

the supplement) may be obtained from the MEDEP office in Augusta for a \$20 fee.

Part of the State's program submission and supporting documentation is available electronically at the following Internet address: <http://www.state.me.us/dep/blwq/delegation/delegation.htm>

#### SUPPLEMENTARY INFORMATION:

##### **Tribal Issues On Which EPA Is Taking Further Comment**

In the original notice inviting public comment on Maine's program application, EPA specifically asked for comment on the State's assertion that it has authority under the Maine Indian Claims Settlement Act, 25 U.S.C. 1721-1735 (MICSA), to administer its NPDES program in the lands and territories of the Maine Indian Tribes, which are the Houlton Band of Maliseet Indians, the Aroostook Band of Micmacs, the two governments of the Passamaquoddy Tribe, and the Penobscot Nation. In addition, on October 21, 1999, EPA formally requested a written legal opinion from the Department of the Interior (DOI), Office of the Solicitor on the extent of the State of Maine's jurisdiction over the regulation of water quality in Indian country in light of the Maine Indian Claims Settlement Act. On May 16, 2000, DOI provided EPA with the Solicitor's legal opinion (the DOI opinion). EPA has placed a copy of this opinion in its rulemaking record and has made the opinion available to the public. EPA believes the public should have an opportunity to comment on the State of Maine's application to administer its MEPDES program in the lands and territories of the Tribes in Maine in light of the DOI opinion.

EPA is opening its record solely for the purposes of taking comment on the question of whether EPA should approve the State's application to administer its program in the lands or territories of the Tribes in Maine, because we believe our record would benefit from further comment by interested parties. EPA is not opening its record for comment on other issues, which the Agency believes have already been thoroughly aired.

##### **Jurisdiction in Passamaquoddy and Penobscot Indian Territory**

The DOI opinion concluded that the regulation of water quality is an "internal tribal matter" under MICSA over which the State of Maine does not have jurisdiction in the Passamaquoddy and Penobscot Indian Territories. As noted in the DOI opinion, MICSA incorporates the terms of the Maine

Implementing Act, 30 M.R.S.A. sections 6201-6214 (MIA), when describing the jurisdictional relationship between the State and the Passamaquoddy Tribe and Penobscot Nation. 25 U.S.C. 1725. The MIA provides that "Except as otherwise provided in this Act, all Indians, Indian nations, and tribes and bands of Indians in the State and any lands or other natural resources owned by them, held in trust for them by the United States or by any other person or entity shall be subject to the laws of the State and to the civil and criminal jurisdiction of the courts of the State to the same extent as any other person or lands or other natural resources therein." 30 MRSA section 6204. In section 6206, the MIA specifically provides that with regard only to the Passamaquoddy Tribe and the Penobscot Nation that "internal tribal matters, including membership in the respective tribe or nation, the right to reside within the respective Indian territories, tribal organization, tribal government, tribal elections and the use or disposition of settlement fund income shall not be subject to regulation by the State." MICSA and MIA contain other provisions that provide for the exercise of tribal authority separate and distinct from the civil and criminal jurisdiction of the State. Commenters may wish to read the DOI opinion, which explains the basis for its conclusion.

EPA notes that if it adopts DOI's analysis and denies the State application as to Passamaquoddy and Penobscot Indian Territory, EPA would retain the authority to administer the NPDES program in these Territories. If EPA were to deny Maine's application as to the Indian Territories, the next question becomes where would the State's program apply and where would EPA retain permitting authority? EPA recognizes that facilities that need a discharge permit would need to know whether to apply or reapply to the State or EPA for an NPDES permit. Understanding that jurisdictional boundaries are primarily an intergovernmental issue of concern of the Tribes, the State, and the federal government, EPA seeks comment on the geographical extent of Passamaquoddy and Penobscot Indian Territories.

##### **Other Issues**

Regardless of what areas it may approve the State of Maine to administer, EPA would retain significant oversight authority. EPA would exercise such oversight responsibilities consistent with the federal government's trust responsibility to federally-recognized Indian Tribes. To that end, EPA intends to negotiate a

Memorandum of Understanding with each of the Maine Tribes outlining how EPA will consult with all of the Tribes to understand their concerns about administration of the NPDES program under the Clean Water Act. EPA has placed a proposed draft of this Memorandum in the docket available to the public and will be consulting with the Maine Tribes on the terms of the Memorandum. EPA notes that the draft Memorandum addresses potential water quality effects on all of the Tribes in Maine. This form of the draft is not intended to suggest that EPA has prejudged whether EPA will approve Maine to administer its program in the Territories of the Passamaquoddy Tribe and the Penobscot Nation. The memorandum is drafted broadly to address all of EPA's oversight responsibilities in the State. A Tribe may have concerns not only about the State's administration of the program within tribal lands, but also about the effects of state administration of its program in state waters that are upstream from, or that otherwise affect water quality in, tribal lands and territories.

Whatever decision EPA makes the Agency will have to address practical implementation issues. EPA seeks comment on those issues.

##### **Other Federal Statutes**

Nothing in this extension of the public comment period changes any of the analyses or findings concerning other federal statutes which EPA made in its notice of December 30, 1999. See 64 FR 73554-73555.

**Authority:** This action is prepared under the authority of section 402 of the Clean Water Act as amended, 42 U.S.C. 1342.

Dated: June 20, 2000.

**Mindy S. Lubber,**

*Regional Administrator, Region I.*

[FR Doc. 00-16365 Filed 6-27-00; 8:45 am]

**BILLING CODE 6560-50-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

[DA 00-1401]

### **New Filing Window for MDS and ITFS Applications for Two-Way Operations**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document postpones the July 3 through July 10, 2000 filing window for MDS and ITFS applications for two-way operations. The new filing

window will begin August 14, 2000 and end August 18, 2000.

**DATES:** The new window filing opportunity begins August 14, 2000 and ends August 18, 2000.

**FOR FURTHER INFORMATION CONTACT:** David Roberts, Video Services Division, Mass Media Bureau at (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a summary of a Order released June 23, 2000. It does not include attachments. The complete text of the Order is available for public inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW, Washington, DC. It may also be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.) 1231 20th Street, NW, Washington, DC 20035, (202) 857-3800. It is also available on the Commission's web site at <http://www.fcc.gov>.

The Mass Media Bureau announces a postponement of the July 3 through July 10, 2000 filing window for MDS and ITFS applications for two-way operations. The new filing window will begin August 14, 2000 and end August 18, 2000. However, in order to permit commercial operators to fulfill their business plans which were created in reliance upon the timelines set forth in previous Commission Orders and Public Notice, the Commission will permit MDS operators, starting July 3, 2000, to file applications for two-way authority for Channels 1, 2 and 2a upstream. Such commercial applicants should have consents for downstream transmissions from all affected parties. In addition, we will permit ITFS operators the opportunity to file for developmental authority to begin two-way service.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00-16324 Filed 6-27-00; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, N.W., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573,

within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 011367-018.

*Title:* Colombia Discussion Agreement.

*Parties:*

Frontier Liner services, Inc.  
Crowley Liner Services, Inc.  
King Ocean Services, S.A. d/b/a King Ocean de Colombia  
Hamburg-Sudamerikanische Dampfschiffahrtsgesellschaft Eggert & Amsinck d/b/a Crowley American Transport  
A.P. Moller-Maersk Sealand Seaboard Marine Ltd.  
American President Lines, Ltd.

*Synopsis:* The proposed amendment would allow the parties to negotiate and agree on joint service contracts while retaining the right to negotiate service contracts with non-members who belong to the Colombia Independent Carrier Agreement. The parties are not required to agree to or adhere to any rates, terms or conditions except those entered into pursuant to such service contracts.

*Agreement No.:* 011528-016.

*Title:* Japan/United States Eastbound Freight Conference.

*Parties:*

American President Lines, Ltd.  
Hapag-Lloyd Container Line GmbH  
Kawasaki Kisen Kaisha, Ltd.  
Mitsui O.S.K. Lines, Ltd.  
A.P. Moller-Maersk Sealand  
Nippon Yusen Kaisha  
Orient Overseas Container Line, Inc.  
P&O Nedlloyd B.V.  
P&O Nedlloyd Limited  
Wallenius Wilhelmsen Lines AS

*Synopsis:* The proposed amendment would further extend the suspension of the Agreement for an additional six-month period through January 31, 2001.

Dated: June 23, 2000.

By Order of the Federal Maritime Commission.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 00-16389 Filed 6-27-00; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

### Ocean Transportation Intermediary License; Applicant

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission an application for licenses as Non-Vessel Operating Common Carrier and Ocean Freight Forwarder—Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR part 515).

Persons knowing of any reason why the following applicants should not receive a license are requested to contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, D.C. 20573.

Non-Vessel-Operating Common Carrier Ocean Transportation Intermediary Applicants:  
F.M.I. Cargo Shipping, Inc., 1022 W. Irving Park Road, Bensenville, IL 60106. Officers: Felix Wong, Secretary (Qualifying Individual); Wai-Fan Yeung, President.

DVN Carriers, LP, 6802 Mapleridge Street, Suite 207, Bellaire, TX 77401. Officers: C. Rider Griswold, Managing Partner; Madelaine Griswold, Partner. Jenkar International Freight Ltd., 150-30 132nd Avenue, Jamaica, NY 11434. Officers: Donald James Wolfe, Director (Qualifying Individual).

Ocean Freight Forwarders—Ocean Transportation Intermediary Applicants:  
Farris Customs Brokers, Inc., 13591 McGregor Bl., Suite 20, Fort Myers, FL 33912. Officers: Donald G. Farris, Sr., Vice President (Qualifying Individual); Carolyn D. Wilmot, President.

Cargomar Overseas, Inc., 1325 N.W. 78 Avenue, Suite 100, Miami, FL 33126. Officer: Atilio C. Fernandez, President (Qualifying Individual).

Ohlson International Logistics Incorporated, 960 Lunt Avenue, Elk Grove Village, IL 60007. Officers: Michael J. Ohlson, President (Qualifying Individual); Joseph Calabria, Vice President.

Dated: June 23, 2000.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 00-16388 Filed 6-27-00; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL TRADE COMMISSION

### Children's Online Privacy Protection Safe Harbor Proposed Self-Regulatory Guidelines; ESRB Privacy Online, a Division of the Entertainment Software Rating Board

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of Proposed "Safe Harbor" Guidelines and Request for Public Comment.

**SUMMARY:** The Federal Trade Commission publishes this notice and request for public comment concerning proposed self-regulatory guidelines submitted by ESRB Privacy Online, a division of the Entertainment Software Rating Board ("ESRB"), under the safe harbor provision of the Children's