#### Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, and Strengthening Historically Black Colleges and Universities Program

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** We propose to amend the regulations governing the Developing Hispanic-Serving Institutions, Strengthening Institutions, and Strengthening Historically Black Colleges and Universities Programs to incorporate statutory changes made by the Higher Education Amendments of 1998 (1998 Amendments). The 1998 Amendments provide that an institution's use of grant funds for endowment fund purposes under the Developing Hispanic-Serving Institutions, Strengthening Institutions, and Strengthening Historically Black Colleges and Universities Programs can be subject to appropriate requirements under the Endowment Challenge Grant