

three months in advance of the earliest annuity beginning date. This proposed rule also makes a conforming amendment to § 217.30 concerning the reasons for denial of an application, and provides greater clarity for such denials.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory analysis is required. Information collections associated with § 217.9 have been approved by the Office of Management and Budget under control number 3220-0002.

List of Subjects in 20 CFR Part 217

Claims, Railroad retirement, Reporting and record keeping requirements.

For the reasons set out in the preamble, the Railroad Retirement Board proposes to amend title 20, chapter II, part 217 of the Code of Federal Regulations as follows:

PART 217—APPLICATION FOR ANNUITY OR LUMP SUM

1. The authority citation for part 217 continues to read as follows:

Authority: 45 U.S.C. 231d and 45 U.S.C. 231f.

2. Section 217.9 of subpart B, is amended by adding directly after the words “paragraph (b)(2)”, the words “and paragraph (b)(3)”, and by adding a new paragraph (b)(3) to read as follows:

§ 217.9 Effective period of application.

* * * * *

(b) * * *

(3) *Application for spouse annuity filed simultaneously with employee disability annuity application.* When the qualifying employee's annuity application effective period is determined by the preceding paragraph (b)(2) of this section, a spouse who meets all eligibility requirements may file an annuity application on the same date as the employee claimant. The spouse application will be treated as though it were filed on the later of the actual filing date or the employee's annuity beginning date.

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3. Section 217.30 of subpart E is amended by removing paragraph (b), redesignating paragraph (c) as paragraph (b), and by adding a new paragraph (c) to read as follows:

§ 217.30 Reasons for denial of application.

* * * * *

(c) The applicant files an application more than three months before the date on which the eligible person's benefit

can begin except if the application is for an employee disability annuity or for a spouse annuity filed simultaneously with the employee's disability annuity application.

Dated: November 20, 2001.

By Authority of the Board,

For the Board, Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 01-29429 Filed 11-28-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-2001-10916; Notice 2]

RIN 2127-AI55

Federal Motor Vehicle Safety Standards; Child Restraint Systems

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

ACTION: Correction.

SUMMARY: NHTSA has been mandated by Congress to consider whether to prescribe clearer and simpler labels and instructions for child restraints. On November 2, 2001, NHTSA published an NPRM that proposes changes to the labels and written instructions that accompany child restraints (66 FR 55623). Due to an error, that NPRM did not address the issue of when, if adopted, NHTSA would require child restraints to comply with the proposed requirements. This document corrects that error.

DATES: You should submit your comments early enough to ensure that Docket Management receives them not later than January 2, 2002. The reason for this closing date is to make it coincide with the the January 2 comment closing date of the November 6, 2001 NPRM.

ADDRESSES: You should mention the docket number of this document in your comments and submit your comments in writing to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590.

You may call Docket Management at 202-366-9324. You may visit the Docket from 10 a.m. to 5 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may call Mary Versailles of the NHTSA Office of Planning and Consumer Programs, at 202-366-2057.

For legal issues, you may call Deirdre Fujita of the NHTSA Office of Chief Counsel at 202-366-2992.

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

SUPPLEMENTARY INFORMATION: NHTSA has been mandated by Congress to consider whether to prescribe clearer and simpler labels and instructions for child restraints. On November 2, 2001, NHTSA published a Notice of Proposed Rulemaking (NPRM) that proposes changes to the labels and written instructions that accompany child restraints (66 FR 55623). Due to an error, the NPRM did not address the issue of when, if adopted, NHTSA would require child restraints to comply with the proposed requirements. This notice corrects that error.

In trying to decide how much leadtime to allow manufacturers, NHTSA first examined past upgrades of labeling requirements. When NHTSA updated air bag label requirements for vehicles and child restraints in 1996, vehicle manufacturers were required to comply with the new requirements within 90 days. Child restraint manufacturers were required to comply within 180 days. The longer leadtime for child restraints was an acknowledgement that child restraint manufacturers would have to change their manufacturing process to include a means of permanently labeling the padding or cushion, a process that was not then employed. Because the labels affected by that rulemaking were manufactured using processes that are more involved than the typical sticky label on the side of a child restraint, leadtime of 180 days should be feasible for the current proposal.

However, the same need for expedited action does not exist as existed for air bags. Also, this proposal would require a change in most, if not all, labels currently on child restraints. NHTSA also acknowledges that, if it were to require permanent molding or some similar technology, a longer leadtime would be needed for those labels. In addition, NHTSA is proposing changes to the written requirements.

Based upon these considerations, NHTSA is proposing a leadtime of one year for the proposed changes to child restraint labels and written instructions. In addition, to encourage the earliest possible installation of the new enhanced labels, NHTSA would allow manufacturers to install the new labels and provide the new written instructions before the required date.

This correction does not affect the statements made in the “Rulemaking

Analyses and Notices" section of the November 2, 2002 NPRM.

Comments

How Do I Prepare and Submit Comments?

Your comments must be written and in English. To ensure that your comments are correctly filed in the Docket, please include the docket number of this document in your comments.

Your comments must not be more than 15 pages long. (49 CFR 553.21). We established this limit to encourage you to write your primary comments in a concise fashion. However, you may attach necessary additional documents to your comments. There is no limit on the length of the attachments.

Please submit two copies of your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

How Can I Be Sure That My Comments Were Received?

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

How Do I Submit Confidential Business Information?

If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, at the address given above under **FOR FURTHER INFORMATION CONTACT**. In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to Docket Management at the address given above under **ADDRESSES**. When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in our confidential business information regulation. (49 CFR part 512.)

Will the Agency Consider Late Comments?

We will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

How Can I Read the Comments Submitted by Other People?

You may read the comments received by Docket Management at the address given above under **ADDRESSES**. The hours of the Docket are indicated above in the same location.

You may also see the comments on the Internet. To read the comments on the Internet, take the following steps:

1. Go to the Docket Management System (DMS) Web page of the Department of Transportation (<http://dms.dot.gov/>).
2. On that page, click on "search."
3. On the next page type in the four-digit docket number shown at the beginning of this document. Example: If the docket number were "NHTSA-1999-1234," you would type "1234." After typing the docket number, click on "search."

4. On the next page, which contains docket summary information for the docket you selected, click on the desired comments. You may download the comments. However, since the comments are imaged documents, instead of word processing documents, the downloaded comments are not word searchable.

Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the Docket for new material.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, 30166 and 30177; delegation of authority at 49 CFR 1.50.

Issued on November 26, 2001.

Stephen R. Kratzke,

Associate Administrator for Safety Performance Standards.

[FR Doc. 01-29637 Filed 11-28-01; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AI18

Endangered and Threatened Wildlife and Plants; Proposed Rule To List the Carson Wandering Skipper as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to

make permanent the provisions of the emergency rule listing the Carson wandering skipper (*Pseudocopa eunus obscurus*) in California and Nevada as an endangered species under the Endangered Species Act of 1973, as amended (Act). The emergency rule listing the population is published concurrently in this issue of the **Federal Register**.

The Carson wandering skipper is currently known from only two populations, one in Washoe County, Nevada, and the other in Lassen County, California. This subspecies is threatened by a variety of factors including habitat destruction, degradation, and fragmentation due to agricultural practices (such as excessive livestock grazing and wetland habitat modification), urban development, and non-native plant invasion. Other threats include impacts from collecting, livestock trampling, approved and proposed water exportation projects, road construction, recreation, pesticide drift, and inadequate regulatory mechanisms. Extinction could also occur by naturally occurring events due to the small, isolated nature of the remaining populations. We find these threats constitute immediate and significant risk to the species.

We solicit additional data and information that may assist us in making a final decision on this proposed action. This proposal, if made final, would extend the Federal protection and recovery provisions of the Act to this subspecies.

DATES: We will accept comments until the close of business on January 28, 2002. Public hearing requests must be received by January 14, 2002.

ADDRESSES: Comment submission: If you wish to comment, you may submit your comments and materials by any one of several methods:

(1) You may submit written comments and information to the Field Supervisor, Nevada Fish and Wildlife Office, U.S. Fish and Wildlife Service, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502.

(2) You may hand-deliver written comments to our Nevada Fish and Wildlife Office at the address given above.

(3) You may send comments by electronic mail (e-mail) to: fw1renoskipper@r1.fws.gov. See the Public Comments Solicited section below for file format and other information on electronic filing.

FOR FURTHER INFORMATION CONTACT: Robert D. Williams, Field Supervisor, Nevada Fish and Wildlife Office (see **ADDRESSES** section) (telephone 775/861-