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Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 00–110–4]

West Indian Fruit Fly

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rules as final rule.

SUMMARY: We are adopting as a final rule, without change, two interim rules regarding West Indian fruit fly. The first interim rule established regulations restricting the movement of regulated articles from a newly established quarantined area in Cameron County, TX. The second interim rule removed the quarantine on that portion of Cameron County, TX, and thus removed the restrictions on the interstate movement of regulated articles from that area. The first interim rule was necessary to prevent the spread of West Indian fruit fly to noninfested areas of the United States, and the second interim rule was necessary to reflect our determination that the West Indian fruit fly had been eradicated from Cameron County, TX.

EFFECTIVE DATE: The first interim rule, as corrected, became effective on January 12, 2001; and the second interim rule became effective June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Spaide, Director for Surveillance and Emergency Programs Planning and Coordination, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–8247.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective January 12, 2001, and published in the **Federal Register** on January 22, 2001 (66 FR 6429–6436, Docket No. 00–110–1), we amended the Domestic Quarantine Notices in 7 CFR part 301 by adding a new ''Subpart—West Indian Fruit Fly'' (7 CFR 301.98 through 301.98–10, referred to below as the regulations). The regulations designated a portion of Cameron County, TX, as a quarantined area because of an infestation of West Indian fruit fly and restricted the interstate movement of regulated articles from the quarantined area. In a document published in the **Federal Register** on April 20, 2001 (66 FR 20186, Docket No. 00–110–2), we corrected the definition for *Day degrees* in § 301.98–1 to rectify an error in the day degrees formula provided in that definition. In a second interim rule effective on June 1, 2001, and published in the **Federal Register** on June 25, 2001 (66 FR 33631–33632, Docket No. 00–110–3), we amended the regulations by removing the quarantine on a portion of Cameron County, TX, and removing restrictions on the interstate movement of regulated articles from that area based on our determination that the West Indian fruit fly had been eradicated from that area. Upon the effective date of our June 2001 interim rule, there were no longer any areas in the continental United States quarantined for the West Indian fruit fly.

Comments on each interim rule were required to be received on or before 60 days after the date of its publication in the **Federal Register**. We did not receive any comments on either of the interim rules. Therefore, for the reasons given in the interim rules, we are adopting the interim rules as a final rule.

This action also affirms the information contained in the interim rules concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301 DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule establishing ''Subpart—West Indian Fruit Fly'' (7 CFR 301.98 through 301.98–10) that was published at 66 FR 6429–6436 on January 22, 2001, as corrected by the document published at 66 FR 20186 on April 20, 2001, and as amended by the interim rule published at 66 FR 33631–33632 on June 25, 2001.

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

Done in Washington, DC, this 14th day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4175 Filed 2–20–02; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 764

RIN 0560–AF72

Streamlining of the Emergency Farm Loan Program Loan Regulations; Correction

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final rule which was published Tuesday, January 8, 2002 (67 FR 791–801). Several definitions were incorrectly numbered and several regulatory sections were incorrectly cited. These errors are corrected with this document.

DATES: Effective on February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Tom Witzig, (202) 205–5851.

SUPPLEMENTARY INFORMATION: In the final rule published on January 8, 2002, (67 FR 791–801) make the following corrections.

1. On page 796, in the first column, in the definition for ''Established

farmer'' paragraphs (a) through (e) introductory text are redesignated as paragraphs (1) through (5) and paragraphs (e)(1) through (e)(4) are redesignated as paragraphs (5)(i) through (5)(iv).

2. On page 796, in the second column, in the definition for ''Family farm'' paragraphs (a), (b) introductory text, (b)(1), (b)(2), (b)(3), (c) introductory text, (c)(1), (c)(2), (d) introductory text, (d)(1), (d)(2) and (e) are redesignated as paragraphs (1), (2), (2)(i), (2)(ii), (2)(iii), (3), (3)(i), (3)(ii), (4), (4)(i), (4)(ii) and (5).

3. On page 796, in the second column, in the definition for ''Feasible plan'' paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

4. On page 796, in the third column, in the definition for ''Normal production yield'' paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

5. On page 800, § 764.9, paragraphs (a) and (b)(2), the references to ''§ 761.8'' are corrected to read ''§ 761.7''.

Signed at Washington, DC on February 12, 2002.

J.B. Penn,

Under Secretary for Farm and Foreign, Agricultural Services.

[FR Doc. 02–4099 Filed 2–20–02; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

Farm Service Agency

7 CFR Part 1951

RIN 0560–AG43

Farm Loan Programs Account Servicing Policies—Reduction of Amortized Shared Appreciation Recapture Amortization Rate

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: The Farm Service Agency (FSA) is amending its regulations to reduce the amortization rate on Shared Appreciation Agreement recapture and clarify the references made to Shared Appreciation (SA) loans.

Pursuant to statutory mandate, the amortization rate on all future (SA) payment agreements will be the current Homestead Protection Program interest rate less 100 basis points (1 percent). In addition, the amortization rate on all SA payment agreements in existence as of October 28, 2000, will be similarly reduced.

Additionally, SA loans will now be referred to as SA amortized payments and the Promissory Notes used in the amortization of these amounts will be referred to as payment agreements. This change is being made to clarify the fact that SA agreements are an amortization of an existing debt which is not derived from obligated loan funds.

DATES: Effective March 25, 2002.

FOR FURTHER INFORMATION CONTACT: Michael Cumpton, Farm Loan Programs, Loan Servicing and Property Management Division, United States Department of Agriculture, Farm Service Agency, STOP 0523, 1400 Independence Avenue, SW, Washington, DC 20250–0523, telephone (202) 690–4014; electronic mail: *mike_cumpton@wdc.fsa.usda.gov.*

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be significant and was reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601–602), the undersigned has determined and certified by signature of this document that this rule will not have a significant economic impact on a substantial number of small entities. New provisions included in this rule will not impact a substantial number of small entities to a greater extent than large entities. Therefore, a regulatory flexibility analysis was not performed.

Environmental Evaluation

It is the determination of FSA that this action is not a major Federal action significantly affecting the environment. Therefore, in accordance with the National Environmental Policy Act of 1969, and 7 CFR part 1940, subpart G, an Environmental Impact Statement is not required.

Executive Order 12988

This rule has been reviewed in accordance with Executive Order 12988, Civil Justice Reform. In accordance with this executive order: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) except as specifically stated in this rule, no retroactive effect will be given to this rule; and (3) administrative proceedings in accordance with 7 CFR parts 11 and 780 must be exhausted before seeking judicial review.

Executive Order 12372

For reasons contained in the notice related to 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), the programs within this rule are excluded from the scope of E.O. 12372, which requires intergovernmental consultation with State and local officials.

The Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments or the private sector of $100 million or more in any 1 year. When such a statement is needed for a rule, section 205 of the UMRA requires FSA to prepare a written statement, including a cost and benefit assessment, for proposed and final rules with ''Federal mandates'' that may result in such expenditures for State, local, or tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates, as defined under title II of the UMRA, for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Executive Order 13132

The policies contained in this rule do not have any substantial direct effect on 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. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Paperwork Reduction Act

The amendments to 7 CFR part 1951 contained in this rule require no revisions to the information collection requirements that were previously approved by OMB (0560–0161) under the provisions of 44 U.S.C. chapter 35.

Federal Assistance Programs

These changes affect the following FSA programs as listed in the Catalog of Federal Domestic Assistance:

10.404—Emergency Loans

10.406—Farm Operating Loans

10.407—Farm Ownership Loans

Discussion of the Final Rule

The Farm Service Agency (FSA) published a final rule on August 18, 2000, (65 FR 50401–50405) to change the amortization rate of the Shared Appreciation Agreement recapture amortization and reamortization from the Non-Program rate to the Homestead Protection Program rate. Section 818 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, (2001 Appropriations Act) enacted on October 28, 2000, mandates that the amortization rate on all Shared Appreciation (SA) amortization agreements made after enactment will be reduced to the current Homestead Protection Program interest rate less 100 basis points (1 percent). This rate will be referred to as the SA amortization rate. In addition, section 818 of the 2001 Appropriations Act requires the interest rate on all SA amortizations existing as of the date of enactment of the 2001 Appropriations Act, to be reduced to the SA amortization rate as of that date. To comply with the 2001 Appropriations Act, FSA is publishing this final rule. The changes enacted herein were mandated by statute. The changes in terminology regarding SA amortized payments amounts are simply clarifications of the existing regulation. Therefore, notice and comment are impractical, unnecessary and contrary to the public interest and not required.

List of Subjects in 7 CFR Part 1951

Account Servicing, Credit, Debt Restructuring, Loan Programs—Agriculture.

Accordingly, 7 CFR part 1951 is amended as follows:

PART 1951—SERVICING AND COLLECTIONS

1. The authority citation for part 1951 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 31 U.S.C. 3716; 42 U.S.C. 1480.

2. Revise the heading for subpart S to read as follows:

Subpart S—Farm Loan Programs Account Servicing Policies

§ 1951.901 [Amended]

3. Revise the third sentence in § 1951.901 to read as follows:

* * * Shared Appreciation amortized payments (SA) may be reamortized under this subpart if the borrower also has outstanding FLP program loans.* * *

4. In § 1951.909 revise paragraph (e)(2)(vii)(D) and the third sentence of paragraph (e)(2)(viii)(A) to read as follows:

§ 1951.909 Processing primary loan service programs requests.

* * * * *

(e) * * *

(2) * * *

(vii) * * *

(D) SA payment agreements may not exceed 25 years from the date of the original amortized agreement.

* * * * *

(viii) * * *

(A) * * * SA payment agreements will be reamortized at the current SA amortization rate in effect on the date of approval or the rate on the original payment agreement, whichever is less.

* * * * *

5. In § 1951.914 revise paragraph (e) to read as follows:

§ 1951.914 Servicing shared appreciation agreements.

* * * * *

(e) *Shared appreciation amortization.* Shared appreciation may be amortized to a nonprogram amortized payment for borrowers who will continue with FSA on program loans. Shared appreciation will not be amortized if the amount is due because of acceleration, payment in full or satisfaction of the debt, or the borrower ceases farming. The amount due may be converted to an SA amortized payment under the following conditions:

(1) The borrower must have a feasible plan as defined in § 1951.906 including the SA amortized payment.

(2) The borrower must be unable to pay the shared appreciation, or obtain the funds elsewhere to pay the shared appreciation.

(3) [Reserved]

(4) [Reserved]

(5) The payment agreement term will be based on the borrower's repayment ability and the life of the security, not to exceed 25 years.

(6) The interest rate will be the SA amortization rate contained in RD Instruction 440.1 (available in any FSA office).

(7) A lien will be obtained on any remaining FSA security, or if there is no security remaining, the best lien obtainable on any other real estate or chattel property sufficient to secure the SA payment agreement, if available.

(8) The borrower will sign a payment agreement for each SA amortized payment established.

(9) [Reserved]

(10) [Reserved]

(11) If the borrower has no outstanding Farm Loan Program loans and becomes delinquent on the SA amortized payment, the SA payment agreement will be serviced in accordance with subpart J of this part. If the borrower has outstanding Farm Loan Programs loans, and becomes delinquent or financially distressed in accordance with § 1951.906, the SA amortized payment will be considered for reamortization in accordance with § 1951.909(e).

* * * * *

Signed in Washington, DC, on February 12, 2002.

J.B. Penn,

Under Secretary for Farm and Foreign Agricultural Services.

[FR Doc. 02–4100 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 217

[INS No. 2188–02; AG ORDER No. 2561–2002]

RIN 1115–AB93

Termination of the Designation of Argentina as a Participant Under the Visa Waiver Program

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: The Visa Waiver Program (VWP) permits nationals from designated countries to apply for admission to the United States for ninety (90) days or less as visitors for business or pleasure without first obtaining a nonimmigrant visa. On July 8, 1996, Argentina was added as a participating country in the VWP. Due to the current economic crisis in Argentina and the increase in the number of Argentine nationals attempting to use the program to live and work illegally in the United States, the Department of Justice, in consultation with the Department of State, has determined that Argentina's participation in the VWP is inconsistent with the U.S. interest in enforcement of the immigration laws of the United States. Accordingly, this rule terminates Argentina's designation as a VWP participant. Argentine nationals who intend to travel to the United States for legitimate business or pleasure must acquire a nonimmigrant visa at a U.S. consulate or embassy prior to their arrival in the United States.

DATES: *Effective date:* This interim rule is effective February 21, 2002.

Comment date: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Please submit written comments to the Director, Regulations and Forms Services Division, Immigration and Naturalization Service, 425 I Street, NW, Room 4034, Washington, DC 20536. To ensure proper handling, please reference INS No. 2188–02 on your correspondence. Comments may be submitted electronically to the Immigration and Naturalization Service (Service) at *insregs@usdoj.gov.* Comments submitted electronically should include the INS No. 2188–02 in the subject heading. Comments are available for public inspection at the above address by calling (202) 514–3048 to arrange for an appointment.

FOR FURTHER INFORMATION CONTACT: Marty Newingham, Assistant Chief Inspector, Inspections Division, Immigration and Naturalization Service, 425 I Street NW, Room 4064, Washington, DC 20536, telephone number: (202) 616–7992.

SUPPLEMENTARY INFORMATION:

What Is the VWP?

The VWP permits nationals from designated countries to apply for admission to the United States for ninety (90) days or less as nonimmigrant visitors for business or pleasure without first obtaining a nonimmigrant visa from a U.S. consular officer abroad, provided that all statutory and regulatory requirements are met. 8 U.S.C. 1187(a). If arriving by air or sea, a VWP traveler must arrive on a carrier that signed an agreement (signatory carrier) guaranteeing to transport inadmissible or deportable VWP travelers out of the United States at no expense to the United States. 8 U.S.C. 1187(e).

Why Is Argentina's Designation in the VWP Being Terminated?

Since December 2001, Argentina has been experiencing a serious economic crisis, including defaulting on loans by foreign creditors, devaluation of its currency, and increased levels of unemployment and poverty. As the economic climate has deteriorated in Argentina, the Immigration and Nationalization Service (Service) has experienced a pronounced increase in the number of Argentine nationals attempting to use the VWP to enter the United States to live and work illegally. While the number of Argentine nonimmigrant travelers to the United States declined between 1998 (518,770) and 2000 (516,153), the number of Argentines denied admission at the border rose from 173 cases in 1998 to 529 cases in 2000. Preliminary data suggest that the number of Argentines refused admission at the border nearly doubled from 2000 to 2001. Interior apprehensions also increased from 97 cases in 1998 to 230 cases in 2001. Since November 2001, Argentine VWP applicants for admission have been telling U.S. immigration officers at ports-of-entry (POEs) that they intend to reside in and seek employment in the United States because of the poor economic situation in Argentina. Many Argentine nationals use the VWP to obtain entry to the United States solely for the purpose of proceeding to the Canadian border and pursuing an asylum claim in Canada. According to Citizenship and Immigration Canada (CIC), over the last two years, more than 2,500 Argentines have filed refugee claims in Canada after transiting the United States under the VWP.

While the Argentine passport itself is a relatively secure document, the process for obtaining the documents to procure a passport lacks integrity, adding to the risk of successful organized smuggling of aliens into the United States.

Terminating Argentina's VWP program designation, thereby reinstating the regular nonimmigrant visa requirements for Argentine nationals, will make it more difficult for unauthorized immigrants to enter the United States. As with nationals of all other countries not designated for VWP, Argentine nationals seeking to enter the United States will have to apply for a nonimmigrant visa at a U.S. consular office abroad, and they will be screened again by an immigration officer at a U.S. port of entry to determine admissibility.

What Legal Authority Has the Attorney General Invoked To Terminate Argentina's VWP Designation?

Sections 217(c)(5)(B)(i) and (c)(5)(B)(ii)(IV) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(5)(B)(i) and (c)(5)(B)(ii)(IV)) require the Attorney General, in consultation with the Secretary of State, to terminate a country's VWP designation if he determines that a severe economic collapse in a program country threatens the law enforcement or security interests of the United States, including the interest in enforcement of the immigration laws of the United States.

What Does This Rule Do?

The Attorney General, in consultation with the Department of State, has determined that, due to the existence of the conditions set forth in INA section 217(c)(5)(B)(ii)(IV), Argentina's participation in the VWP threatens the United States' interest in enforcement of the immigration laws. Accordingly, Argentine citizens are no longer eligible to participate in the VWP. Effective February 21, 2002, Argentina is removed as a participating country in the VWP.

What Is the Legal Status of an Argentine National Who Was Admitted to the United States Under the VWP Before February 21, 2002 and Who Has Time Remaining on His or Her Period of Admission?

As long as the alien lawfully gained admission under the VWP before the effective date of this termination of designation notice, and continues to be in compliance with the terms of his or her admission, he or she may remain in the United States for the period of time authorized on the date of admission.

The Department notes, however, that an alien admitted as a visitor for business or pleasure under the VWP is not eligible for change or extension of nonimmigrant status under the existing regulations.

Good Cause Exception

This interim rule is effective February 21, 2002, although the Service invites post-promulgation comments and will address any such comments in a final rule. The Service finds that good cause exists for adopting this rule without the prior notice and comment period ordinarily required by 5 U.S.C. 553 for the following reasons. Since December 2001, Argentina has experienced a severe economic crisis and, at the same time, the Service has experienced an increasing number of Argentines attempting to use the program to work and live illegally in the United States—thus abusing the program. Increasing program abuse by Argentine nationals is inconsistent with the United States' interest in enforcing its immigration laws. Reestablishing the normal nonimmigrant visa requirements for Argentine nationals will have the immediate effect of stemming the flow of unauthorized immigration to the United States by such nationals. It would be contrary to the law and the public interest to allow such a threat to the immigration enforcement interests of the United States to continue. Because delaying the effective date of this interim rule is impractical and contrary to the public interest, there is good cause under 5 U.S.C. 553 to make this rule effective upon publication in the **Federal Register**.

Regulatory Flexibility Act

The Attorney General, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. Although individuals doing business with small entities will no longer be allowed to enter the United States without having a visa, they will be able to seek admission to the United States by obtaining a nonimmigrant visa at a United States consulate or embassy prior to arrival in the United States. This action is necessary to further the law enforcement and national security interests of the United States.

Executive Order 12866

This rule is considered by the Department of Justice, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review. Accordingly, this rule has been submitted to the Office of Management and Budget (OMB) for review.

Executive Order 13132

This rule 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, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Act of 1996. 5 U.S.C. 804. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12988

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995, Public Law 104–13, 109 Stat. 163, all departments are required to submit to OMB, for review and approval, any reporting requirements inherent in a final rule. This rule does not impose any new reporting and recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects in 8 CFR Part 217

Air carriers, Aliens, Maritime carriers, Passports and visas.

Accordingly, 8 CFR chapter I is amended as follows:

PART 217—VISA WAIVER PROGRAM

1. The heading for part 217 is revised as set forth above.

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

Authority: 8 U.S.C. 1103, 1187; 8 CFR part 2.

§ 217.2 [Amended]

3. Section 217.2(a) is amended under the definition ''Designated country'' by removing ''Argentina,'' from the list of countries.

Dated: February 15, 2002.

Larry D. Thompson,

Acting Attorney General.

[FR Doc. 02–4260 Filed 2–19–02; 2:20 pm]

BILLING CODE 4410–10–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–332–AD; Amendment 39–12660; AD 2002–04–03]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Fokker Model F27 Mark 050 series airplanes. This action requires reinforcement of the structural provisions for the Global Positioning System (GPS) antenna by replacement of existing fasteners with new fasteners, and installation of conical washers and a doubler plate at stringer 26, as applicable. This action is necessary to prevent cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, leading to reduced structural integrity of the fuselage pressure vessel, which could result in depressurization of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective March 8, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 8, 2002.

Comments for inclusion in the Rules Docket must be received on or before March 25, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–332–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9-anm-iarcomment@faa.gov.* Comments sent via fax or the Internet must contain ''Docket No. 2001–NM–332–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tom Groves, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1503; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority—The Netherlands (CAA–NL), which is the airworthiness

authority for the Netherlands, notified the FAA that an unsafe condition may exist on certain Fokker Model F27 Mark 050 series airplanes. The CAA–NL advises that, during a product review, Fokker Services discovered that the structural provisions for the Global Positioning System (GPS) antenna do not meet pertinent structural strength requirements. Failure to meet these structural strength requirements could lead to reduced fatigue life of the GPS antenna's structural provisions. This condition, if not corrected, could result in cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, reduced structural integrity of the fuselage pressure vessel, and possible depressurization of the airplane.

Explanation of Relevant Service Information

Fokker Services B.V. has issued Fokker Service Bulletin SBF50–53–055, dated May 25, 2001. This service bulletin describes procedures for reinforcement of the structural provisions for the GPS antenna by replacement of existing fasteners with new fasteners. For certain airplanes, the reinforcement of the structural provisions for the GPS antenna also necessitates installation of conical washers and a doubler plate at stringer 26. Accomplishment of the applicable actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The CAA–NL classified this service bulletin as mandatory and issued Dutch airworthiness directive 2001–092, dated July 31, 2001, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

These airplane models are manufactured in the Netherlands and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA–NL has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA–NL, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, which could result in reduced structural integrity of the fuselage pressure vessel and consequent depressurization of the airplane. This AD requires accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between AD, Service Information, and Foreign Airworthiness Directive

The service bulletin and foreign airworthiness directive recommend that the actions in the service bulletin be accomplished within 6,000 flight cycles after installation of the structural provisions for the GPS antenna. The FAA finds, however, that such a compliance time could ground airplanes upon the effective date of this AD. Therefore, this AD provides a grace period of 60 days after the effective date of this AD for airplanes that have passed the 6,000-flight-cycle compliance threshold.

Cost Impact

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane that is subject only to the replacement of fasteners be imported and placed on the U.S. Register in the future, it would require approximately 2 work hours to accomplish the required reinforcement, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this AD would be $120 per airplane.

Should an affected airplane that is subject to both the replacement of fasteners and the installation of conical fasteners and a doubler be imported and placed on the U.S. Register in the future, it would require approximately 4 work hours to accomplish the required reinforcement, at an average labor rate of $60 per work hour. Required parts would cost approximately $142 per airplane. Based on these figures, the cost impact of this AD would be $382 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, 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 shall 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 in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 AD 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 Number 2001–NM–332–AD.''

The postcard will be date-stamped and returned to the commenter.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2002–04–03 Fokker Services B.V.: Amendment 39–12660. Docket 2001–NM–332–AD.

Applicability: Model F27 Mark 050 series airplanes, as listed in Fokker Service Bulletin SBF50–53–055, dated May 25, 2001, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent cracking of the structure of the fuselage pressure vessel in the area of the Global Positioning System (GPS) antenna, leading to reduced structural integrity of the fuselage pressure vessel, which could result in depressurization of the airplane, accomplish the following:

Reinforcement of Structural Provisions for GPS Antenna

(a) Within 6,000 flight cycles since installation of structural provisions for the GPS antenna per Fokker Service Bulletin SBF50–34–047, or Fokker Engineering Report FS–N399 or FS–N364, as applicable; or within 60 days after the effective date of this AD; whichever occurs later: Reinforce the structural provisions for the GPS antenna by replacing existing fasteners with new fasteners, and installing conical washers and a doubler plate at stringer 26, as applicable, per Fokker Service Bulletin SBF50–53–055, dated May 25, 2001.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(d) The actions shall be done in accordance with Fokker Service Bulletin SBF50–53–055, dated May 25, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in Dutch airworthiness directive 2001–092, dated July 31, 2001.

Effective Date

(e) This amendment becomes effective on March 8, 2002.

Issued in Renton, Washington, on February 11, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3850 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–390–AD; Amendment 39–12659; AD 2002–04–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300 F4–605R Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A300 F4–605R airplanes, that requires installation of external doublers at frames 29 and 33. The actions specified by this AD are intended to prevent fatigue cracking of certain circumferential joints, which could result in reduced structural integrity of the fuselage in the vicinity of the upper deck cargo door.

DATES: Effective March 28, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2797; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A300 F4–605R airplanes was published in the **Federal Register** on April 30, 2001 (66 FR 21292). That action proposed to require installation of external doublers at frames 29 and 33.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comment received.

Request To Expand Applicability of AD

The commenter, the manufacturer, says that French airworthiness directive 2000–456–323(B), issued by the Direction Générale de l'Aviation Civile (DGAC), applies to both Airbus Model A300 F4–605R production freighters and Model A300 series airplanes that have been converted to freighter configurations by supplemental type certificates (STCs) approved by the DGAC. However, the notice of proposed rulemaking (NPRM) issued by the FAA does not apply to airplanes that have been converted to freighter configurations. The commenter requests that the applicability of the AD be expanded to include Airbus Model A300 series airplanes which have been converted to freighter configurations by STC's approved by the FAA.

The FAA does not concur. The service bulletins cited by the DGAC in the French airworthiness directive apply only to production freighters and not to airplanes converted to freighter configurations in accordance with STCs. To address these converted airplanes, the FAA plans to work with the holders of STCs for those airplanes to evaluate the upper fuselage circumferential joints for fatigue. Depending upon the results, the FAA may issue further rulemaking addressing those airplanes.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 32 Model A300 F4–605R airplanes of U.S. registry will be affected by this AD, that it will take approximately 85 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $1,820 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $221,440 or $6,920 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2002–04–02 Airbus Industrie: Amendment 39–12659. Docket 2000–NM–390–AD.

Applicability: Model A300 F4–605R airplanes, certificated in any category, except those on which Airbus production Modification 12081 or the modification specified by Airbus Service Bulletin A300–53–6119, Revision 01, dated September 25, 2000, has been installed.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent fatigue cracking of certain circumferential joints, which could result in reduced structural integrity of the fuselage in the vicinity of the upper deck cargo door, accomplish the following:

Installation of Doublers

(a) Before the airplane accumulates 10,000 total flight cycles, or within 6 months after the effective date of this AD, whichever occurs later: Install external doublers at frames 29 and 33, in accordance with Airbus Service Bulletin A300–53–6119, Revision 01, dated September 25, 2000.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(d) The installation shall be done in accordance with Airbus Service Bulletin

A300–53–6119, Revision 01, dated September 25, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in French airworthiness directive 2000–456–323(B), dated November 15, 2000.

Effective Date

(e) This amendment becomes effective on March 28, 2002.

Issued in Renton, Washington, on February 11, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3849 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–298–AD; Amendment 39–12658; AD 2002–04–01]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 Series Airplanes; Model MD–88 Airplanes; and Model MD–90 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes, that currently requires a visual check to determine the part and serial numbers of the upper lock link assembly of the nose landing gear (NLG); repetitive inspections of certain upper lock link assemblies to detect fatigue cracking; and modification of the NLG. The existing AD also provides for terminating action for the repetitive inspections. This amendment requires, among other actions, expanding the applicability of the existing AD, revising compliance times; and adding new inspection requirements. This amendment is prompted by a report indicating that an NLG upper lock link fractured prior to landing and jammed against the NLG shock strut, restricting the NLG from fully extending. The actions specified by this AD are intended to prevent the upper lock link assembly from fracturing due to fatigue cracking, and the NLG consequently failing to extend fully; this condition could result in injury to passengers and flight crew, and damage to the airplane.

DATES: Effective March 28, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1–L5A (D800–0024). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Brent Bandley, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5237; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 97–02–10, amendment 39–9895 (62 FR 3781, January 27, 1997), applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes, was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on February 14, 2001 (66 FR 10243). That supplemental NPRM would have, among other actions, revised a list of suspect parts; delayed accomplishment of a certain replacement; and revised the initial compliance time proposed by the original NPRM.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Request for Credit for Previously Accomplished Actions

One commenter requests that the FAA revise the proposed AD to specify that operators will be given ''credit'' for having previously accomplished the actions required by AD 97–02–10 per McDonnell Douglas Service Bulletin DC9–32–315 and Boeing Service Bulletin MD90–32–033, Revision 01, both dated October 24, 2000. The commenter states that both of those service bulletins contain statements that they have been approved as an alternative methods of compliance (AMOC) with the requirements of AD 97–02–10. The commenter notes that paragraph (f)(2) of the proposed AD states, ''Alternative methods of compliance, approved previously in accordance with AD 97–02–10, amendment 39–9895, are approved as alternative methods of compliance with paragraph (f)(1) of this AD.''

The FAA partially agrees. Operators are given credit for work previously performed by means of the phrase in the ''Compliance'' section of the AD that states, ''Required as indicated, unless accomplished previously.'' Therefore, in the case of this AD, if the required actions have been accomplished before the effective date of this AD, this AD does not require those actions to be repeated. However, we find that clarification with regard to paragraph (f)(2) of this AD is necessary. AMOCs approved previously in accordance with AD 97–02–10 are approved as AMOCs with this AD, not just paragraph (f)(1) of this AD as referenced in the proposed AD. Therefore, we have revised paragraph (f)(2) of this AD accordingly.

Request To Revise Applicability Statement

One commenter requests that the applicability of the proposed AD be revised to apply to affected airplanes on which upper lock link, part number (P/N) 3914464, has been installed.

The FAA agrees that revising the applicability would clarify that the AD affects those applicable airplanes equipped with upper lock links, P/N 3914464–1, –501, or –503. We have revised the applicability of the final rule to ''Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes; as listed in Boeing Service Bulletins DC9–32–315, and MD90–32–033, both Revision 01, dated October 24, 2000; certificated in any category; equipped with upper lock links, P/N 3914464–1, –501, or –503.'' In addition, we have revised the P/N of those links in paragraphs (a) and (c)(2)(iii) of the final

rule to include the specific dash numbers.

Request To Revise the Applicability of Certain Paragraphs

One commenter requests that the applicability of paragraphs (a)(1) and (a)(2) of the proposed AD be revised to include a reference to paragraph (c) of AD 97–02–10, in addition to the reference to paragraph (c)(1) of AD 97–02–10. The commenter is concerned that there is a time gap between inspections required by paragraph (c) of AD 97–02–10 and those required by paragraphs (a)(1) and (a)(2) of the proposed AD.

The FAA does not agree. We did not reference paragraph (c) of AD 97–02–10 in the applicability of paragraph (a)(1) or (a)(2) of the proposed AD because that paragraph only requires an initial inspection. The follow-on (i.e., repetitive inspections) and corrective (i.e., replacement) actions occur in paragraph (c)(1) of AD 97–02–10.

The FAA's intent in paragraph (a)(1) of this AD is to ensure that operators that have accomplished the inspection per paragraph (c)(1) of AD 97–02–10 will accomplish the required removal and inspections ''before 5,000 landings since the last inspection done per paragraph (c)(1) of AD 97–02–10, or within 90 days after the effective date of this AD, whichever occurs later.'' If an airplane accumulates 5,000 landings just after the effective date of this AD, then the operator would have 90 days to accomplish the AD.

The FAA's intent in paragraph (a)(2) of this AD is to ensure that operators that have NOT accomplished the inspection per paragraph (c)(1) of AD 97–02–10 will accomplish the required removal and inspections ''within 2,500 landings on the NLG after the effective date of this AD.'' Those affected by paragraph (a)(2) of this AD include but are not limited to: the upper lock links found to be exempt in AD 97–02–10 and airplanes that have been added to the applicability of this AD, which were NOT subject to the requirements of AD 97–02–10.

In light of these findings, the FAA finds that no change to the final rule is necessary in this regard.

Request for an Alternative Method of Compliance

One commenter requests that all areas of the proposed AD that specify reidentifying the lock link with an ''F'' after the part number include a ''compressive vibro-peening etch'' method in addition to the electro chemical deep etch method identified in the proposed AD. The commenter states that the results of a Boeing stress analysis revealed that, ''although an electro chemical deep etch process is the preferred method, the use of a vibro-peening, compressing tool to scribe an ''F'' after the part number will not reduce the overall strength or fatigue life of the unit.'' The commenter also notes that McDonnell Douglas Service Bulletin DC9–32–315, dated March 11, 1999, describes procedures for a non-descript procedure ''electro etch'' to apply an ''F'' after the part number, and that it used a ''vibro-peening'' tool to etch the ''F'' in the material on all of its airplanes.

The FAA does not agree. As discussed in the preamble of the supplemental NPRM, Revision 01 of Boeing Service Bulletin DC9–32–315, dated October 24, 2000, redefines the type of etching method to be used when marking certain parts as ''electro chemical deep etch method.'' We find only the electro chemical deep etch method to be acceptable for compliance with the reidentification requirements of this AD based on the testing that Boeing has done to support this method. At this time, Boeing has not conducted sufficient testing of the compressive vibro-peening process.

Request To Revise Certain Compliance Times

For clarification purposes, one commenter requests that the compliance time specified in paragraphs (a)(2) and (d) of the proposed AD be revised to within 2,500 landings on the NLG ''upper lock link.'' The FAA concurs and has revised those paragraphs of the final rule accordingly.

Request To Remove Requirement for Black Stripe

One commenter requests that paragraph (c)(2)(ii) of the proposed AD be revised to include the following statement: ''If an operator can track the location and limits of each individual link, then painting of the black stripe is not necessary.'' The commenter states that adding a black paint strip to the non-die forged link will add no value to the inspection and replacement tracking of the part for ABX.

The FAA does not agree. The black stripe is used to distinguish the upper lock links made from plate or bar material that are being repetitively inspected until they are replaced. We have confidence that operators have the capability to track these parts. However, we have determined that the black stripe should be painted adjacent to the part number to distinguish the upper lock link from other parts.

Request for Clarification

One commenter would like confirmation that if no manufacturer's serial number is found stamped on the upper lock link, the link is not from the affected lot of hand forged links.

The FAA agrees with the commenter that if no manufacturer's serial number is found stamped on the upper lock link, the link is not from the affected lot of hand forged links. Therefore, operators must accomplish the etch inspection required by paragraph (c) of this AD, as specified in paragraph (b)(1) of this AD.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 2,100 Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,400 airplanes of U.S. registry will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required inspections of the NLG upper lock link, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this inspection required by this AD on U.S. operators is estimated to be $84,000, or $60 per airplane.

It will take approximately 4 work hours per airplane to accomplish each required replacement of the NLG upper lock link, at an average labor rate of $60 per work hour. Required parts will cost approximately $5,803 per airplane. Based on these figures, the cost impact of each replacement required by this AD on U.S. operators is estimated to be $8,460,200, or $6,043 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time

required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–9895 (62 FR 3781, January 27, 1997), and by adding a new airworthiness directive (AD), amendment 39–12658, to read as follows:

2002–04–01 McDonnell Douglas: Amendment 39–12658. Docket 97–NM–298–AD. Supersedes AD 97–02–10, Amendment 39–9895.

Applicability: Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes; as listed in Boeing Service Bulletins DC9–32–315, and MD90–32–033, both Revision 01, dated October 24, 2000; certificated in any category; equipped with upper lock links, part number (P/N) 3914464–1, –501, or –503.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (f)(1) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent the upper lock link assembly of the nose landing gear (NLG) from fracturing due to fatigue cracking, and the NLG consequently failing to extend fully, which could result in injury to passengers and flight crew, and damage to the airplane, accomplish the following:

Removing and Retaining Upper Lock Link

(a) Remove and retain the upper lock link, P/N 3914464–1, –501, or –503, and attaching parts; and do the inspections required by paragraphs (b) and (c) of this AD, per either applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. The actions required by this paragraph shall be done at the applicable time specified in paragraph (a)(1) or (a)(2) of this AD. Table 1 is as follows:

TABLE 1

Model	Service bulletin	Revision level	Date
DC–9, DC–9–80, and C–9 series airplanes; and MD–88 airplanes.	McDonnell Douglas Service Bulletin DC9–32–315.	Original	March 11, 1999.
	Boeing Service Bulletin DC9–32–315	Revision 01	October 24, 2000.
MD–90 airplanes	McDonnell Douglas Service Bulletin MD90–32–033.	Original	March 11, 1999.
	Boeing Service Bulletin MD90–32–033	Revision 01	October 24, 2000.

(1) For airplanes on which the inspection required by paragraph (c)(1) of AD 97–02–10 has been done: Do the actions before 5,000 landings since the last inspection done per paragraph (c)(1) of AD 97–02–10, or within 90 days after the effective date of this AD, whichever occurs later.

(2) For airplanes on which the inspection required by paragraph (c)(1) of AD 97–02–10 has NOT been done: Do the actions within 2,500 landings on the NLG upper lock link after the effective date of this AD.

Inspection

(b) Do a one-time inspection of the NLG upper lock link assembly per Revision 01 of the applicable service bulletin listed in Table 1 of this AD to determine whether the serial number of the lock link is identified in the affected lot specified in Condition 1 of the Accomplishment Instructions of Revision 01 of the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD.

Condition 1 (Hand Forging Serial Number)

(1) If the serial number of the upper lock link is not from the affected lot specified in Revision 01 of the applicable service bulletin (Condition 1), before further flight, do the etch inspection required by paragraph (c) of this AD.

(2) If the serial number of the upper lock link is from the affected lot specified in the Revision 01 of the applicable service bulletin (Condition 1), before further flight, replace the lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable service bulletin. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Etch Inspection

(c) Perform a one-time etch inspection of the NLG upper lock link to determine whether the lock link is made from die forged aluminum material (Condition 2), or from plate or bar material (Condition 3); per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD.

Condition 2 (Die Forged Aluminum Material)

(1) If the upper lock link is made from die forged aluminum material, before further flight, restore the finish and reidentify the lock link by adding an ''F'' to the part number, using an electro chemical deep etch method, per the applicable service bulletin. Identification of the lock link as being made from die forged aluminum material constitutes terminating action for the requirements of this AD.

Condition 3 (Plate or Bar Material)

(2) If the NLG upper lock link is made from plate or bar material, before further flight, do either Condition 3, Option 1, as specified by paragraph (c)(2)(i) of this AD, or Condition 3, Option 2, as specified by paragraphs (c)(2)(ii) and (c)(2)(iii) of this AD.

Condition 3, Option 1

(i) Permanently remove any discrepant upper lock link and replace with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable service bulletin. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Condition 3, Option 2

(ii) Restore the link finish and reidentify the upper lock link by adding a black paint stripe adjacent to the part number, indicating that the part is not made from die forged aluminum material, per the applicable service bulletin.

(iii) Do a high frequency eddy current (HFEC) or Type I fluorescent penetrant inspection of the upper lock link assembly, P/N 3914464–1, –501, or –503, to detect cracking of the assembly; per McDonnell Douglas Alert Service Bulletin DC9–32A298 R02, Revision 02 (for Model DC–9, DC–9–80, and C–9 series airplanes; and Model MD–88 airplanes), or Alert Service Bulletin MD90–32A019 R02, Revision 02 (for Model MD–90 airplanes), both dated October 29, 1997; as applicable.

Actions Following the Inspection Required by Paragraph (c)(2)(iii) of This AD

(d) If no crack is detected during the HFEC or Type I fluorescent penetrant inspection required by paragraph (c)(2)(iii) of this AD, within 2,500 landings on the NLG upper lock link since accomplishment of the inspection performed per paragraph (c)(2)(iii) of this AD, as applicable, do that inspection a second time. If no crack is detected during this second inspection, within 2,500 landings after accomplishment of the second inspection, replace the upper lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. Accomplishment of the replacement action constitutes terminating action for the requirements of this AD.

(e) If any crack is detected during the HFEC or Type I fluorescent penetrant inspection required by paragraph (c)(2)(iii) or (d) of this AD, before further flight, replace the discrepant NLG upper lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Alternative Methods of Compliance

(f)(1) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(2) Alternative methods of compliance, approved previously in accordance with AD 97–02–10, amendment 39–9895, are approved as alternative methods of compliance with this AD.

Special Flight Permits

(g) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(h)(1) The actions shall be done per the applicable Boeing service bulletin listed in Table 2 of this AD. Table 2 is as follows:

TABLE 2

Service bulletin	Revision level	Date
(i) McDonnell Douglas Service Bulletin DC9–32–315	Original	March 11, 1999.
(ii) Boeing Service Bulletin DC9–32–315	01	October 24, 2000.
(iii) McDonnell Douglas Service Bulletin MD90–32–033	Original	March 11, 1999.
(iv) Boeing Service Bulletin MD90–32–033	01	October 24, 2000.
(v) McDonnell Douglas Alert Service Bulletin DC9–32A298 R02	02	October 29, 1997.
(vi) McDonnell Douglas Alert Service Bulletin MD90–32A019 R02	02	October 29, 1997.

(2) This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1–L5A (D800–0024). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(i) This amendment becomes effective on March 28, 2002.

Issued in Renton, Washington, on February 11, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3848 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07–00–129]

RIN 2115–AE47

Drawbridge Operation Regulations: Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating regulations of the Gasparilla Island Causeway drawbridge on the Gulf Intracoastal Waterway, mile 34.3, in Boca Grande, Florida. This rule will allow the bridge owner or operator to open the bridge on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need only open on the hour, quarter hour, half hour and three quarter hour.

DATES: This rule is effective March 25, 2002.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket [CGD07–00–129] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, FL 33131, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415–6743.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On March 20, 2001, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL in the **Federal Register** (66 FR 15677). We did not receive any letters commenting on the proposed rule. No public hearing was requested and none was held.

Background and Purpose

The Gasparilla Island Causeway Drawbridge across the Gulf Intracoastal Waterway, mile 34.3, has a vertical clearance of 9 feet at mean high water and a horizontal clearance of 81 feet. The owner of the bridge requested a change to current operating schedule in effect from January 1 through May 31. The owner requested that scheduled openings start at 7 a.m., three hours earlier than the current regulations provide, to ease the flow of seasonal vehicular traffic during the morning. This rule will ease the seasonal vehicle traffic flow during the morning rush hour and have little to no impact on vessel traffic.

Regulatory Evaluation

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979) because this rule only extends the existing bridge operating schedule from January 1 to May 31 for three hours in the morning and still provides for openings every 15 minutes.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this final rule would not have a significant economic impact on a substantial number of small entities because the rule only slightly alters the current bridge operating schedule and still provides for openings every 15 minutes.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. If the rule will affect your small business, organization, or government jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding this rule.

We also have a point of contact for commenting on actions by employees of the Coast Guard. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This final rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 1313, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that this rule does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this rule and concluded that, under, Figure 2–1, paragraph 32(e) of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.**

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. In § 117.287, paragraph (a–1) is revised to read as follows:

§ 117.287 Gulf Intracoastal Waterway.

* * * * *

(a–1) The draw of the Gasparilla Island Causeway drawbridge, mile 34.3, at Boca Grande shall open on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need open only on the hour, quarter hour, half hour and three quarter hour.

* * * * *

Dated: February 8, 2002.

John E. Crowley, Jr.,

Captain, U.S. Coast Guard, Commander Seventh Coast Guard District, Acting.

[FR Doc. 02–4206 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OH118–1a; FRL–7133–8]

Approval and Promulgation of Implementation Plans; OH

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) approves the State Implementation Plan (SIP) for New Source Review (NSR) provisions for nonattainment areas for the Ohio Environmental Protection Agency (OEPA). This action follows up an April 22, 1996 rulemaking action, in which EPA proposed to conditionally approve the requested revisions to the Ohio Administrative Code (OAC). Since that rulemaking action, OEPA has submitted a series of revisions to address problems that were preventing full approval and to make other, approvable changes in the rules. The rules incorporate the general NSR provisions applying to both attainment and nonattainment areas. Other rules incorporate the NSR provisions that only apply to nonattainment areas. EPA also approves the rules for public notice procedure in a August 10, 1999 SIP revision request made by OEPA. These rules apply to air pollution construction permits issued under the attainment and nonattainment parts of the SIP.

DATES: This rule is effective on April 22, 2002, unless the EPA receives relevant adverse written comments by March 25, 2002. If adverse comment is received, the EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be sent to:

Pamela Blakley, Chief, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the documents relevant to this action are available for inspection during normal business hours at the following location: Permits and Grants Section, Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Please contact Kaushal Gupta at (312) 886–6803 or Jorge Acevedo at (312) 886–2263 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Kaushal Gupta, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6803. For further information regarding OEPA's rules for public notice procedure, please contact Jorge Acevedo, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–2263.

SUPPLEMENTARY INFORMATION: This supplementary information section is organized as follows:

A. What is the purpose of this document?
B. Who is affected by this action?
C. What is the history of OEPA's NSR program?
D. How are OEPA's NSR rules structured?
E. Are OEPA's NSR general nonattainment rules now approvable?
F. Are OEPA's NSR attainment rules now approvable?
G. Are OEPA's rules for public notice procedure approvable?
H. What comments have the public submitted, and what are EPA's responses?
I. What is today's final action?

A. What Is the Purpose of This Document?

This document is our approval of the SIP revision request that OEPA has submitted for its NSR program. In part, this document follows up on our April 22, 1996 proposed rulemaking action (61 FR 17669), in which we proposed to conditionally approve the SIP for general NSR rules and NSR rules for nonattainment areas. In this document, we address a series of SIP revisions made by OEPA since our April 22, 1996 proposal and explain why those revisions are approvable. We also approve additions to the SIP for general NSR language and for public notice procedures.

B. Who Is Affected by This Action?

Because the fully approved NSR program is similar to the program that OEPA already operates under delegated

authority, air pollution sources will generally not be affected by this action. Under the additional public notice procedures, however, people must file NSR permit appeals with OEPA rather than with the EPA Environmental Appeals Board as they have been doing under the delegated program.

C. What Is the History of Ohio's NSR Program?

OEPA submitted its first NSR SIP revision request on January 31, 1972, and submitted replacement regulations on June 6, 1973. The regulations submitted by the State provided requirements, such as best available technology, that were meant to be uniformly applied throughout the State.

The Clean Air Act Amendments (CAAA) of 1977, however, required States to go further than uniformly applied regulations. The CAAA of 1977 provided for the designation of areas within a State as ''attainment'' or ''nonattainment.'' An ''attainment'' area meets the National Ambient Air Quality Standards (NAAQS) for one of six criteria pollutants: Total suspended particulates, sulfur dioxide, ozone, carbon monoxide, nitrogen dioxide and lead. A ''nonattainment'' area does not meet the NAAQS for one or more pollutants. The CAAA of 1977 required States to adopt more stringent regulations, such as offsets and lowest achievable emission rate (LAER), for new pollution sources in nonattainment areas.

OEPA submitted a request to incorporate revised regulations in the SIP on October 4, 1982, and January 24, 1993, in order to comply with the CAAA of 1977. These revised regulations sought to add the offset requirements to the SIP by incorporating Appendix S to Title 40, Part 51 of the Code of Federal Regulations. We granted only limited approval of the revised regulations on September 8, 1993 (58 FR 47214), stating that the regulations did not satisfy the nonattainment area planning requirements of Title I, Part D of the Clean Air Act (CAA).

The CAAA of 1990 imposed yet further NSR requirements for nonattainment areas. Pursuant to these latter amendments, OEPA submitted a request to revise the entire SIP package on August 20, 1993. We proposed to disapprove the SIP revision request because it was not sufficient to satisfy the Part D requirements of the CAA on March 4, 1994 (59 FR 10349). The final disapproval of the State request was published on September 21, 1994 (59 FR 48392).

OEPA submitted another SIP revision request on March 1, 1996. On April 22, 1996 (61 FR 17669), we proposed to conditionally approve the general and nonattainment provisions in the SIP. We stated that the proposed provisions were deficient for not providing a definition for ''pollution control project.'' We stated that this deficiency had to be corrected in order for the nonattainment provisions to be fully approved. OEPA subsequently submitted revisions to its request dated March 1, 1996, April 16, 1997, September 5, 1997, December 4, 1997, and April 21, 1998. We have not taken formal action on our proposed conditional approval of the nonattainment NSR program, nor have we previously acted on the subsequent SIP revision requests. The subsequent SIP revision requests allow us to fully approve the program for reasons described below.

The CAA requires that the public be given sufficient time to comment on a permit before the permit is issued. On August 19, 1999, OEPA submitted a request for approval of the incorporation of OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07, and 3745–47–08(D) into the SIP.

D. How Are OEPA's NSR Rules Structured?

Part D of Title I of the CAA requires OEPA to submit a SIP revision for NSR rules for nonattainment areas. OEPA submitted this SIP in the form of OAC 3745–31–21 to 3745–31–27. These rules were the subject of our April 22, 1996 proposed conditional approval. OEPA also submitted general NSR provisions applying to both attainment and nonattainment areas in the form of OAC 3745–31–01 to 3745–31–10.

Part C of Title I of the CAA requires public notice procedures for attainment areas. 40 CFR 51.165 and 51.166 contain the requirements for an NSR permitting program and for the public noticing of permits. OEPA satisfied these requirements by submitting OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08(D).

E. Are OEPA's NSR General and Nonattainment Rules Now Approvable?

Yes, because OEPA has submitted rules that correct the deficiency that had prevented us from fully approving the rules. The January 21, 1997 submittal introduced a definition for ''pollution control project'' at OAC 3745–31–01(TT). OEPA's definition comports with the Federal definition at 40 CFR 51.165 (a)(1)(xxv).

The OEPA submittals subsequent to the March 1, 1996 revision request made some other definitional changes that we find approvable. The submittals amended or added the definitions for the following terms in OAC 3745–31–01 to make the Rule more consistent with 40 CFR 51: ''Actual emissions,'' ''electric utility steam generating unit,'' ''major modification,'' ''reactivation of a very clean coal-fired electric utility steam generating unit,'' ''repowering,'' and ''representative actual emissions.'' Because these amendments and additions make the Rule more consistent with Federal regulations, we find them approvable.

The submittals amended or added the definitions of the following terms to make them clearer or to consolidate the definitions at OAC 3745–31–01: ''Clean coal technology demonstration project,'' ''major modification,'' ''modify'' or ''modification,'' ''net emissions increase,'' and ''temporary clean coal technology demonstration project.'' Because these amendments and additions clarify and reorganize the rule without changing any of the definitions, we find them approvable.

The submittals amended the definition of ''potential to emit'' (PTE) at OAC 3745–31–01 in order to allow emission limits that are practically and legally enforceable by the State to be used to restrict the potential to emit of a source. OEPA has made this clarifying change based on the Federal definition of PTE being stricken by the Court ruling in *National Mining Ass'n* v. *United States Environmental Protection Agency,* 59 F.3d 1351 (D.C. Cir. 1995). Because we have not reformulated a definition for PTE, and because OEPA's amendment here comports with our guidance, we find this requested amendment approvable. Future changes to the requested SIP revision's definition of PTE may become necessary if we reformulate our PTE policy in the future.

The SIP revision requests amended the definition of ''modify or modification'' at OAC 3745–31–01 as it applies to solid waste disposal facilities and infectious waste treatment facilities. The definition now requires a permit only for modifications that substantially increase the limits of solid waste placement horizontally or vertically, rather than for modifications that substantially change the depth of excavation, finished topography, or total capacity. We find this amendment approvable because it will reduce the number of permits issued for modifications that have no significant impact on air quality. Second, the definition of ''modify or modification'' now requires permits for a modification in waste handling, an increase in treatment capacity, or any other substantial change of an infectious waste treatment facility. Because this

revision request broadens the scope of the term ''modify or modification'' to include substantial changes at infectious waste treatment facilities, we find it approvable.

F. Are OEPA's NSR Attainment Rules Now Approvable?

Yes. OEPA's NSR attainment rules fulfill the requirements of the Clean Air Act with three exceptions: OEPA's rules do not include a 25 tons per year significance level for particulate matter; the 50 ton per year significance level for municipal solid waste landfill emissions as required by 40 CFR 51.166(b)(23)(I); and because total reduced sulfur and reduced sulfur compounds incorrectly exclude hydrogen sulfide. In a December 5, 2000, letter seeking comment on rule changes to OAC 3745–31, OEPA committed to correct the definition of significance in OAC 3745–31. Because OEPA's rules meet all of the requirements of 40 CFR 51.165 and 51.166 with these exceptions and OEPA has started the process to correct the deficiencies, it is appropriate to finalize the conditional approval. The conditional approval provides that if OEPA does not submit approvable changes within one year timeframe, we will disapprove OEPA's attainment rules.

G. Are OEPA's Rules for Public Notice Procedure Approvable?

Yes, because they fulfill the public participation requirements specified in Part C of Title I of the CAA, 40 CFR 51.165, and 40 CFR 51.166.

H. What Comments Have the Public Submitted, and What Are EPA's Responses?

In a June 21, 1996 letter, the Ohio Electric Utility Institute submitted two formal comments in response to our proposed conditional approval of Ohio's NSR program. Below are the comments and our responses.

Comment: ''In [the April 22, 1996 proposed conditional approval 61 FR 17669], USEPA states that, because of certain definitional omissions, ''Ohio has not given electric operating units the additional flexibility that the Federal rules would otherwise allow'' (presumably under the so-called WEPCO rules, which are incorporated into the Federal New Source Review program). USEPA goes on to state: ''On this point, the state [requirements are] more stringent than the federal requirements and, therefore, are approvable.'' (See pages 17673–17674.) Regarding USEPA's contention that OEPA did not intend to incorporate the flexibility afforded by the WEPCO rules as part of the Ohio New Source Review program, the Utilities have the following two comments.

''First, the mere absence of certain federal definitions from the submitted New Source Review rules cannot be construed as evidence of Ohio EPA's intent to adopt a more stringent federal program. On the contrary, Ohio EPA has had a consistent policy of implementing its New Source Review program to afford the maximum flexibility provided by Federal law. Ohio EPA has implemented its policy of maximum flexibility, even though Ohio New Source Review rules did not include many specific Federal definitions. For instance, although Ohio EPA regulations never specifically provided for a ''netting'' rule in order to avoid PSD [Prevention of Significant Deterioration] or nonattainment review, Ohio EPA has consistently implemented its New Source Review permitting program to allow sources to ''net'' out of PSD or nonattainment review. Ohio accomplished this important policy decision by relying on other parts of Ohio statutory law and regulatory provisions which required Ohio EPA to issue permits in accordance with Federal law. This practice of incorporating Federal flexibility ''by reference'' into the Ohio air pollution control laws is one that is well established in Ohio and well understood by the Region. Accordingly, it is inappropriate for USEPA to infer that certain definitional omissions reflect an intent by Ohio EPA to be more stringent than Federal law. The Utilities suggest that in any final action on these rules, USEPA delete any textual material which implies or suggests that Ohio EPA did not intend to allow maximum WEPCO flexibility.''

Our response to this comment: EPA's comment in the relevant proposed rule deals only with OEPA's rulemaking, and not the State's implementation policy. It is in the public interest to note whenever Ohio's SIP is more stringent or less stringent than Federal requirements. Neither the State's implementation history nor their opinion on WEPCO flexibility bear on EPA's evaluation that the SIP provisions are acceptable. No inference is made or intended in this action regarding OEPA's ''intent.''

Comment: ''As a second comment, the Utilities note that several other commentors (including the Ohio Chamber of Commerce and the Ohio Petroleum Council) have suggested that USEPA refrain from any final approval of the Ohio New Source Review rules until Ohio EPA is afforded time to submit technical conforming amendments to the regulations which will clearly and explicitly refer to the WEPCO definitional requirements. The Utilities strongly support other Ohio industry groups on this point. Because of the vital importance of the WEPCO rule to the Utilities in Ohio, USEPA should take no final position that suggests such flexibility has been revoked. Rather, USEPA should allow Ohio EPA the time to submit the technical amendments necessary to conform the Ohio rules to the WEPCO definitions.''

Our response to this comment: We are obligated to act on OEPA's rule submittals as they are received unless OEPA requests a delay in action. OEPA has made no such request, nor have they stated any intention to submit technical amendments. Therefore, we are acting on the request as submitted by the State.

I. What Is Today's Final Action?

In this rule, EPA approves OEPA's March 1, 1996 request, as amended by OEPA's April 16, 1997 request, for additions and revisions to OAC 3745–31–01 to 3745–31–10, and OAC 3745–31–21 to 3745–31–27. EPA also approves OEPA's August 10, 1999 request for additions to OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08(D).

EPA is publishing this action without prior proposal because EPA views this action as a noncontroversial revision and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the State Plan should adverse or critical written comments be filed. This action will be effective without further notice unless EPA receives relevant adverse written comment by March 25, 2002. Should EPA receive such comments, it will publish a final rule informing the public that this action will not take effect. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on April 22, 2002.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any State plan. Each request for revision to a State Plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and

therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. section 804(2). This rule will be effective April 22, 2002.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

V. List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur Oxide, Volatile organic compounds.

Dated: December 6, 2001.

Norman Niedergang,

Acting Regional Administrator, Region 5.

For the reasons stated in the preamble, part 52, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. Section 52.1870 is amended by adding paragraph (c)(126) to read as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

(126) On March 1, 1996, Ohio submitted revisions to its Permit to Install rules as a revision to the State implementation plan. The request was supplemented on April 16, 1997, September 5, 1997, December 4, 1997, April 21, 1998, and August 19, 1999.

(i) *Incorporation by reference.*

(A) Ohio Administrative Code Rules 3745–31–01 through 3745–31–03, 3745–31–05, 3745–31–09, 3745–31–10, 3745–31–21 through 3745–31–27, effective April 12, 1996; 3745–31–04 and 3745–31–06, effective September 18, 1987; 3745–31–07 and 3745–31–08, effective August 15, 1982.

(B) Ohio Administrative Code Rules 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08 (D), effective June 30, 1981.

[FR Doc. 02–3760 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN70–7295a; FRL–7136–4]

Approval and Promulgation of Implementation Plans; Minnesota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency is approving a site-specific revision to the Minnesota Sulfur Dioxide (SO_2) State Implementation Plan (SIP) for Koch Petroleum Group, LP (Koch). The Minnesota Pollution Control Agency (MPCA) submitted the SIP revision request on May 2, 2001. The request is approvable because it satisfies the requirements of the Clean Air Act (Act). The rationale for the

approval and other information are provided in this document.

DATES: This direct final rule will be effective April 22, 2002, unless EPA receives adverse comment by March 25, 2002. If EPA receives adverse comments, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to: Carlton Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Copies of the documents relevant to this action are available for inspection during normal business hours at the above address. (Please telephone Christos Panos at (312) 353–8328, before visiting the Region 5 office.)

FOR FURTHER INFORMATION CONTACT: Christos Panos, Regulation Development Section, Air Programs Branch (AR–18J), Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8328.

SUPPLEMENTARY INFORMATION: This supplemental information section is organized as follows:

I. General Information
1. What action is EPA taking today?
2. Why is EPA taking this action?
3. What is the background for this action?
II. Review of State Implementation Plan Revision
1. Why did the State submit this SIP Revision?
2. What did Minnesota submit for approval into the SIP?
3. How does the SIP revision show attainment of the SO_2 standards?
III. Final Rulemaking Action
IV. Administrative Requirements

I. General Information

1. What Action Is EPA Taking Today?

In this action, EPA is approving into the Minnesota SO_2 SIP a site-specific revision for Koch, located in the Pine Bend Area of Rosemount, Dakota County, Minnesota. Specifically, EPA is approving and thereby incorporating Amendment No. 5 to Koch's administrative order (order) into the Minnesota SO_2 SIP.

2. Why Is EPA Taking This Action?

EPA is taking this action because the state's submittal for Koch is fully approvable. The SIP revision provides for attainment and maintenance of the SO_2 National Ambient Air Quality Standards (NAAQS) and satisfies the applicable SO_2 requirements of the Act. A more detailed explanation of how the state's submittal meets these requirements is in EPA's November 9, 2001 Technical Support Document (TSD).

3. What Is the Background for This Action?

EPA designated Air Quality Control Region (AQCR) 131, which contains Dakota County, as a primary SO_2 nonattainment area on March 3, 1978 (43 FR 8962) based on monitored violations of the primary SO_2 NAAQS from 1975 through 1977. In response to the Part D requirements of the Act, MPCA submitted a final SO_2 plan for AQCR 131 on August 4, 1980. EPA approved the Minnesota Part D SO_2 SIP for AQCR 131 on April 8, 1981 (46 FR 20996). Based on monitored violations recorded in 1982, EPA declared the Dakota County SO_2 SIP inadequate and issued a call for revisions to the Minnesota SO_2 SIP on December 5, 1984 (49 FR 47488).

On July 29, 1992 MPCA submitted to EPA a revision to the SO_2 SIP for the Dakota County/Pine Bend SO_2 nonattainment area demonstrating attainment of the SO_2 NAAQS in response to the SIP call. The modeling for the SIP attainment demonstration showed that Koch was a culpable source for the 1982 violations and therefore, MPCA issued an order to Koch based on the modeling. The state submitted the revised order for Koch to EPA on February 25, 1994 and EPA took final action on September 9, 1994 (59 FR 46553), to approve Minnesota's SO_2 SIP revision submittals for the Dakota County/Pine Bend area of AQCR 131.

On September 7, 1994, MPCA submitted to EPA a request to redesignate the Pine Bend area of AQCR 131 to attainment. EPA approved the state's request in a direct final action published on May 31, 1995 (60 FR 28339) redesignating the Pine Bend area to attainment of the SO_2 NAAQS.

On December 20, 2000, MPCA submitted a SIP revision consisting of Amendment No. 4 to Koch's order. Amendment No. 4 requires Koch to reduce emissions of nitrogen oxides (NO_X) and SO_2 at its #2 crude unit. EPA approved Amendment No. 4 into the SO_2 SIP on June 12, 2001 (66 FR 31545).

II. Review of State Implementation Plan Revision

1. Why Did the State Submit This SIP Revision?

The Fall 2001 Turnaround project is the second project initiated by Koch to reduce emissions of NO_X and SO_2 pursuant to a December 22, 2000 consent decree in United States v. Koch Petroleum Group, L.P., Civil Action No. 00–2756–PAM–SRN. In this project Koch will modify the #2 crude unit, 32 unit, and 33 unit at the refinery. Koch addressed most of the #2 crude unit project in Amendment No. 4 of the order. Amendment No. 5 modifies the #2 crude unit by adding low-NO_X burners to heater 12H–4, includes the addition of low-NO_X burners to heaters 32H–4,5,6, 33H–31, and changes to the convection sections of heaters 33H–31 and 33H–32. Koch will use heaters 33H–31 and 33H–32 for heating process streams instead of steam generation. Because of these changes, the design stack temperatures for heaters 12H–4, 32H–5,6,7 and 33H–32 will drop below the stack temperatures used in the 1992 modeling. The current SIP for Koch requires a revision to the plan if it revises stack parameters.

2. What Did Minnesota Submit for Approval Into the SIP?

The May 2, 2001 revision submitted by MPCA requests that EPA approve Amendment No. 5 to Koch's order into the Minnesota SO_2 SIP. Amendment No. 5 authorizes the installation of low-NO_X burners to heaters 12H–4, 32H–4,5,6, 33H–31, and 33H–32. Heaters 33H–31 and 33H–32 will be used for heating process streams instead of steam generation. Within 180 days after the installation of the low-NO_X burners, heater 33H–31 will burn refinery gas and will no longer be able to burn fuel oil. The revised order allows heater 16H–1 to operate on refinery fuel gas or natural gas with allowable SO_2 emissions of 5.6 lb/hr on a 3-hour average, and 15.3 tons of SO_2 per year. The revised order also limits heater 11H–6 to SO_2 emissions of 9.3 lb/hr on a 3-hour average, and 25.2 tons of SO_2 per year.

3. How Does the SIP Revision Show Attainment of the SO_2 Standards?

The MPCA submitted air quality modeling in support of Koch's SO_2 SIP revision. MPCA's modeling demonstrates that the SO_2 emissions from the Fall 2001 Turnaround project do not threaten attainment of the SO_2 NAAQS when factored into the 1992 attainment demonstration modeling. As discussed below, SO_2 emissions will decrease.

Net baseline emissions are the allowable emission rates used in the approved 1992 SIP attainment demonstration for the Pine Bend Area. The SO_2 emissions for the units modified by the current project totaled 2443 tons/year in the 1992 SIP. Total SO_2 emissions associated with the

current project are 365 tons/year. The difference in SO_2 emissions from the 1992 SIP for the affected sources and the current project is a decrease of more than 2,000 tons/year. A more detailed discussion is in EPA's November 9, 2001 TSD.

III. Final Rulemaking Action

EPA is approving the site-specific SIP revision for Koch Petroleum Group, LP, located in the Pine Bend area of Rosemount, Dakota County, Minnesota. Specifically, EPA is incorporating Amendment No. 5 to Koch's Administrative Order into the Minnesota SO_2 SIP. The State submitted this SIP revision on May 2, 2001 as a result of negotiations to a consent decree between EPA, MPCA and Koch, in which Koch proposed a series of modifications at the Pine Bend refinery. This project consists primarily of the modification of existing process heaters by replacing existing burners with low-NO_X burners, thereby substantially decreasing SO_2 emissions at the facility. As described above, this project provides for attainment and maintenance of the SO_2 NAAQS in the Pine Bend area and is therefore fully approvable.

The EPA is publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse comments are filed. This rule will be effective April 22, 2002, without further notice unless we receive relevant adverse comments by March 25, 2002. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. We will then address all public comments received in a subsequent final rule based on the proposed action. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. If we do not receive any comments, this action will be effective April 22, 2002.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 804 exempts from section 801 the following types of rules: (1) rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). EPA is not required to submit a rule report regarding this action under section 801 because this is a rule of particular applicability.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur dioxide.

Authority: 42 U.S.C. 7401 *et. seq.*

Dated: January 16, 2002.

Gary Gulezian,

Acting Regional Administrator, Region 5.

Title 40 of the Code of Federal Regulations, chapter I, part 52, is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.1220 is amended by adding paragraph (c)(60) to read as follows:

§ 52.1220 Identification of plan.

* * * * *

(c) * * *

(60) On May 2, 2001, the State of Minnesota submitted a site-specific State Implementation Plan (SIP) revision for the control of emissions of sulfur dioxide (SO_2) for Koch Petroleum Group, L.P., located in the Pine Bend Area of Rosemount, Dakota County, Minnesota. Specifically, EPA is approving into the SO_2 SIP Amendment No. 5 to the Administrative Order previously approved in paragraph (c)(35) and revised in paragraph (c)(57) of this section.

(i) Incorporation by reference

(A) An administrative order identified as Amendment Five to Findings and Order by Stipulation, for Koch Petroleum Group, L.P., dated and effective April 30, 2001, submitted May 2, 2001.

[FR Doc. 02–3756 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 253–0321c; FRL–7139–4]

Interim Final Determination That State Has Corrected the Rule Deficiencies and Stay of Sanctions, El Dorado County Air Pollution Control District, State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA has proposed conditional approval of revisions to the California State Implementation Plan (SIP). The revisions concern El Dorado County Air Pollution Control District (EDCAPCD) Rule 233. Based on the proposed conditional approval, EPA is making an interim final determination that the State has corrected deficiencies in the rule for which a sanction clock began on February 14, 2000. This action will stay the imposition of the offset sanctions and defer the imposition of the highway sanctions. Although this action is effective upon publication, EPA will take comment and will publish a final rule taking into consideration any comments received on this interim final determination.

DATES: This document is effective February 21, 2002. Comments must be received by March 25, 2002.

ADDRESSES: Written comments must be submitted to Andrew Steckel, Rulemaking Section (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the rule revisions and EPA's evaluation report for the rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 ''M'' Street, S.W., Washington, D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Building C, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Charnjit Bhullar, Rulemaking Office, AIR–4, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 972–3960.

SUPPLEMENTARY INFORMATION:

I. Background

On October 20, 1994, the State submitted EDCAPCD Rule 233, for which EPA published a limited disapproval in the **Federal Register** on January 13, 2000 (65 FR 2052). The effective date of our limited disapproval was February 14, 2000. EPA's disapproval action started an 18-month clock for the imposition of one sanction (followed by a second sanction 6 months later) and a 24-month clock for promulgation of a Federal Implementation Plan (FIP). The State subsequently submitted a revised version of Rule 233 on November 09, 2001. In the Proposed Rules section of today's **Federal Register**, EPA has proposed conditional approval of the November 2001 submittal.

Based on the proposed conditional approval, EPA believes that it is more likely than not that the State has corrected the original disapproval deficiencies. Therefore, EPA is taking this interim final rulemaking action finding that the State has corrected the deficiencies. However, EPA is also providing the public with a opportunity to comment on this interim final action. If, based on the comments on this action and the comments on EPA's proposed conditional approval, EPA determines that the State's submittal is not approvable and this interim final action was inappropriate, EPA will propose to disapprove the State's submittal and will take interim final action finding that the State has not corrected the original disapproval deficiencies. Upon a final disapproval of the State's submittal, EPA would finalize the interim final finding, finding that the State has not corrected the deficiencies.

This action does not stop the sanctions clock that started for this area on February 14, 2000, the effective date of our disapproval. However, this action will stay the imposition of the offset sanction and will defer imposition of the highway sanction. See 40 CFR 52.31(d)(2)(ii). If EPA takes final action conditionally approving the State's submittal, such action will continue any deferral or stay of the offset and highway sanctions. When the State meets its commitment and EPA takes final action fully approving the State's submittal meeting those commitments, such action will permanently stop the sanctions clock and will permanently lift any imposed, stayed or deferred sanctions. However, if at any time EPA determines that the State, in fact, did not correct the disapproval deficiencies, as appropriate, EPA either will withdraw this interim final determination or take final action finding that the State has not corrected the deficiencies. Such action will retrigger the sanctions consequences as described in 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clock. Based on this action, imposition of the offset sanction will be stayed and imposition of the highway sanction will be deferred until EPA takes final action fully approving the State's submittal or EPA takes action proposing or finally disapproving in whole or part the State submittal. If EPA takes final action conditionally approving the State's submittal, any deferral or stay of the sanctions clock will remain in place. If EPA subsequently takes final action fully approving the State submittal meeting its commitment, any sanctions clocks will be permanently stopped and any imposed, stayed or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has an

approvable plan, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception to the 30-day notice requirement of the Administrative Procedure Act because the purpose of this notice is to relieve a restriction. *See* 5 U.S.C. 553(d)(1).

III. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely stays and defers federal sanctions. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule only stays an imposed sanction and defers the imposition of another, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely stays a sanction and defers another one, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

This rule does not contain technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for effected conduct. EPA has compiled with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings '' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. However, section 808 provides that any rule for which the issuing agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule) that notice and public procedure thereon are impractible, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefor, and established an effective date of February 21, 2002. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rules. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: January 23, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–3915 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NO. UT–001–0037a; FRL–7142–9]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revision of Definitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action approving State Implementation Plan (SIP) revisions submitted by the Governor of Utah on April 19, 2000. The April 19, 2000 submittal revises Utah's Air Conservation Regulations by updating the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions. The intended effect of this action is to make the definitions federally enforceable. This action is being taken under section 110 of the Clean Air Act.

DATES: This rule is effective on April 22, 2002 without further notice, unless EPA receives adverse comment by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202 and copies of the Incorporation by Reference material are available at the Air and Radiation Docket and

Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Laurel Dygowski, EPA, Region 8, (303) 312–6144.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we'' or ''our'' is used means EPA.

I. Analysis of the State Submittal

A. Procedural Background

The Act requires States to observe certain procedural requirements in developing implementation plans and plan revisions for submission to EPA. Section 110(a)(2) of the Act provides that each implementation plan admitted by a State must be adopted after reasonable notice and public hearing. Section 110(1) of the Act similarly provides that each revision to an implementation plan submitted by a State under the Act must be adopted by such State after reasonable notice and public hearing.

EPA also must determine whether a submittal is complete and therefore warrants further EPA review and action (see section 110(k)(1) and 57 FR 13565). EPA's completeness criteria are set out at 40 CFR part 51, appendix V. EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law if a completeness determination is not made by EPA six months after receipt of submission.

To entertain public comment, the State of Utah, after providing adequate public notice, held a public hearing on March 1, 1999 to address revisions to the SIP. Following the public hearings and public comment period, the Utah Air Quality Board adopted the revisions. Revisions to R307–101–2 (previously codified as R307–101–1) were adopted on April 1, 1999.

The Governor of Utah submitted the revisions to the SIP in a letter dated April 19, 2000. The SIP revisions were deemed complete by operation of law.

B. April 19, 2000 Revisions—R307–101–2

The revisions the State of Utah's SIP were made to reflect the current federal definitions of ''significant'' and ''volatile organic compounds''. The first revision to the SIP incorporates changes to 40 CFR 51.166(23)(i), which was amended to establish significance levels for four pollutants emitted from municipal waste combustors and solid waste landfills, thus changing the definition for ''significant''. The significance level is used to determine the scope of review needed for an application to increase emissions for sources which are covered by the Prevention of Significant Deterioration (PSD) requirements. The second SIP revision incorporates by reference EPA's definition of ''volatile organic compound'' (VOC) found in 40 CFR 51.100(s)(1), July 1, 1998. The definition of VOC was amended to delete methyl acetate from the list of volatile organic compounds that contribute to the formation of ground level ozone, thus changing the definition of ''volatile organic compound''. EPA believes these revisions are acceptable and is approving them into the SIP.

The April 19, 2000 submittal also contained revisions to definitions in Utah's Air Conservation Regulations section R307–410–4. The Governor of Utah withdrew these revisions on October 16, 2000.

II. Final Action

EPA is approving the revisions to the Utah SIP submitted on April 19, 2000. The revisions incorporate the latest federal definitions for ''significant'' and ''volatile organic compound'' and amend the State's Air Conservation Regulations section R307–101–2. EPA believes these revisions to the SIP are consistent with the Clean Air Act and EPA policy.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments However, in the ''Proposed Rules'' section of today's **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments be filed. This rule will be effective April 22, 2002 without further notice unless the Agency receives adverse comments by March 25, 2002. If the EPA receives adverse comments, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

III. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the

absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart TT–Utah

2. Section 52.2320 is amended by adding paragraph (c)(46) to read as follows:

§ 52.2320 Identification of plan.

* * * * *

(c) * * *

(46) On April 19, 2000, the Governor of Utah submitted revisions to the State's Air Conservation Regulations to update the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions found at 40 CFR 51.166(23)(i) and 40 CFR 51.100(s)(1), July 1, 1998, respectively.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations section R307–101–2, definitions of ''significant'' and ''volatile organic compound'' (VOC), effective April 8, 1999.

[FR Doc. 02–4066 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 70

[MO 0149–1149a; FRL–7146–5]

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is announcing it is approving a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. EPA is approving a revision to Missouri rule ''Submission of Emission Data, Emission Fees, and Process Information.'' This revision will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's air program rule revision.

DATES: This direct final rule will be effective April 22, 2002 unless EPA receives adverse comments by March 25, 2002. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of documents relative to this action are available for public inspection during normal business hours at the above-listed Region 7 location. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551–7603.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This section provides additional information by addressing the following questions:

What is a SIP?
What is the Federal approval process for a SIP?
What does Federal approval of a state regulation mean to me?
What is the part 70 Operating Permits Program?
What is being addressed in this document?
Have the requirements for approval of a SIP revision and part 70 program revision been met?
What action is EPA taking?

What Is a SIP?

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards established by us. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to us for approval and incorporation into the Federally-enforceable SIP.

Each Federally-approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

What Is the Federal Approval Process for a SIP?

In order for state regulations to be incorporated into the Federally-enforceable SIP, states must formally adopt the regulations and control strategies consistent with state and Federal requirements. This process

generally includes a public notice, public hearing, public comment period, and a formal adoption by a state-authorized rulemaking body.

Once a state rule, regulation, or control strategy is adopted, the state submits it to us for inclusion into the SIP. We must provide public notice and seek additional public comment regarding the proposed Federal action on the state submission. If adverse comments are received, they must be addressed prior to any final Federal action by us.

All state regulations and supporting information approved by us under section 110 of the CAA are incorporated into the Federally-approved SIP. Records of such SIP actions are maintained in the Code of Federal Regulations (CFR) at Title 40, Part 52, entitled ''Approval and Promulgations of Implementation Plans.'' The actual state regulations which are approved are not reproduced in their entirety in the CFR outright but are ''incorporated by reference,'' which means that we have approved a given state regulation with a specific effective date.

What Does Federal Approval of a State Regulation Mean to Me?

Enforcement of the state regulation before and after it is incorporated into the Federally-approved SIP is primarily a state responsibility. However, after the regulation is Federally approved, we are authorized to take enforcement action against violators. Citizens are also offered legal recourse to address violations as described in the CAA.

What Is the Part 70 Operating Permits Program?

The CAA Amendments of 1990 require all states to develop operating permits programs that meet certain Federal criteria. In implementing this program, the states are to require certain sources of air pollution to obtain permits that contain all applicable requirements under the CAA. One purpose of the part 70 operating permits program is to improve enforcement by issuing each source a single permit that consolidates all of the applicable CAA requirements into a Federally-enforceable document. By consolidating all of the applicable requirements for a facility into one document, the source, the public, and the permitting authorities can more easily determine what CAA requirements apply and how compliance with those requirements is determined.

Sources required to obtain an operating permit under this program include ''major'' sources of air pollution and certain other sources specified in the CAA or in our implementing regulations. For example, all sources regulated under the acid rain program, regardless of size, must obtain permits. Examples of major sources include those that emit 100 tons per year or more of volatile organic compounds, carbon monoxide, lead, sulfur dioxide, nitrogen dioxide, or PM_{10}; those that emit 10 tons per year of any single hazardous air pollutant (HAP) (specifically listed under the CAA); or those that emit 25 tons per year or more of a combination of HAPs.

Revisions to the state and local agencies operating permits program are also subject to public notice, comment, and our approval.

What Is Being Addressed in This Document?

The state of Missouri has requested that EPA approve as a revision to the Missouri SIP and part 70 Operating Permits Program recently adopted revisions to rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information.''

This rule applies to sources that are required to obtain a construction or Title V permit and to sources seeking an exemption from major source permitting requirements. The rule requires the submittal of an Emission Inventory Questionnaire (EIQ) and payment of emission fees based on information submitted in the EIQ.

Missouri updates this rule annually. The only revision this year was to make the rule applicable to calendar year 2001 emissions by revising the applicable date in section (5)(A) from 2000 to 2001. The annual emission fee was not revised, so it remains at twenty-five dollars and seventy cents ($25.70) per ton. This fee, along with program cash reserves, is sufficient to fund the cost of administering the part 70 program.

Further discussion and background information is contained in the technical support document prepared for this action, which is available from the EPA contact listed above.

Have the Requirements for Approval of a SIP Revision and Part 70 Program Revision Been Met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the technical support document which is part of this document, the revisions meet the substantive SIP requirements of the CAA, including section 110 and implementing regulations. Finally, the submittal meets the substantive requirements of Title V of the 1990 CAA Amendments and 40 CFR part 70.

What Action Is EPA Taking?

EPA is processing this action as a direct final action because the revisions make routine changes to the existing rules which are noncontroversial, and make regulatory revisions required by state statute. Therefore, we do not anticipate any adverse comments.

Final action: EPA is approving as an amendment to the Missouri SIP revisions to rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information'' pursuant to section 110. EPA is also approving this rule as a program revision to the state's part 70 Operating Permits Program pursuant to part 70.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 70

Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 24, 2002.

William W. Rice,

Acting Regional Administrator, Region 7.

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart AA—Missouri

2. In § 52.1320(c) the table is amended under Chapter 6 by revising the entry for ''10–6.110'' to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

EPA—APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
* * * * * * *				
Chapter 6—Air Quality Standard, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulation for the State of Missouri				
* * * * * * *				
10–6.110	Submission of Emission Data, Emission Fees, and Process Information.	12/30/01	[*February 21, 2002 and FR cite*].	Section (5), Emission Fees, has not been approved as part of the SIP.
* * * * * * *				

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PART 70—[AMENDED]

1. The authority citation for Part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Appendix A—[Amended]

2. Appendix A to Part 70 is amended by adding paragraph (k) under ''Missouri'' to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Missouri

* * * * *

(k) The Missouri Department of Natural Resources submitted Missouri rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information'' on December 27, 2001, approval effective April 22, 2002.

* * * * *

[FR Doc. 02–3762 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MT–001–0036a; FRL–7139–6]

Approval and Promulgation of Air Quality Implementation Plans; State of Montana; Billings Carbon Monoxide Redesignation to Attainment and Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On February 9, 2001, the Governor of Montana submitted a request to redesignate the Billings ''not classified'' carbon monoxide (CO) nonattainment area to attainment for the CO National Ambient Air Quality Standard (NAAQS). The Governor also submitted a CO maintenance plan. In this action, EPA is approving the Billings CO redesignation request and the maintenance plan.

DATES: This direct final rule is effective on April 22, 2002, without further notice, unless EPA receives adverse comments by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the following offices:

United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; and,

United States Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

Copies of the State documents relevant to this action are available for public inspection at: Montana Air and Waste Management Bureau, Department of Environmental Quality, P.O. Box 20901, Helena, Montana, 59620–0901.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; Telephone number: (303) 312–6479.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' are used we mean the Environmental Protection Agency.

I. What Is the Purpose of This Action?

In this action, we are approving a change in the legal designation of the Billings area from nonattainment for CO to attainment and we're approving the maintenance plan that is designed to keep the area in attainment for CO for the next 10 years.

We originally designated the Billings area as nonattainment for CO under the provisions of the 1977 Clean Air Act (CAA) Amendments (see 43 FR 8962, March 3, 1978). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted (Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q). Under section 107(d)(1)(C) of the CAA, we designated the Billings area as nonattainment for CO because the area had been previously designated as nonattainment before November 15, 1990. The Billings area was classified as a ''not classified'' CO nonattainment area as the area had not violated the CO NAAQS in 1988 and 1989.[1]

Under the CAA, designations can be changed if sufficient data are available to warrant such changes and if certain other requirements are met. See CAA section 107(d)(3)(D). Section 107(d)(3)(E) of the CAA provides that the Administrator may not promulgate a redesignation of a nonattainment area to attainment unless:

(i) the Administrator determines that the area has attained the national ambient air quality standard;

(ii) the Administrator has fully approved the applicable implementation plan for the area under CAA section 110(k);

(iii) the Administrator determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollutant control regulations and other permanent and enforceable reductions;

(iv) the Administrator has fully approved a maintenance plan for the area as meeting the requirements of CAA section 175A; and,

(v) the State containing such area has met all requirements applicable to the area under section 110 and part D of the CAA.

Before we can approve the redesignation request, we must decide that all applicable State Implementation Plan (SIP) elements have been fully approved. Approval of the applicable SIP elements may occur prior to final approval of the redesignation request or simultaneously with final approval of the redesignation request. We note there are no outstanding SIP elements necessary for the Billings redesignation.

II. What Is the State's Process To Submit These Materials to EPA?

Section 110(k) of the CAA sets out provisions governing our actions on submissions of revisions to a SIP. The CAA also requires States to observe certain procedural requirements in developing SIP revisions for submittal to EPA. Section 110(a)(2) of the CAA requires that each SIP revision be adopted after reasonable notice and public hearing. This must occur prior to the revision being submitted by a State to us.

The Montana Department of Environmental Quality (DEQ) held a public hearing on December 19, 2000, for the Billings CO redesignation request and maintenance plan. The redesignation request and maintenance plan were adopted by the Montana DEQ directly after the hearing and became State effective December 19, 2000. These SIP materials were submitted by the Governor to us on February 9, 2001. We have evaluated the Governor's submittal and have determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA.

As required by under section 110(k)(1)(B) of the CAA, we reviewed these SIP materials for conformance with the completeness criteria in 40 CFR part 51, appendix V and determined that the Governor's February 9, 2001, submittal was administratively and technically complete. Our completeness determination was sent on March 16, 2001, through a letter from Jack W.

[1] The EPA describes areas as ''not classified'' if they were designated nonattainment both prior to enactment and (pursuant to CAA section 107(d)(1)(C) at enactment, and if the area did not violate the primary CO NAAQS in either year for the 2-year period of 1988 through 1989, Refer to the ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498, April 16, 1992. See specifically 57 FR 13535, April 16, 19992.

McGraw, Acting Regional Administrator, to Governor Judy Martz.

III. EPA's Evaluation of the Redesignation Request and Maintenance Plan

EPA has reviewed the State's redesignation request and maintenance plan and believes that approval of the request is warranted, consistent with the requirements of CAA section 107(d)(3)(E). The following are descriptions of how the section 107(d)(3)(E) requirements are being addressed.

(a) *Redesignation Criterion:* The Area Must Have Attained The Carbon Monoxide (CO) NAAQS.

Section 107(d)(3)(E)(i) of the CAA states that for an area to be redesignated to attainment, the Administrator must determine that the area has attained the applicable NAAQS. As described in 40 CFR 50.8, the national primary ambient air quality standard for carbon monoxide is 9 parts per million (10 milligrams per cubic meter) for an 8-hour average concentration not to be exceeded more than once per year. 40 CFR 50.8 continues by stating that the levels of CO in the ambient air shall be measured by a reference method based on 40 CFR part 50, appendix C and designated in accordance with 40 CFR part 53 or an equivalent method designated in accordance with 40 CFR part 53. Attainment of the CO standard is not a momentary phenomenon based on short-term data. Instead, we consider an area to be in attainment if each of the CO ambient air quality monitors in the area doesn't have more than one exceedance of the CO standard over a one-year period. 40 CFR 50.8 and 40 CFR part 50, appendix C. If any monitor in the area's CO monitoring network records more than one exceedance of the CO standard during a one-year calendar period, then the area is in violation of the CO NAAQS. In addition, our interpretation of the CAA and our national policy, as presented in the September 4, 1992, John Calcagni policy memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (hereafter referred to as the ''Calcagni Memorandum''), has been that an area seeking redesignation to attainment must show attainment of the CO NAAQS for at least a continuous two-year calendar period. In addition, the area must continue to show attainment through the date that we promulgate the redesignation to attainment in the **Federal Register**.

Montana's CO redesignation request for the Billings area is based on an analysis of quality assured ambient air quality monitoring data that are relevant to the redesignation request. Ambient air quality monitoring data for consecutive calendar years 1988 through 2000 show a measured exceedance rate of the CO NAAQS of 1.0 or less per year, per monitor, in the Billings nonattainment area. These data were collected and analyzed as required by EPA (see 40 CFR 50.8 and 40 CFR part 50, appendix C) and have been archived by the State in EPA's Aerometric Information and Retrieval System (AIRS) national database. Further information on CO monitoring is presented in section 56.12.3 of the State's maintenance plan. We have evaluated the ambient air quality data and determined that the Billings area has not violated the CO standard and continues to demonstrate attainment.

Because the Billings nonattainment area has quality-assured data showing no violations of the CO NAAQS for 1997, 1998, and 1999, the years the State used to support the redesignation request, the Billings area has met the first component for redesignation: demonstration of attainment of the CO NAAQS. We note that the State of Montana has also committed in section 56.12.7.4.A of the maintenance plan to the necessary continued operation of the CO monitors in compliance with all applicable federal regulations and guidelines.

(b) *Redesignation Criterion:* The Area Must Have Met All Applicable Requirements Under Section 110 and Part D of the CAA.

To be redesignated to attainment, section 107(d)(3)(E)(v) requires that an area must meet all applicable requirements under section 110 and part D of the CAA. We interpret section 107(d)(3)(E)(v) to mean that for a redesignation to be approved by us, the State must meet all requirements that applied to the subject area prior to or at the time of the submission of a complete redesignation request. In our evaluation of a redesignation request, we don't need to consider other requirements of the CAA that became due after the date of the submission of a complete redesignation request.

1. CAA Section 110 Requirements

On January 10, 1980, we approved revisions to Montana's SIP as meeting the requirements of section 110(a)(2) of the CAA (see 45 FR 2034). Although section 110 of the CAA was amended in 1990, most of the changes were not substantial. Thus, we have determined that the SIP revisions approved in 1980 continue to satisfy the requirements of section 110(a)(2). For further detail, please see 45 FR 2034. In addition, we have analyzed the SIP elements that we are approving as part of this action and we have determined they comply with the relevant requirements of section 110(a)(2).

2. Part D Requirements

The Billings area was originally designated as nonattainment for CO on March 3, 1978 (see 43 FR 8962). Montana's original CAA Part D plan for attainment of the CO standards in the Billings area was submitted to EPA on April 24, 1979. On March 4, 1980, we proposed conditional approval of the April 24, 1979, Governor's submittal (see 45 FR 14072). On September 25, 1980, we finalized our conditional approval of this plan (see 45 FR 62982). A revision, responding to our conditions as stated in our March 4, 1980, proposed action (see 45 FR 14072), was submitted by the Governor on August 14, 1981. The Governor's 1979 and 1981 submittals relied on traffic flow improvements and projected emission reductions from mobile sources to attain the CO NAAQS. On January 16, 1986 (see 51 FR 2397), we granted full approval for the Billings CO SIP element as by 1985, ambient air quality data were showing that the area had attained the CO NAAQS.

EPA had begun development of its forthcoming post-1987 policy for carbon monoxide; however, we did not finalize our post-1987 policy for CO because the Clean Air Act (CAA) was amended on November 15, 1990. Under section 107(d)(1)(C) of the CAA, we designated the Billings area as nonattainment for CO because the area had been previously designated nonattainment before November 15, 1990. As stated previously, the Billings area was classified as a ''not classified'' CO nonattainment area as the area had not violated the CO NAAQS in 1988 and 1989.

Before the Billings not classified CO nonattainment area may be redesignated to attainment, the State must have fulfilled the applicable requirements of part D. Under part D, an area's classification indicates the requirements to which it will be subject. Subpart 1 of part D sets forth the basic nonattainment requirements applicable to all nonattainment areas, whether classified or nonclassifiable.

The relevant Subpart 1 requirements are contained in sections 172(c) and 176. The April 16, 1992, General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990 (see 57 FR 13498; hereafter referred to as the ''General Preamble of April 16, 1992'') provides our interpretations of the CAA requirements

for not classified CO areas (see specifically 57 FR 13535):

''Although it seems clear that the CO-specific requirements of subpart 3 of part D do not apply to CO ''not classified'' areas, the 1990 CAAA are silent as to how the requirements of subpart 1 of part D, which contains general SIP planning requirements for all designated nonattainment areas, should be interpreted for such CO areas. Nevertheless, because these areas are designated nonattainment, some aspects of subpart 1 necessarily apply.''

Under section 172(b), the applicable section 172(c) requirements, as determined by the Administrator, were due no later than three years after an area was designated as nonattainment under section 107(d) of the amended CAA (see 56 FR 56694, November 6, 1991). In the case of the Billings area, the due date was November 15, 1993. As the Billings CO redesignation request and maintenance plan were not submitted by the Governor until February 9, 2001, the General Preamble of April 16, 1992, provides that the applicable requirements of CAA section 172 are 172(c)(3) (emissions inventory), 172(c)(5) (new source review permitting program), and 172(c)(7) (the section 110(a)(2) air quality monitoring requirements)). See 57 FR 13535, April 16, 1992. We have determined that Part D requirements for Reasonably Available Control Measures (RACM), an attainment demonstration, reasonable further progress (RFP), and contingency measures (CAA section 172(c)(9)) are not applicable to not classified CO areas. See 57 FR 13535, April 16, 1992. It is also worth noting that we have interpreted the requirements of sections 172(c)(1) (reasonable available control measures—RACM), 172(c)(2) (reasonable further progress—RFP), 172(c)(6) (other measures), and 172(c)(9) (contingency measures) as being irrelevant to a redesignation request because they only have meaning for an area that is not attaining the standard. See the General Preamble of April 16, 1992, and the Calcagni Memorandum. Finally, the State has not sought to exercise the options that would trigger sections 172(c)(4) (identification of certain emissions increases) and 172(c)(8) (equivalent techniques). Thus, these provisions are also not relevant to this redesignation request.

Section 176 of the CAA contains requirements related to conformity. Although our regulations (see 40 CFR 51.396) require that states adopt transportation conformity provisions in their SIPs for areas designated nonattainment or subject to an EPA-approved maintenance plan, we have decided that a transportation conformity SIP is not an applicable requirement for purposes of evaluating a redesignation request under section 107(d) of the CAA. This decision is reflected in our 1996 approval of the Boston carbon monoxide redesignation. (See 61 FR 2918, January 30, 1996.)

The applicable requirements of CAA section 172 are discussed below.

A. Section 172(c)(3)—Emissions Inventory

Section 172(c)(3) of the CAA requires a comprehensive, accurate, current inventory of all actual emissions from all sources in the Billings nonattainment area. Our interpretation of the emission inventory requirement for ''not classified'' CO nonattainment areas is detailed in the General Preamble of April 16, 1992. We determined that an emissions inventory is specifically required under CAA section 172(c)(3) and is not tied to an area's proximity to attainment. We concluded that an emissions inventory must be included as a revision to the SIP and was due three years from the time of the area's designation. For ''not classified'' CO areas, this date became November 15, 1993. To address the section 172(c)(3) requirement for a ''current'' inventory, EPA interpreted ''current'' to mean calendar year 1990 (see 57 FR 13502, April 16, 1992).

On July 18, 1995, the Governor submitted to us the 1990 base year inventory for the Billings CO nonattainment area. We approved this 1990 base year CO emissions inventory on December 15, 1997 (see 62 FR 65613.)

B. Section 172(c)(5) New Source Review (NSR)

The CAA requires all nonattainment areas to meet several requirements regarding NSR, including provisions to ensure that increased emissions will not result from any new or modified stationary major sources and a general offset rule. The State of Montana has a fully-approved NSR program (60 FR 36715, July 18, 1995) that meets the requirements of CAA section 172(c)(5). The State also has a fully approved Prevention of Significant Deterioration (PSD) program (60 FR 36715, July 18, 1995) that will apply after the redesignation to attainment is approved by EPA.

C. Section 172(c)(7)—Compliance With CAA Section 110(a)(2): Air Quality Monitoring Requirements

According to our interpretations presented in the General Preamble of April 16, 1992, ''not classified'' CO nonattainment areas should meet the ''applicable'' air quality monitoring requirements of section 110(a)(2) of the CAA as explicitly referenced by sections 172(b) and (c) of the CAA. With respect to this requirement, the State indicates in section 56.12.3 (''Ambient Air Quality Data'') of the maintenance plan, that relevant ambient CO monitoring data have been properly collected and uploaded to EPA's Aerometric Information and Retrieval System (AIRS) for the Billings area. Air quality data through 1999 are included in section 56.12.3A of the maintenance plan. We have more recently polled the AIRS database and has verified that the State has also uploaded additional ambient CO data through 2000. The data in AIRS indicate that the Billings area has shown, and continues to show, attainment of the CO NAAQS.

Information concerning CO monitoring in Montana is included in the Monitoring Network Review (MNR) prepared by the State and submitted to EPA. EPA personnel have concurred with Montana's annual network reviews and have agreed that the Billings network remains adequate. Finally, in section 56.12.7.4.A of the maintenance plan, the State commits to the continued operation of the existing Billings CO monitoring network, according to all applicable Federal regulations and guidelines, even after the Billings area is redesignated to attainment for CO.

(c) *Redesignation Criterion:* The Area Must Have A Fully Approved SIP Under Section 110(k) of the CAA.

Section 107(d)(3)(E)(ii) of the CAA states that for an area to be redesignated to attainment, it must be determined that the Administrator has fully approved the applicable implementation plan for the area under section 110(k).

Based on the approval into the SIP of provisions under the pre-1990 CAA, our prior approval of a SIP revision required under the 1990 amendments to the CAA, and our approval of the State's commitment to maintain an adequate monitoring network (contained in the maintenance plan), we have determined that, as of the date of this **Federal Register** action, Montana has a fully approved CO SIP under section 110(k) for the Billings CO nonattainment area.

(d) *Redesignation Criterion:* The Area Must Show That the Improvement in Air Quality Is Due To Permanent And Enforceable Emissions Reductions.

Section 107(d)(3)(E)(iii) of the CAA provides that for an area to be redesignated to attainment, the Administrator must determine that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from

implementation of the applicable implementation plan (Billings CO revision as approved on January 16, 1986, see 51 FR 2397), implementation of applicable Federal air pollutant control regulations, and other permanent and enforceable reductions.

The CO emissions reductions for the Billings area were primarily derived through the Federal Motor Vehicle Control Program (FMVCP) and an intersection reconstruction that was detailed in the Billings SIP revision (see 51 FR 2397, January 16, 1986.)

In general, the FMVCP provisions require vehicle manufacturers to meet more stringent vehicle emission limitations for new vehicles in future years. These emission limitations are phased in (as a percentage of new vehicles manufactured) over a period of years. As new, lower emitting vehicles replace older, higher emitting vehicles (''fleet turnover''), emission reductions are realized for a particular area such as Billings. For example, EPA promulgated lower hydrocarbon (HC) and CO exhaust emission standards in 1991, known as Tier I standards for new motor vehicles (light-duty vehicles and light-duty trucks) in response to the 1990 CAA amendments. These Tier I emissions standards were phased in with 40% of the 1994 model year fleet, 80% of the 1995 model year fleet, and 100% of the 1996 model year fleet. The benefits to the Billings CO area of the FMVCP are further presented in section 56.12.5.B of the maintenance plan.

In addition, as part of the Billings CO SIP revision approved by EPA on January 16, 1986, intersection reconstruction was performed at Exposition Drive and First Avenue North near to where CO violations had previously occurred. The project included widening Exposition Drive from four to six lanes, widening the approach of First Avenue North to the intersection with Exposition Drive, and improving signalization to increase traffic flow and speed. This control measure is further described in section 56.12.5.B of the maintenance plan.

Finally, Yellowstone County (which Billings is a part of), as part of the County's air pollution control plan, developed regulations governing open burning including requiring permits. The State indicates in section 56.12.5.B of the maintenance plan that open burning is not a major contributor to CO levels in the Billings area on average, but may be responsible for elevated levels during certain times of the year. These regulations, that we approved into the SIP (see 66 FR 32545, June 15, 2001), allow Yellowstone County to require Best Available Control Technology (BACT) on open burning permits to limit emissions through a variety of methods including prioritizing burns. The regulations also dictate the times of year to which open burning is limited. The State indicates that a percent reduction in CO emissions would be difficult to quantify, however, the State believes that having the County's open burning regulations reduces air quality impacts.

We have evaluated the various State and Federal control measures, the 1990 base year emission inventory, and the 1996 attainment year emission inventory, and has concluded that the improvement in air quality in the Billings nonattainment area has resulted from emission reductions that are permanent and enforceable.

(e) *Redesignation Criterion:* The Area Must Have A Fully Approved Maintenance Plan Under CAA Section 175A.

Section 107(d)(3)(E)(iv) of the CAA provides that for an area to be redesignated to attainment, the Administrator must have fully approved a maintenance plan for the area meeting the requirements of section 175A of the CAA.

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. For areas such as Billings that are utilizing EPA's limited maintenance plan approach, as detailed in the EPA guidance memorandum entitled ''Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas'' from Joseph Paisie, Group Leader, Integrated Policy and Strategies Group, Office of Air Quality and Planning Standards, dated October 6, 1995 (hereafter referred to as ''Paisie Memorandum''), the maintenance plan demonstration requirement is considered to be satisfied for nonclassifiable areas if the monitoring data show that the area is meeting the air quality criteria for limited maintenance areas (i.e., a design value at or below 7.65 ppm, or 85% of the CO NAAQS, based on the 8 consecutive quarters—2 years of data—used to determine attainment). There is no requirement to project emissions over the maintenance period. EPA believes if the area begins the maintenance period at or below 85 percent of CO NAAQS, the continued applicability of PSD requirements, any control measures already in the SIP, and Federal measures, should provide adequate assurance of maintenance over the initial 10-year maintenance period. In addition, the design value for the area must continue to be at or below 7.65 ppm until the time of final EPA action on the redesignation. The method for calculating the design value is presented in the June 18, 1990, EPA guidance memorandum entitled ''Ozone and Carbon Monoxide Design Value Calculations'', from William G. Laxton, Director of the OAQPS Technical Support Division, to Regional Air Directors (hereafter referred to as the ''Laxton Memorandum'.)

In the case of a nonclassifiable area applying for a limited maintenance plan, all the monitors must have a separate design value calculated and the highest design value must be at or below 7.65 ppm. Should the design value for the area exceed 7.65 ppm prior to final EPA action on the redesignation, then the area no longer qualifies for the limited maintenance plan and must instead submit a full maintenance plan as described in the Calcagni Memorandum.

Eight years after our approval of this redesignation, the State must submit a revised maintenance plan that demonstrates continued maintenance of the CO NAAQS for 10 years following the initial ten-year maintenance period. To address the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, with a schedule for adoption and implementation, that are adequate to assure prompt correction of a violation. In addition, EPA issued further maintenance plan interpretations in the General Preamble of April 16, 1992, the Calcagni Memorandum, and the Paisie Memorandum. In this direct final rulemaking action, we are approving the State of Montana's limited maintenance plan for the Billings nonattainment area because EPA has determined, as detailed below, that the State's maintenance plan submittal meets the requirements of section 175A of the CAA and is consistent with the documents referenced above. Our analysis of the pertinent maintenance plan requirements, with reference to the Governor's February 9, 2001, submittal, is provided as follows:

1. Emissions Inventory—Attainment Year

Our interpretations of the CAA section 175A maintenance plan requirements for a limited maintenance plan are described in the Calcagni Memorandum and Paisie Memorandum as referenced above. The State is to develop an attainment year emissions inventory to identify a level of emissions in the area which is sufficient to attain the CO NAAQS. This inventory is to be consistent with EPA's most

recent guidance on emissions inventories for nonattainment areas available at the time [2] and should represent emissions during the time period associated with the monitoring data showing attainment.

The maintenance plan that the Governor submitted on February 9, 2001, included a comprehensive inventory of CO emissions for the Billings area for a typical CO season day work day in 1996. This inventory includes emissions from stationary point sources, area sources, non-road mobile sources, and on-road mobile sources. The State selected 1996 as the year from which to develop the attainment year inventory as it correlated with other inventory work that the State was proceeding with. The use of a 1996 inventory is acceptable to us as it represents a recent year for which the Billings area was showing attainment for the CO NAAQS. We note, and as archived in our Aerometric Information Retrieval System (AIRS) national database, that the Billings area has actually continuously demonstrated attainment of the CO NAAQS since 1988. Further, use of the 1996 attainment year conforms with the requirements in both the Calcagni Memorandum and Paisie Memorandum.

A more detailed description of the 1996 attainment year inventory is documented in the maintenance plan, section 56.12.7.1, and in the State's Technical Support Document (TSD). The State's submittal contains detailed emission inventory information for the Billings area that was prepared in accordance with EPA guidance.

We note in the maintenance plan, section 56.12.7.1, and the State's TSD that the State elected to perform a more comprehensive gridded emission inventory that not only contained emissions from Billings, but also emissions from the nearby communities of Huntley and Laurel which may impact the Billings area. This was denoted as the ''Billings CO Emission Inventory Study Area.'' The total CO emissions for all three communities, as provided in the maintenance plan and in Table 5.1.b of the State's TSD, were 144,645.93 kilograms per day or 159.47 tons per day. However, for the purposes of the redesignation to attainment, only CO emissions from the actual Billings nonattainment area are necessary. The State also provided the CO nonattainment area emission figures in Table 5.1.c of the State's TSD. The total CO emissions for just the Billings nonattainment area were 94,936.31 kilograms per day or 104.67 tons per day.

Therefore, we are only archiving the Billings nonattainment area's summary CO emission figures from the 1996 attainment year in Table II.—2 below.

TABLE II.—2 SUMMARY OF 1996 CO EMISSIONS (TONS PER DAY) FOR BILLINGS*

Point sources	Area sources	On-road mobile	Non-road mobile	Total
2.13	9.99	85.95	6.60	104.67

*Note: The Billings 1996 attainment year inventory figures were presented in the maintenance plan and the State's TSD in kilograms per day (kg/day). For the reader's convenience, we have converted kg/day to tons per day (TPD) by multiplying kg/day by 0.0011025 tons per kg.

2. Demonstration of Maintenance

As described in our October 6, 1995, limited maintenance plan guidance memorandum (Paisie Memorandum), the maintenance plan demonstration requirement is considered to be satisfied for nonclassifiable CO areas (such as Billings) if the monitoring data show that the area is meeting the air quality criteria for limited maintenance areas (i.e., equal to or less than a 7.65 ppm design value). There is no requirement to project emissions over the maintenance period. EPA believes that if an area begins the maintenance period at or below 85 percent of the CO NAAQS (7.65 ppm), the continued application of control measures already in the SIP, PSD requirements, and Federal measures provides adequate assurance of maintenance over the initial 10-year maintenance period.

As presented in section 56.12.7.2 and in Table 56.12.7.2.A of maintenance plan, the CO design value for the Billings area is 5.8 ppm which is below the limited maintenance plan requirement of 7.65 ppm. Therefore, the Billings area has adequately demonstrated maintenance.

3. Monitoring Network and Verification of Continued Attainment

The October 6, 1995, Paisie Memorandum for limited maintenance plan areas states that to verify the attainment status of an area, such as Billings, over the maintenance period, the maintenance plan should contain provisions for the continued operation of an appropriate, EPA-approved air quality monitoring network in accordance with 40 CFR part 58.

This monitoring network requirement is met in section 56.12.7.3 of the Billings maintenance plan. This section states that the Montana Department of Environmental Quality (MDEQ) has operated and will continue to operate the Billings monitoring network in full accordance with the provisions of 40 CFR part 58 and the EPA-approved Montana Quality Assurance Project Plan. The MDEQ will also analyze the monitoring data to verify continued attainment of the CO NAAQS for the Billings area. The above air quality monitoring commitment by the State, which will be enforceable by EPA after this final approval of the Billings maintenance plan SIP revision, is deemed adequate by EPA.

4. Contingency Plan

Section 175A(d) of the CAA requires that a maintenance plan include contingency provisions. To meet this requirement, the State has identified appropriate contingency measures along with a schedule for the development and implementation of such measures. As stated in section 56.12.7.4 of the maintenance plan, the State will use an exceedance of the CO NAAQS as the trigger for adopting specific contingency measures for the Billings area. The State indicates that notification to EPA, and other affected governments, of the exceedance will occur within 60 days. Upon notification of a CO NAAQS exceedance, the MDEQ and Yellowstone County Air Quality Control (YCAQC) will convene to recommend an appropriate contingency measure or measures that would be necessary to avoid a violation of the CO NAAQS standard. The necessary contingency measure(s) will then be proposed for local adoption. The local adoption process will be completed within three

[2] The October 6, 1995, limited maintenance plan guidance memorandum states that current guidance on the preparation of emissions inventories for CO areas is contained in the following documents: ''Procedures for the Preparation of Emission Inventories for Carbon Monoxide and Precursors of Ozone: Volume I'' (EPA–450/4–91–016), and ''Procedures for Emission Inventory Preparation: Volume IV, Mobile Sources'' (EPA–450/4–81–026d revised).

months of the exceedance notification. Full implementation of the locally adopted contingency measure(s) will be achieved within one year after the recording of a CO NAAQS violation.

The potential contingency measures, identified in section 56.12.7.4.C of the Billings maintenance plan, include implementation of an oxygenated fuels program with local regulations in the Billings or Yellowstone County area for the winter months of November, December, and January and establishing a high pollution day episodic woodburning curtailment program. A more complete description of the triggering mechanism and these contingency measures can be found in section 56.12.7. 4 of the maintenance plan.

Based on the above, we find that the contingency measures and procedures provided in the State's maintenance plan for Billings are sufficient and meet the requirements of section 175A(d) of the CAA and the Paisie Memorandum for CO limited maintenance plans.

5. Subsequent Maintenance Plan Revisions

The State of Montana has committed to submit a future, revised maintenance plan for the Billings area. This commitment is contained in section 56.12.7.4.D of the Billings maintenance plan and meets the requirements of the CAA and EPA policy and guidance. Section 56.12.7.4.D states that eight years after EPA redesignates the Billings area to attainment, the State commits to submit to EPA a revised maintenance plan that will provide maintenance of the CO NAAQS for an additional 10 years after the expiration of the initial maintenance period.

IV. Conformity

Because the Billings area qualified for and utilized EPA's limited maintenance plan national policy (Paisie Memorandum), special conformity provisions apply as indicated below in an excerpt from such policy:

''e. Conformity Determinations Under Limited Maintenance Plans

The transportation conformity rule (58 FR 62188; November 24, 1993) and the general conformity rule (58 FR 63214; November 30, 1993) apply to nonattainment areas and maintenance areas operating under maintenance plans. Under either rule, one means of demonstrating conformity of Federal actions is to indicate that expected emissions from planned actions are consistent with the emissions budget for the area. Emissions budgets in limited maintenance plan areas may be treated as essentially not constraining for the length of the initial maintenance period because it is unreasonable to expect that such an area will experience so much growth in that period that a violation of the CO NAAQS would result. In other words, EPA would be concluding that emissions need not be capped for the maintenance period. Therefore, in areas with approved limited maintenance plans, Federal actions requiring conformity determinations under the transportation conformity rule could be considered to satisfy the ''budget test'' required in sections 93.118, 93.119, and 93.120 of the rule. Similarly, in these areas, Federal actions subject to the general conformity rule could be considered to satisfy the ''budget test'' specified in section 93.158(a)(5)(i)(A) of the rule.''

In addition, for Billings, Federal actions are also considered to satisfy the transportation conformity rule's requirements for expeditious implementation of transportation control measures (TCM) because there are no TCMs in the Billings CO SIP element. Transportation plans, transportation improvement programs, and Federal projects still require conformity determinations in order to proceed and Federal projects are still subject to the hotspot modeling requirements of the transportation conformity rule.

V. Final Action

In this action, EPA is approving the Billings carbon monoxide redesignation request to attainment and the maintenance plan.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective April 22, 2002, without further notice unless the Agency receives adverse comments by March 25, 2002.

If EPA receives such comments, then EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 22, 2002, and no further action will be taken on the proposed rule.

Administrative Requirements

(a) Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

(b) Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

(c) Executive Order 13132

Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612 (Federalism) and 12875 (Enhancing the Intergovernmental Partnership). Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that 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.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the

process of developing the proposed regulation.

This rule 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, as specified in Executive Order 13132, because it merely approves state rules implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. In addition, redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

(d) Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments)

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

This direct final rule does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

(e) Executive Order 13211 (Energy Effects)

This rule is not subject to Executive Order 13211 ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

(f) Regulatory Flexibility

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This final approval will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the SIP final approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.,* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2). Redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Redesignation to attainment is an action that affects the legal designation of a geographical area and does not impose any regulatory requirements. Therefore, because the final approval of the redesignation does not create any new requirements, I certify that the final approval of the redesignation request will not have a significant economic impact on a substantial number of small entities.

(g) Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that this final approval action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

(h) Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will be effective April 22, 2002.

(i) National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

(j) Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition

for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the Clean Air Act.)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Reporting and recordkeeping requirements.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

Chapter I, title 40, parts 52 and 81 of the Code of Federal Regulations are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart BB—Montana

2. Section 52.1373 is amended by redesignating the existing paragraph as paragraph (a) and adding paragraph (b) to read as follows:

§ 52.1373 Control strategy: Carbon monoxide.

* * * * *

(b) Revisions to the Montana State Implementation Plan, Carbon Monoxide Redesignation Request and Maintenance Plan for Billings, as adopted by the Montana Department of Environmental Quality on December 19, 2000, State effective December 19, 2000, and submitted by the Governor on February 9, 2001.

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. In § 81.327, the table entitled ''Montana-Carbon Monoxide'' is amended by revising the entry for ''Billings Area'' to read as follows:

§ 81.327 Montana.

* * * * *

MONTANA—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
Billings Area:				
Yellowstone County (part):				
The following areas of Yellowstone Co. (Range and Township) sections: R25E T1N—Sections 24 through 27 and 34 through 36; R25E T1S—Sections 1, 2, and 12; R26E T1N Sections 19 through 22 and 27 through 34; R26E T1S Sections 2 through 11 and 15 through 18..	April 22, 2002.	Attainment		
* *	*	*	*	*

[1] This date is November 15, 1990, unless otherwise noted.

* * * * *

[FR Doc. 02–4062 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[KY–JEFF–T5–2002–01a; FRL–7143–9]

Clean Air Act Final Approval of Operating Permit Program Revisions; Jefferson County (KY)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking final action to approve revisions to the operating permit program of the Jefferson County Air Pollution Control District in Kentucky. The County's operating permit program was submitted in response to the directive in the 1990 Clean Air Act (CAA) Amendments that states develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources within the states' jurisdiction. EPA granted full approval to Jefferson County's operating permit program on March 22, 1996. The County has revised its program since it received full approval and this action approves those revisions.

DATES: This direct final rule is effective on April 22, 2002 without further notice unless EPA receives adverse comments in writing by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of this direct final rule in the **Federal Register** and inform the public that the rule will not take effect. The public comments will be addressed in a subsequent final rule based on the proposed rule published in this **Federal Register**.

ADDRESSES: Written comments on this action should be addressed to César Zapata, Air Permits Section, Air Planning Branch, EPA, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960. Copies of the County's submittals and other supporting documentation relevant to this action are available for inspection during normal business hours at EPA, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960.

FOR FURTHER INFORMATION CONTACT: César Zapata, EPA, Region 4, at (404) 562–9139 or *zapata.cesar@epa.gov/.*

SUPPLEMENTARY INFORMATION: This section provides additional information by addressing the following questions:

What is the operating permit program?
What is being addressed in this document?
What are the program changes that EPA is approving?
What is involved in this final action?

What Is the Operating Permit Program?

The CAA Amendments of 1990 required all state and local permitting authorities to develop operating permit programs that met certain federal criteria. In implementing the title V operating permit programs, the

permitting authorities require certain sources of air pollution to obtain permits that contain all applicable requirements under the CAA. The focus of the operating permit program is to improve enforcement by issuing each source a permit that consolidates all of the applicable CAA requirements into a federally enforceable document. By consolidating all of the applicable requirements for a facility, the source, the public, and the permitting authorities can more easily determine what CAA requirements apply and how compliance with those requirements is determined.

Sources required to obtain an operating permit under this program include ''major'' sources of air pollution and certain other sources specified in the CAA or in EPA's implementing regulations. For example, all sources regulated under the acid rain program, regardless of size, must obtain operating permits. Examples of major sources include those that have the potential to emit 100 tons per year or more of volatile organic compounds (VOCs), carbon monoxide, lead, sulfur dioxide, nitrogen oxides (NO_X), or particulate matter (PM_{10}); those that emit 10 tons per year of any single hazardous air pollutant (specifically listed under the CAA); or those that emit 25 tons per year or more of a combination of hazardous air pollutants (HAPs). In areas that are not meeting the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter, major sources are defined by the gravity of the nonattainment classification. For example, in ozone nonattainment areas classified as serious, major sources include those with the potential of emitting 50 tons per year or more of VOCs or NO_X.

What Is Being Addressed in This Document?

Jefferson County has submitted six revisions to its approved title V program since EPA granted full approval on March 22, 1996 (61 FR 11738). These submittals are dated February 20, 1998, January 11, 1999, September 30, 1999, March 17, 2000, March 21, 2001, and October 23, 2001. This document describes and approves the changes that Jefferson County has made to its approved program.

What Are the Program Changes That EPA Is Approving?

Jefferson County conducted rulemaking in July 1996 and March 1997 to change its fee provisions in Regulation 2.08. The County's title V program received full approval based on use of the ''presumptive minimum'' fee amount described in 40 CFR 70.9(b)(2)(i). Because Regulation 2.08 specified the emission fee rate, the County needed to revise it every year based on EPA's annual update to the ''presumptive minimum'' fee amount. Accordingly, Jefferson County conducted rulemaking in July 1996 to increase the fee rate. However, instead of changing the fee rate each year thereafter, the County conducted rulemaking in March 1997 to replace the rate language in Regulation 2.08 with generic Consumer Price Index language. The local-effective rule changes were submitted to EPA on January 11, 1999. The County also submitted a fee program update on September 30, 1999, demonstrating that its title V program was adequately funded by operating permit fee revenue.

In September 1996, Jefferson County conducted rulemaking to revise the permit application due dates contained in Regulation 2.16. The deadline for submitting the last two-thirds of permit applications was changed to coincide with one year from the effective date of EPA's full approval of the County's title V program. The local-effective rule change was submitted to EPA on January 11, 1999.

In November 1997 and March 2000, Jefferson County conducted rulemaking to update its acid rain program. In November 1997, the County incorporated by reference 40 CFR part 76, entitled ''Acid Rain Nitrogen Oxides Emission Reduction Program,'' and submitted the local-effective rule change to EPA on February 20, 1998. In March 2000, the County incorporated by reference the following federal acid rain rules: 40 CFR part 73, entitled ''Sulfur Dioxide Allowance System''; part 74, entitled ''Sulfur Dioxide Opt-Ins''; part 75, entitled ''Continuous Emission Monitoring''; part 77, entitled ''Excess Emissions'; and part 78, entitled ''Appeal Procedures for Acid Rain Program.'' The local-effective rule changes were submitted to EPA on March 17, 2000.

On January 10, 2000, EPA notified Jefferson County of a deficiency in its insignificant activities provisions that came to light as a result of the decision by the Ninth Circuit Court of Appeals in *Western States Petroleum Association (WSPA)* v. *EPA,* No. 95–70034 (June 17, 1996); EPA had inadvertently approved the County's title V program without identifying the exemption of insignificant activities from permit content requirements as a program deficiency. In the **Federal Register** notice granting final interim approval to Alaska's title V operating permit program (61 FR 64466, December 5, 1996), EPA acknowledged that its approval of the insignificant activity provisions in the Jefferson County program may have been inconsistent with the WSPA decision. Further review revealed this to be true, which prompted EPA to send the January 2000 letter notifying the County that a Notice of Deficiency would be published in the **Federal Register** if the deficiency was not corrected. The January 2000 letter also identified two other deficiencies in Jefferson County's insignificant activity provisions: (1) Regulation 2.16 implied that the County could add activities to its list without EPA review and approval, and (2) the list of insignificant activities did not require emission caps to ensure that potential emissions were indeed insignificant.

Jefferson County addressed the deficiencies in its insignificant activities provisions by revising the definition of ''Insignificant activity'' in Regulation 2.16 to eliminate exemptions from applicable requirements and to impose potential emission thresholds of five tons per year for regulated pollutants and 1000 pounds per year for HAPs. The County also revised its applicability provisions in Regulation 2.16 to remove the exemption of insignificant activities from permit requirements. Additional changes in the County's insignificant activities provisions include: (1) Revised permit application requirements that allow for generic grouping and treatment of insignificant activities consistent with EPA's guidance memoranda entitled ''White Paper Streamlined Development of Part 70 Permit Applications'' (July 10, 1995) and ''White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program'' (March 5, 1996); (2) revised permit content requirements that streamline monitoring, record keeping, and reporting requirements for insignificant activities consistent with EPA's White Paper 2; and (3) the requirement for sources to include current lists of insignificant activities in their annual compliance certifications. Jefferson County completed the rulemaking in December 2000 and submitted the local-effective rule changes to EPA on March 21, 2001.

What Is Involved in This Final Action?

The Jefferson County Air Pollution Control District made six submittals of revisions to its approved title V program after it received full approval on March 22, 1996, and EPA is taking final action by this notice to approve program changes in those submittals. EPA is publishing this action without prior proposal because the Agency views this

as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to grant full approval should adverse comments be filed. This action will be effective April 22, 2002 unless the Agency receives adverse comments by March 25, 2002.

If EPA receives such comments, then it will withdraw the final rule and inform the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 22, 2002 and no further action will be taken on the proposed rule.

Administrative Requirements

A. Request for Public Comments

EPA requests comments on the program revisions discussed in this action. Copies of the Jefferson County submittals and other supporting documentation used in developing this notice are contained in the EPA docket file numbered KY–JEFF–2002–01 that is maintained at the EPA Region 4 office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed full approval. The primary purposes of the docket are: (1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and (2) to serve as the record in case of judicial review. The docket files are available for public inspection at the location listed under the **ADDRESSES** section of this document. EPA will consider any comments received in writing by March 25, 2002.

B. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it is not an economically significant regulatory action as defined in Executive Order 12866, and it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13132

This rule does not have Federalism implications because it 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, as specified in Executive Order 13132, ''Federalism'' (64 FR 43255, August 10, 1999). This rule merely approves existing requirements under state law, and does not alter the relationship or the distribution of power and responsibilities between the state and the federal government established in the CAA.

E. Executive Order 13175

This rule does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified by Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000).

F. Executive Order 13211

This rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

G. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This rule will not have a significant impact on a substantial number of small entities because operating permit program approvals under section 502 of the CAA do not create any new requirements but simply approve requirements that the state is already imposing. Therefore, because this approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

H. Unfunded Mandates Reform Act

Under sections 202 of the Unfunded Mandates Reform Act of 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a federal mandate that may result in estimated costs to state, local, or tribal governments in the aggregate, or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a federal mandate that may result in estimated costs of $100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

I. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

In reviewing operating permit programs, EPA's role is to approve state choices, provided that they meet the

criteria of the CAA and EPA's regulations codified at 40 CFR part 70. In this context, in the absence of a prior existing requirement for the state to use VCS, EPA has no authority to disapprove an operating permit program for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews an operating permit program, to use VCS in place of an operating permit program that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of NTTAA do not apply.

J. Paperwork Reduction Act

This action will not impose any collection of information subject to the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., other than those previously approved and assigned OMB control number 2060–0243. For additional information concerning these requirements, see 40 CFR part 70. 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.

K. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: January 31, 2002.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

For reasons set out in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

2. Appendix A to part 70 is amended by revising paragraph (b) in the entry for Kentucky to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Kentucky

* * * * *

(b)(1) Air Pollution Control District of Jefferson County: submitted on January 31, 1994, and supplemented on March 9, 1994, June 15, 1994, July 15, 1994, July 14, 1995, August 9, 1995, August 10, 1995, and February 16, 1996; full approval effective on April 22, 1996.

(2) Revisions submitted on February 20, 1998, January 11, 1999, September 30, 1999, March 17, 2000, March 21, 2001, and October 23, 2001; full approval of revisions effective on April 22, 2002.

* * * * *

[FR Doc. 02–3766 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

Rules and Regulations

Federal Register
Vol. 67, No. 35
Thursday, February 21, 2002

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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 AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 00–110–4]

West Indian Fruit Fly

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rules as final rule.

SUMMARY: We are adopting as a final rule, without change, two interim rules regarding West Indian fruit fly. The first interim rule established regulations restricting the movement of regulated articles from a newly established quarantined area in Cameron County, TX. The second interim rule removed the quarantine on that portion of Cameron County, TX, and thus removed the restrictions on the interstate movement of regulated articles from that area. The first interim rule was necessary to prevent the spread of West Indian fruit fly to noninfested areas of the United States, and the second interim rule was necessary to reflect our determination that the West Indian fruit fly had been eradicated from Cameron County, TX.

EFFECTIVE DATE: The first interim rule, as corrected, became effective on January 12, 2001; and the second interim rule became effective June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Spaide, Director for Surveillance and Emergency Programs Planning and Coordination, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–8247.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective January 12, 2001, and published in the **Federal Register** on January 22, 2001 (66 FR 6429–6436, Docket No. 00–110–1), we amended the Domestic Quarantine Notices in 7 CFR part 301 by adding a new ''Subpart—West Indian Fruit Fly'' (7 CFR 301.98 through 301.98–10, referred to below as the regulations). The regulations designated a portion of Cameron County, TX, as a quarantined area because of an infestation of West Indian fruit fly and restricted the interstate movement of regulated articles from the quarantined area. In a document published in the **Federal Register** on April 20, 2001 (66 FR 20186, Docket No. 00–110–2), we corrected the definition for *Day degrees* in § 301.98–1 to rectify an error in the day degrees formula provided in that definition. In a second interim rule effective on June 1, 2001, and published in the **Federal Register** on June 25, 2001 (66 FR 33631–33632, Docket No. 00–110–3), we amended the regulations by removing the quarantine on a portion of Cameron County, TX, and removing restrictions on the interstate movement of regulated articles from that area based on our determination that the West Indian fruit fly had been eradicated from that area. Upon the effective date of our June 2001 interim rule, there were no longer any areas in the continental United States quarantined for the West Indian fruit fly.

Comments on each interim rule were required to be received on or before 60 days after the date of its publication in the **Federal Register**. We did not receive any comments on either of the interim rules. Therefore, for the reasons given in the interim rules, we are adopting the interim rules as a final rule.

This action also affirms the information contained in the interim rules concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301 DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule establishing ''Subpart—West Indian Fruit Fly'' (7 CFR 301.98 through 301.98–10) that was published at 66 FR 6429–6436 on January 22, 2001, as corrected by the document published at 66 FR 20186 on April 20, 2001, and as amended by the interim rule published at 66 FR 33631–33632 on June 25, 2001.

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

Done in Washington, DC, this 14th day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4175 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 764

RIN 0560–AF72

Streamlining of the Emergency Farm Loan Program Loan Regulations; Correction

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final rule which was published Tuesday, January 8, 2002 (67 FR 791–801). Several definitions were incorrectly numbered and several regulatory sections were incorrectly cited. These errors are corrected with this document.

DATES: Effective on February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Tom Witzig, (202) 205–5851.

SUPPLEMENTARY INFORMATION: In the final rule published on January 8, 2002, (67 FR 791–801) make the following corrections.

1. On page 796, in the first column, in the definition for ''Established

farmer'' paragraphs (a) through (e) introductory text are redesignated as paragraphs (1) through (5) and paragraphs (e)(1) through (e)(4) are redesignated as paragraphs (5)(i) through (5)(iv).

2. On page 796, in the second column, in the definition for ''Family farm'' paragraphs (a), (b) introductory text, (b)(1), (b)(2), (b)(3), (c) introductory text, (c)(1), (c)(2), (d) introductory text, (d)(1), (d)(2) and (e) are redesignated as paragraphs (1), (2), (2)(i), (2)(ii), (2)(iii), (3), (3)(i), (3)(ii), (4), (4)(i), (4)(ii) and (5).

3. On page 796, in the second column, in the definition for ''Feasible plan'' paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

4. On page 796, in the third column, in the definition for ''Normal production yield'' paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

5. On page 800, § 764.9, paragraphs (a) and (b)(2), the references to ''§ 761.8'' are corrected to read ''§ 761.7''.

Signed at Washington, DC on February 12, 2002.

J.B. Penn,

Under Secretary for Farm and Foreign, Agricultural Services.

[FR Doc. 02–4099 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

Farm Service Agency

7 CFR Part 1951

RIN 0560–AG43

Farm Loan Programs Account Servicing Policies—Reduction of Amortized Shared Appreciation Recapture Amortization Rate

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: The Farm Service Agency (FSA) is amending its regulations to reduce the amortization rate on Shared Appreciation Agreement recapture and clarify the references made to Shared Appreciation (SA) loans.

Pursuant to statutory mandate, the amortization rate on all future (SA) payment agreements will be the current Homestead Protection Program interest rate less 100 basis points (1 percent). In addition, the amortization rate on all SA payment agreements in existence as of October 28, 2000, will be similarly reduced.

Additionally, SA loans will now be referred to as SA amortized payments and the Promissory Notes used in the amortization of these amounts will be referred to as payment agreements. This change is being made to clarify the fact that SA agreements are an amortization of an existing debt which is not derived from obligated loan funds.

DATES: Effective March 25, 2002.

FOR FURTHER INFORMATION CONTACT: Michael Cumpton, Farm Loan Programs, Loan Servicing and Property Management Division, United States Department of Agriculture, Farm Service Agency, STOP 0523, 1400 Independence Avenue, SW, Washington, DC 20250–0523, telephone (202) 690–4014; electronic mail: *mike_cumpton@wdc.fsa.usda.gov.*

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be significant and was reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601–602), the undersigned has determined and certified by signature of this document that this rule will not have a significant economic impact on a substantial number of small entities. New provisions included in this rule will not impact a substantial number of small entities to a greater extent than large entities. Therefore, a regulatory flexibility analysis was not performed.

Environmental Evaluation

It is the determination of FSA that this action is not a major Federal action significantly affecting the environment. Therefore, in accordance with the National Environmental Policy Act of 1969, and 7 CFR part 1940, subpart G, an Environmental Impact Statement is not required.

Executive Order 12988

This rule has been reviewed in accordance with Executive Order 12988, Civil Justice Reform. In accordance with this executive order: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) except as specifically stated in this rule, no retroactive effect will be given to this rule; and (3) administrative proceedings in accordance with 7 CFR parts 11 and 780 must be exhausted before seeking judicial review.

Executive Order 12372

For reasons contained in the notice related to 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), the programs within this rule are excluded from the scope of E.O. 12372, which requires intergovernmental consultation with State and local officials.

The Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments or the private sector of $100 million or more in any 1 year. When such a statement is needed for a rule, section 205 of the UMRA requires FSA to prepare a written statement, including a cost and benefit assessment, for proposed and final rules with ''Federal mandates'' that may result in such expenditures for State, local, or tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates, as defined under title II of the UMRA, for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Executive Order 13132

The policies contained in this rule do not have any substantial direct effect on 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. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Paperwork Reduction Act

The amendments to 7 CFR part 1951 contained in this rule require no revisions to the information collection requirements that were previously approved by OMB (0560–0161) under the provisions of 44 U.S.C. chapter 35.

Federal Assistance Programs

These changes affect the following FSA programs as listed in the Catalog of Federal Domestic Assistance:

10.404—Emergency Loans

10.406—Farm Operating Loans

10.407—Farm Ownership Loans

Discussion of the Final Rule

The Farm Service Agency (FSA) published a final rule on August 18, 2000, (65 FR 50401–50405) to change the amortization rate of the Shared Appreciation Agreement recapture amortization and reamortization from the Non-Program rate to the Homestead Protection Program rate. Section 818 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, (2001 Appropriations Act) enacted on October 28, 2000, mandates that the amortization rate on all Shared Appreciation (SA) amortization agreements made after enactment will be reduced to the current Homestead Protection Program interest rate less 100 basis points (1 percent). This rate will be referred to as the SA amortization rate. In addition, section 818 of the 2001 Appropriations Act requires the interest rate on all SA amortizations existing as of the date of enactment of the 2001 Appropriations Act, to be reduced to the SA amortization rate as of that date. To comply with the 2001 Appropriations Act, FSA is publishing this final rule. The changes enacted herein were mandated by statute. The changes in terminology regarding SA amortized payments amounts are simply clarifications of the existing regulation. Therefore, notice and comment are impractical, unnecessary and contrary to the public interest and not required.

List of Subjects in 7 CFR Part 1951

Account Servicing, Credit, Debt Restructuring, Loan Programs—Agriculture.

Accordingly, 7 CFR part 1951 is amended as follows:

PART 1951—SERVICING AND COLLECTIONS

1. The authority citation for part 1951 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 31 U.S.C. 3716; 42 U.S.C. 1480.

2. Revise the heading for subpart S to read as follows:

Subpart S—Farm Loan Programs Account Servicing Policies

§ 1951.901 [Amended]

3. Revise the third sentence in § 1951.901 to read as follows:

* * * Shared Appreciation amortized payments (SA) may be reamortized under this subpart if the borrower also has outstanding FLP program loans.* * *

4. In § 1951.909 revise paragraph (e)(2)(vii)(D) and the third sentence of paragraph (e)(2)(viii)(A) to read as follows:

§ 1951.909 Processing primary loan service programs requests.

* * * * *

(e) * * *

(2) * * *

(vii) * * *

(D) SA payment agreements may not exceed 25 years from the date of the original amortized agreement.

* * * * *

(viii) * * *

(A) * * * SA payment agreements will be reamortized at the current SA amortization rate in effect on the date of approval or the rate on the original payment agreement, whichever is less.

* * * * *

5. In § 1951.914 revise paragraph (e) to read as follows:

§ 1951.914 Servicing shared appreciation agreements.

* * * * *

(e) *Shared appreciation amortization.* Shared appreciation may be amortized to a nonprogram amortized payment for borrowers who will continue with FSA on program loans. Shared appreciation will not be amortized if the amount is due because of acceleration, payment in full or satisfaction of the debt, or the borrower ceases farming. The amount due may be converted to an SA amortized payment under the following conditions:

(1) The borrower must have a feasible plan as defined in § 1951.906 including the SA amortized payment.

(2) The borrower must be unable to pay the shared appreciation, or obtain the funds elsewhere to pay the shared appreciation.

(3) [Reserved]

(4) [Reserved]

(5) The payment agreement term will be based on the borrower's repayment ability and the life of the security, not to exceed 25 years.

(6) The interest rate will be the SA amortization rate contained in RD Instruction 440.1 (available in any FSA office).

(7) A lien will be obtained on any remaining FSA security, or if there is no security remaining, the best lien obtainable on any other real estate or chattel property sufficient to secure the SA payment agreement, if available.

(8) The borrower will sign a payment agreement for each SA amortized payment established.

(9) [Reserved]

(10) [Reserved]

(11) If the borrower has no outstanding Farm Loan Program loans and becomes delinquent on the SA amortized payment, the SA payment agreement will be serviced in accordance with subpart J of this part. If the borrower has outstanding Farm Loan Programs loans, and becomes delinquent or financially distressed in accordance with § 1951.906, the SA amortized payment will be considered for reamortization in accordance with § 1951.909(e).

* * * * *

Signed in Washington, DC, on February 12, 2002.

J.B. Penn,

Under Secretary for Farm and Foreign Agricultural Services.

[FR Doc. 02–4100 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 217

[INS No. 2188–02; AG ORDER No. 2561–2002]

RIN 1115–AB93

Termination of the Designation of Argentina as a Participant Under the Visa Waiver Program

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: The Visa Waiver Program (VWP) permits nationals from designated countries to apply for admission to the United States for ninety (90) days or less as visitors for business or pleasure without first obtaining a nonimmigrant visa. On July 8, 1996, Argentina was added as a participating country in the VWP. Due to the current economic crisis in Argentina and the increase in the number of Argentine nationals attempting to use the program to live and work illegally in the United States, the Department of Justice, in consultation with the Department of State, has determined that Argentina's participation in the VWP is inconsistent with the U.S. interest in enforcement of the immigration laws of the United States. Accordingly, this rule terminates Argentina's designation as a VWP participant. Argentine nationals who intend to travel to the United States for legitimate business or pleasure must acquire a nonimmigrant visa at a U.S. consulate or embassy prior to their arrival in the United States.

DATES: *Effective date:* This interim rule is effective February 21, 2002.

Comment date: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Please submit written comments to the Director, Regulations and Forms Services Division, Immigration and Naturalization Service, 425 I Street, NW, Room 4034, Washington, DC 20536. To ensure proper handling, please reference INS No. 2188–02 on your correspondence. Comments may be submitted electronically to the Immigration and Naturalization Service (Service) at *insregs@usdoj.gov.* Comments submitted electronically should include the INS No. 2188–02 in the subject heading. Comments are available for public inspection at the above address by calling (202) 514–3048 to arrange for an appointment.

FOR FURTHER INFORMATION CONTACT: Marty Newingham, Assistant Chief Inspector, Inspections Division, Immigration and Naturalization Service, 425 I Street NW, Room 4064, Washington, DC 20536, telephone number: (202) 616–7992.

SUPPLEMENTARY INFORMATION:

What Is the VWP?

The VWP permits nationals from designated countries to apply for admission to the United States for ninety (90) days or less as nonimmigrant visitors for business or pleasure without first obtaining a nonimmigrant visa from a U.S. consular officer abroad, provided that all statutory and regulatory requirements are met. 8 U.S.C. 1187(a). If arriving by air or sea, a VWP traveler must arrive on a carrier that signed an agreement (signatory carrier) guaranteeing to transport inadmissible or deportable VWP travelers out of the United States at no expense to the United States. 8 U.S.C. 1187(e).

Why Is Argentina's Designation in the VWP Being Terminated?

Since December 2001, Argentina has been experiencing a serious economic crisis, including defaulting on loans by foreign creditors, devaluation of its currency, and increased levels of unemployment and poverty. As the economic climate has deteriorated in Argentina, the Immigration and Nationalization Service (Service) has experienced a pronounced increase in the number of Argentine nationals attempting to use the VWP to enter the United States to live and work illegally. While the number of Argentine nonimmigrant travelers to the United States declined between 1998 (518,770) and 2000 (516,153), the number of Argentines denied admission at the border rose from 173 cases in 1998 to 529 cases in 2000. Preliminary data suggest that the number of Argentines refused admission at the border nearly doubled from 2000 to 2001. Interior apprehensions also increased from 97 cases in 1998 to 230 cases in 2001. Since November 2001, Argentine VWP applicants for admission have been telling U.S. immigration officers at ports-of-entry (POEs) that they intend to reside in and seek employment in the United States because of the poor economic situation in Argentina. Many Argentine nationals use the VWP to obtain entry to the United States solely for the purpose of proceeding to the Canadian border and pursuing an asylum claim in Canada. According to Citizenship and Immigration Canada (CIC), over the last two years, more than 2,500 Argentines have filed refugee claims in Canada after transiting the United States under the VWP.

While the Argentine passport itself is a relatively secure document, the process for obtaining the documents to procure a passport lacks integrity, adding to the risk of successful organized smuggling of aliens into the United States.

Terminating Argentina's VWP program designation, thereby reinstating the regular nonimmigrant visa requirements for Argentine nationals, will make it more difficult for unauthorized immigrants to enter the United States. As with nationals of all other countries not designated for VWP, Argentine nationals seeking to enter the United States will have to apply for a nonimmigrant visa at a U.S. consular office abroad, and they will be screened again by an immigration officer at a U.S. port of entry to determine admissibility.

What Legal Authority Has the Attorney General Invoked To Terminate Argentina's VWP Designation?

Sections 217(c)(5)(B)(i) and (c)(5)(B)(ii)(IV) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(5)(B)(i) and (c)(5)(B)(ii)(IV)) require the Attorney General, in consultation with the Secretary of State, to terminate a country's VWP designation if he determines that a severe economic collapse in a program country threatens the law enforcement or security interests of the United States, including the interest in enforcement of the immigration laws of the United States.

What Does This Rule Do?

The Attorney General, in consultation with the Department of State, has determined that, due to the existence of the conditions set forth in INA section 217(c)(5)(B)(ii)(IV), Argentina's participation in the VWP threatens the United States' interest in enforcement of the immigration laws. Accordingly, Argentine citizens are no longer eligible to participate in the VWP. Effective February 21, 2002, Argentina is removed as a participating country in the VWP.

What Is the Legal Status of an Argentine National Who Was Admitted to the United States Under the VWP Before February 21, 2002 and Who Has Time Remaining on His or Her Period of Admission?

As long as the alien lawfully gained admission under the VWP before the effective date of this termination of designation notice, and continues to be in compliance with the terms of his or her admission, he or she may remain in the United States for the period of time authorized on the date of admission.

The Department notes, however, that an alien admitted as a visitor for business or pleasure under the VWP is not eligible for change or extension of nonimmigrant status under the existing regulations.

Good Cause Exception

This interim rule is effective February 21, 2002, although the Service invites post-promulgation comments and will address any such comments in a final rule. The Service finds that good cause exists for adopting this rule without the prior notice and comment period ordinarily required by 5 U.S.C. 553 for the following reasons. Since December 2001, Argentina has experienced a severe economic crisis and, at the same time, the Service has experienced an increasing number of Argentines attempting to use the program to work and live illegally in the United States—thus abusing the program. Increasing program abuse by Argentine nationals is inconsistent with the United States' interest in enforcing its immigration laws. Reestablishing the normal nonimmigrant visa requirements for Argentine nationals will have the immediate effect of stemming the flow of unauthorized immigration to the United States by such nationals. It would be contrary to the law and the public interest to allow such a threat to the immigration enforcement interests of the United States to continue. Because delaying the effective date of this interim rule is impractical and contrary to the public interest, there is good cause under 5 U.S.C. 553 to make this rule effective upon publication in the **Federal Register**.

Regulatory Flexibility Act

The Attorney General, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. Although individuals doing business with small entities will no longer be allowed to enter the United States without having a visa, they will be able to seek admission to the United States by obtaining a nonimmigrant visa at a United States consulate or embassy prior to arrival in the United States. This action is necessary to further the law enforcement and national security interests of the United States.

Executive Order 12866

This rule is considered by the Department of Justice, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review. Accordingly, this rule has been submitted to the Office of Management and Budget (OMB) for review.

Executive Order 13132

This rule 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, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Act of 1996. 5 U.S.C. 804. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12988

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995, Public Law 104–13, 109 Stat. 163, all departments are required to submit to OMB, for review and approval, any reporting requirements inherent in a final rule. This rule does not impose any new reporting and recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects in 8 CFR Part 217

Air carriers, Aliens, Maritime carriers, Passports and visas.

Accordingly, 8 CFR chapter I is amended as follows:

PART 217—VISA WAIVER PROGRAM

1. The heading for part 217 is revised as set forth above.

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

Authority: 8 U.S.C. 1103, 1187; 8 CFR part 2.

§ 217.2 [Amended]

3. Section 217.2(a) is amended under the definition ''Designated country'' by removing ''Argentina,'' from the list of countries.

Dated: February 15, 2002.

Larry D. Thompson,

Acting Attorney General.

[FR Doc. 02–4260 Filed 2–19–02; 2:20 pm]

BILLING CODE 4410–10–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–332–AD; Amendment 39–12660; AD 2002–04–03]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Fokker Model F27 Mark 050 series airplanes. This action requires reinforcement of the structural provisions for the Global Positioning System (GPS) antenna by replacement of existing fasteners with new fasteners, and installation of conical washers and a doubler plate at stringer 26, as applicable. This action is necessary to prevent cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, leading to reduced structural integrity of the fuselage pressure vessel, which could result in depressurization of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective March 8, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 8, 2002.

Comments for inclusion in the Rules Docket must be received on or before March 25, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2001–NM–332–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9-anm-iarcomment@faa.gov.* Comments sent via fax or the Internet must contain ''Docket No. 2001–NM–332–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tom Groves, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1503; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority—The Netherlands (CAA–NL), which is the airworthiness

authority for the Netherlands, notified the FAA that an unsafe condition may exist on certain Fokker Model F27 Mark 050 series airplanes. The CAA–NL advises that, during a product review, Fokker Services discovered that the structural provisions for the Global Positioning System (GPS) antenna do not meet pertinent structural strength requirements. Failure to meet these structural strength requirements could lead to reduced fatigue life of the GPS antenna's structural provisions. This condition, if not corrected, could result in cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, reduced structural integrity of the fuselage pressure vessel, and possible depressurization of the airplane.

Explanation of Relevant Service Information

Fokker Services B.V. has issued Fokker Service Bulletin SBF50–53–055, dated May 25, 2001. This service bulletin describes procedures for reinforcement of the structural provisions for the GPS antenna by replacement of existing fasteners with new fasteners. For certain airplanes, the reinforcement of the structural provisions for the GPS antenna also necessitates installation of conical washers and a doubler plate at stringer 26. Accomplishment of the applicable actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The CAA–NL classified this service bulletin as mandatory and issued Dutch airworthiness directive 2001–092, dated July 31, 2001, in order to assure the continued airworthiness of these airplanes in the Netherlands.

FAA's Conclusions

These airplane models are manufactured in the Netherlands and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA–NL has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA–NL, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design that may be registered in the United States at some time in the future, this AD is being issued to prevent cracking of the structure of the fuselage pressure vessel in the area of the GPS antenna, which could result in reduced structural integrity of the fuselage pressure vessel and consequent depressurization of the airplane. This AD requires accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between AD, Service Information, and Foreign Airworthiness Directive

The service bulletin and foreign airworthiness directive recommend that the actions in the service bulletin be accomplished within 6,000 flight cycles after installation of the structural provisions for the GPS antenna. The FAA finds, however, that such a compliance time could ground airplanes upon the effective date of this AD. Therefore, this AD provides a grace period of 60 days after the effective date of this AD for airplanes that have passed the 6,000-flight-cycle compliance threshold.

Cost Impact

None of the airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane that is subject only to the replacement of fasteners be imported and placed on the U.S. Register in the future, it would require approximately 2 work hours to accomplish the required reinforcement, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this AD would be $120 per airplane.

Should an affected airplane that is subject to both the replacement of fasteners and the installation of conical fasteners and a doubler be imported and placed on the U.S. Register in the future, it would require approximately 4 work hours to accomplish the required reinforcement, at an average labor rate of $60 per work hour. Required parts would cost approximately $142 per airplane. Based on these figures, the cost impact of this AD would be $382 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, 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 shall 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 in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 AD 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 Number 2001–NM–332–AD.''

The postcard will be date-stamped and returned to the commenter.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2002–04–03 Fokker Services B.V.: Amendment 39–12660. Docket 2001–NM–332–AD.

Applicability: Model F27 Mark 050 series airplanes, as listed in Fokker Service Bulletin SBF50–53–055, dated May 25, 2001, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent cracking of the structure of the fuselage pressure vessel in the area of the Global Positioning System (GPS) antenna, leading to reduced structural integrity of the fuselage pressure vessel, which could result in depressurization of the airplane, accomplish the following:

Reinforcement of Structural Provisions for GPS Antenna

(a) Within 6,000 flight cycles since installation of structural provisions for the GPS antenna per Fokker Service Bulletin SBF50–34–047, or Fokker Engineering Report FS–N399 or FS–N364, as applicable; or within 60 days after the effective date of this AD; whichever occurs later: Reinforce the structural provisions for the GPS antenna by replacing existing fasteners with new fasteners, and installing conical washers and a doubler plate at stringer 26, as applicable, per Fokker Service Bulletin SBF50–53–055, dated May 25, 2001.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(d) The actions shall be done in accordance with Fokker Service Bulletin SBF50–53–055, dated May 25, 2001. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in Dutch airworthiness directive 2001–092, dated July 31, 2001.

Effective Date

(e) This amendment becomes effective on March 8, 2002.

Issued in Renton, Washington, on February 11, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3850 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–390–AD; Amendment 39–12659; AD 2002–04–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300 F4–605R Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A300 F4–605R airplanes, that requires installation of external doublers at frames 29 and 33. The actions specified by this AD are intended to prevent fatigue cracking of certain circumferential joints, which could result in reduced structural integrity of the fuselage in the vicinity of the upper deck cargo door.

DATES: Effective March 28, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2797; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A300 F4–605R airplanes was published in the **Federal Register** on April 30, 2001 (66 FR 21292). That action proposed to require installation of external doublers at frames 29 and 33.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comment received.

Request To Expand Applicability of AD

The commenter, the manufacturer, says that French airworthiness directive 2000–456–323(B), issued by the Direction Générale de l'Aviation Civile (DGAC), applies to both Airbus Model A300 F4–605R production freighters and Model A300 series airplanes that have been converted to freighter configurations by supplemental type certificates (STCs) approved by the DGAC. However, the notice of proposed rulemaking (NPRM) issued by the FAA does not apply to airplanes that have been converted to freighter configurations. The commenter requests that the applicability of the AD be expanded to include Airbus Model A300 series airplanes which have been converted to freighter configurations by STC's approved by the FAA.

The FAA does not concur. The service bulletins cited by the DGAC in the French airworthiness directive apply only to production freighters and not to airplanes converted to freighter configurations in accordance with STCs. To address these converted airplanes, the FAA plans to work with the holders of STCs for those airplanes to evaluate the upper fuselage circumferential joints for fatigue. Depending upon the results, the FAA may issue further rulemaking addressing those airplanes.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 32 Model A300 F4–605R airplanes of U.S. registry will be affected by this AD, that it will take approximately 85 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $1,820 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $221,440 or $6,920 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2002–04–02 Airbus Industrie: Amendment 39–12659. Docket 2000–NM–390–AD.

Applicability: Model A300 F4–605R airplanes, certificated in any category, except those on which Airbus production Modification 12081 or the modification specified by Airbus Service Bulletin A300–53–6119, Revision 01, dated September 25, 2000, has been installed.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent fatigue cracking of certain circumferential joints, which could result in reduced structural integrity of the fuselage in the vicinity of the upper deck cargo door, accomplish the following:

Installation of Doublers

(a) Before the airplane accumulates 10,000 total flight cycles, or within 6 months after the effective date of this AD, whichever occurs later: Install external doublers at frames 29 and 33, in accordance with Airbus Service Bulletin A300–53–6119, Revision 01, dated September 25, 2000.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(d) The installation shall be done in accordance with Airbus Service Bulletin

A300–53–6119, Revision 01, dated September 25, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in French airworthiness directive 2000–456–323(B), dated November 15, 2000.

Effective Date

(e) This amendment becomes effective on March 28, 2002.

Issued in Renton, Washington, on February 11, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3849 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–298–AD; Amendment 39–12658; AD 2002–04–01]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 Series Airplanes; Model MD–88 Airplanes; and Model MD–90 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes, that currently requires a visual check to determine the part and serial numbers of the upper lock link assembly of the nose landing gear (NLG); repetitive inspections of certain upper lock link assemblies to detect fatigue cracking; and modification of the NLG. The existing AD also provides for terminating action for the repetitive inspections. This amendment requires, among other actions, expanding the applicability of the existing AD, revising compliance times; and adding new inspection requirements. This amendment is prompted by a report indicating that an NLG upper lock link fractured prior to landing and jammed against the NLG shock strut, restricting the NLG from fully extending. The actions specified by this AD are intended to prevent the upper lock link assembly from fracturing due to fatigue cracking, and the NLG consequently failing to extend fully; this condition could result in injury to passengers and flight crew, and damage to the airplane.

DATES: Effective March 28, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 2002.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1–L5A (D800–0024). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Brent Bandley, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5237; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 97–02–10, amendment 39–9895 (62 FR 3781, January 27, 1997), applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes, was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on February 14, 2001 (66 FR 10243). That supplemental NPRM would have, among other actions, revised a list of suspect parts; delayed accomplishment of a certain replacement; and revised the initial compliance time proposed by the original NPRM.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Request for Credit for Previously Accomplished Actions

One commenter requests that the FAA revise the proposed AD to specify that operators will be given ''credit'' for having previously accomplished the actions required by AD 97–02–10 per McDonnell Douglas Service Bulletin DC9–32–315 and Boeing Service Bulletin MD90–32–033, Revision 01, both dated October 24, 2000. The commenter states that both of those service bulletins contain statements that they have been approved as an alternative methods of compliance (AMOC) with the requirements of AD 97–02–10. The commenter notes that paragraph (f)(2) of the proposed AD states, ''Alternative methods of compliance, approved previously in accordance with AD 97–02–10, amendment 39–9895, are approved as alternative methods of compliance with paragraph (f)(1) of this AD.''

The FAA partially agrees. Operators are given credit for work previously performed by means of the phrase in the ''Compliance'' section of the AD that states, ''Required as indicated, unless accomplished previously.'' Therefore, in the case of this AD, if the required actions have been accomplished before the effective date of this AD, this AD does not require those actions to be repeated. However, we find that clarification with regard to paragraph (f)(2) of this AD is necessary. AMOCs approved previously in accordance with AD 97–02–10 are approved as AMOCs with this AD, not just paragraph (f)(1) of this AD as referenced in the proposed AD. Therefore, we have revised paragraph (f)(2) of this AD accordingly.

Request To Revise Applicability Statement

One commenter requests that the applicability of the proposed AD be revised to apply to affected airplanes on which upper lock link, part number (P/N) 3914464, has been installed.

The FAA agrees that revising the applicability would clarify that the AD affects those applicable airplanes equipped with upper lock links, P/N 3914464–1, –501, or –503. We have revised the applicability of the final rule to ''Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes; as listed in Boeing Service Bulletins DC9–32–315, and MD90–32–033, both Revision 01, dated October 24, 2000; certificated in any category; equipped with upper lock links, P/N 3914464–1, –501, or –503.'' In addition, we have revised the P/N of those links in paragraphs (a) and (c)(2)(iii) of the final

rule to include the specific dash numbers.

Request To Revise the Applicability of Certain Paragraphs

One commenter requests that the applicability of paragraphs (a)(1) and (a)(2) of the proposed AD be revised to include a reference to paragraph (c) of AD 97–02–10, in addition to the reference to paragraph (c)(1) of AD 97–02–10. The commenter is concerned that there is a time gap between inspections required by paragraph (c) of AD 97–02–10 and those required by paragraphs (a)(1) and (a)(2) of the proposed AD.

The FAA does not agree. We did not reference paragraph (c) of AD 97–02–10 in the applicability of paragraph (a)(1) or (a)(2) of the proposed AD because that paragraph only requires an initial inspection. The follow-on (i.e., repetitive inspections) and corrective (i.e., replacement) actions occur in paragraph (c)(1) of AD 97–02–10.

The FAA's intent in paragraph (a)(1) of this AD is to ensure that operators that have accomplished the inspection per paragraph (c)(1) of AD 97–02–10 will accomplish the required removal and inspections ''before 5,000 landings since the last inspection done per paragraph (c)(1) of AD 97–02–10, or within 90 days after the effective date of this AD, whichever occurs later.'' If an airplane accumulates 5,000 landings just after the effective date of this AD, then the operator would have 90 days to accomplish the AD.

The FAA's intent in paragraph (a)(2) of this AD is to ensure that operators that have NOT accomplished the inspection per paragraph (c)(1) of AD 97–02–10 will accomplish the required removal and inspections ''within 2,500 landings on the NLG after the effective date of this AD.'' Those affected by paragraph (a)(2) of this AD include but are not limited to: the upper lock links found to be exempt in AD 97–02–10 and airplanes that have been added to the applicability of this AD, which were NOT subject to the requirements of AD 97–02–10.

In light of these findings, the FAA finds that no change to the final rule is necessary in this regard.

Request for an Alternative Method of Compliance

One commenter requests that all areas of the proposed AD that specify reidentifying the lock link with an ''F'' after the part number include a ''compressive vibro-peening etch'' method in addition to the electro chemical deep etch method identified in the proposed AD. The commenter states that the results of a Boeing stress analysis revealed that, ''although an electro chemical deep etch process is the preferred method, the use of a vibro-peening, compressing tool to scribe an ''F'' after the part number will not reduce the overall strength or fatigue life of the unit.'' The commenter also notes that McDonnell Douglas Service Bulletin DC9–32–315, dated March 11, 1999, describes procedures for a non-descript procedure ''electro etch'' to apply an ''F'' after the part number, and that it used a ''vibro-peening'' tool to etch the ''F'' in the material on all of its airplanes.

The FAA does not agree. As discussed in the preamble of the supplemental NPRM, Revision 01 of Boeing Service Bulletin DC9–32–315, dated October 24, 2000, redefines the type of etching method to be used when marking certain parts as ''electro chemical deep etch method.'' We find only the electro chemical deep etch method to be acceptable for compliance with the reidentification requirements of this AD based on the testing that Boeing has done to support this method. At this time, Boeing has not conducted sufficient testing of the compressive vibro-peening process.

Request To Revise Certain Compliance Times

For clarification purposes, one commenter requests that the compliance time specified in paragraphs (a)(2) and (d) of the proposed AD be revised to within 2,500 landings on the NLG ''upper lock link.'' The FAA concurs and has revised those paragraphs of the final rule accordingly.

Request To Remove Requirement for Black Stripe

One commenter requests that paragraph (c)(2)(ii) of the proposed AD be revised to include the following statement: ''If an operator can track the location and limits of each individual link, then painting of the black stripe is not necessary.'' The commenter states that adding a black paint strip to the non-die forged link will add no value to the inspection and replacement tracking of the part for ABX.

The FAA does not agree. The black stripe is used to distinguish the upper lock links made from plate or bar material that are being repetitively inspected until they are replaced. We have confidence that operators have the capability to track these parts. However, we have determined that the black stripe should be painted adjacent to the part number to distinguish the upper lock link from other parts.

Request for Clarification

One commenter would like confirmation that if no manufacturer's serial number is found stamped on the upper lock link, the link is not from the affected lot of hand forged links.

The FAA agrees with the commenter that if no manufacturer's serial number is found stamped on the upper lock link, the link is not from the affected lot of hand forged links. Therefore, operators must accomplish the etch inspection required by paragraph (c) of this AD, as specified in paragraph (b)(1) of this AD.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 2,100 Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,400 airplanes of U.S. registry will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required inspections of the NLG upper lock link, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this inspection required by this AD on U.S. operators is estimated to be $84,000, or $60 per airplane.

It will take approximately 4 work hours per airplane to accomplish each required replacement of the NLG upper lock link, at an average labor rate of $60 per work hour. Required parts will cost approximately $5,803 per airplane. Based on these figures, the cost impact of each replacement required by this AD on U.S. operators is estimated to be $8,460,200, or $6,043 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time

required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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.

For the reasons discussed above, I certify that this action (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) 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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–9895 (62 FR 3781, January 27, 1997), and by adding a new airworthiness directive (AD), amendment 39–12658, to read as follows:

2002–04–01 McDonnell Douglas: Amendment 39–12658. Docket 97–NM–298–AD. Supersedes AD 97–02–10, Amendment 39–9895.

Applicability: Model DC–9, DC–9–80, and C–9 series airplanes; Model MD–88 airplanes; and Model MD–90 airplanes; as listed in Boeing Service Bulletins DC9–32–315, and MD90–32–033, both Revision 01, dated October 24, 2000; certificated in any category; equipped with upper lock links, part number (P/N) 3914464–1, –501, or –503.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (f)(1) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent the upper lock link assembly of the nose landing gear (NLG) from fracturing due to fatigue cracking, and the NLG consequently failing to extend fully, which could result in injury to passengers and flight crew, and damage to the airplane, accomplish the following:

Removing and Retaining Upper Lock Link

(a) Remove and retain the upper lock link, P/N 3914464–1, –501, or –503, and attaching parts; and do the inspections required by paragraphs (b) and (c) of this AD, per either applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. The actions required by this paragraph shall be done at the applicable time specified in paragraph (a)(1) or (a)(2) of this AD. Table 1 is as follows:

TABLE 1

Model	Service bulletin	Revision level	Date
DC–9, DC–9–80, and C–9 series airplanes; and MD–88 airplanes.	McDonnell Douglas Service Bulletin DC9–32–315.	Original	March 11, 1999.
	Boeing Service Bulletin DC9–32–315	Revision 01	October 24, 2000.
MD–90 airplanes	McDonnell Douglas Service Bulletin MD90–32–033.	Original	March 11, 1999.
	Boeing Service Bulletin MD90–32–033	Revision 01	October 24, 2000.

(1) For airplanes on which the inspection required by paragraph (c)(1) of AD 97–02–10 has been done: Do the actions before 5,000 landings since the last inspection done per paragraph (c)(1) of AD 97–02–10, or within 90 days after the effective date of this AD, whichever occurs later.

(2) For airplanes on which the inspection required by paragraph (c)(1) of AD 97–02–10 has NOT been done: Do the actions within 2,500 landings on the NLG upper lock link after the effective date of this AD.

Inspection

(b) Do a one-time inspection of the NLG upper lock link assembly per Revision 01 of the applicable service bulletin listed in Table 1 of this AD to determine whether the serial number of the lock link is identified in the affected lot specified in Condition 1 of the Accomplishment Instructions of Revision 01 of the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD.

Condition 1 (Hand Forging Serial Number)

(1) If the serial number of the upper lock link is not from the affected lot specified in Revision 01 of the applicable service bulletin (Condition 1), before further flight, do the etch inspection required by paragraph (c) of this AD.

(2) If the serial number of the upper lock link is from the affected lot specified in the Revision 01 of the applicable service bulletin (Condition 1), before further flight, replace the lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable service bulletin. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Etch Inspection

(c) Perform a one-time etch inspection of the NLG upper lock link to determine whether the lock link is made from die forged aluminum material (Condition 2), or from plate or bar material (Condition 3); per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD.

Condition 2 (Die Forged Aluminum Material)

(1) If the upper lock link is made from die forged aluminum material, before further flight, restore the finish and reidentify the lock link by adding an ''F'' to the part number, using an electro chemical deep etch method, per the applicable service bulletin. Identification of the lock link as being made from die forged aluminum material constitutes terminating action for the requirements of this AD.

Condition 3 (Plate or Bar Material)

(2) If the NLG upper lock link is made from plate or bar material, before further flight, do either Condition 3, Option 1, as specified by paragraph (c)(2)(i) of this AD, or Condition 3, Option 2, as specified by paragraphs (c)(2)(ii) and (c)(2)(iii) of this AD.

Condition 3, Option 1

(i) Permanently remove any discrepant upper lock link and replace with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable service bulletin. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Condition 3, Option 2

(ii) Restore the link finish and reidentify the upper lock link by adding a black paint stripe adjacent to the part number, indicating that the part is not made from die forged aluminum material, per the applicable service bulletin.

(iii) Do a high frequency eddy current (HFEC) or Type I fluorescent penetrant inspection of the upper lock link assembly, P/N 3914464–1, –501, or –503, to detect cracking of the assembly; per McDonnell Douglas Alert Service Bulletin DC9–32A298 R02, Revision 02 (for Model DC–9, DC–9–80, and C–9 series airplanes; and Model MD–88 airplanes), or Alert Service Bulletin MD90–32A019 R02, Revision 02 (for Model MD–90 airplanes), both dated October 29, 1997; as applicable.

Actions Following the Inspection Required by Paragraph (c)(2)(iii) of This AD

(d) If no crack is detected during the HFEC or Type I fluorescent penetrant inspection required by paragraph (c)(2)(iii) of this AD, within 2,500 landings on the NLG upper lock link since accomplishment of the inspection performed per paragraph (c)(2)(iii) of this AD, as applicable, do that inspection a second time. If no crack is detected during this second inspection, within 2,500 landings after accomplishment of the second inspection, replace the upper lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. Accomplishment of the replacement action constitutes terminating action for the requirements of this AD.

(e) If any crack is detected during the HFEC or Type I fluorescent penetrant inspection required by paragraph (c)(2)(iii) or (d) of this AD, before further flight, replace the discrepant NLG upper lock link with a new upper lock link, P/N 3914464–507; a reidentified upper lock link by adding an ''F'' to the part number, using an electro chemical deep etch method; or a new upper lock link assembly, P/N 5965065–507; all made from die forged aluminum material; per the applicable Boeing and McDonnell Douglas service bulletins listed in Table 1 of this AD. Accomplishment of the replacement constitutes terminating action for the requirements of this AD.

Alternative Methods of Compliance

(f)(1) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(2) Alternative methods of compliance, approved previously in accordance with AD 97–02–10, amendment 39–9895, are approved as alternative methods of compliance with this AD.

Special Flight Permits

(g) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(h)(1) The actions shall be done per the applicable Boeing service bulletin listed in Table 2 of this AD. Table 2 is as follows:

TABLE 2

Service bulletin	Revision level	Date
(i) McDonnell Douglas Service Bulletin DC9–32–315	Original	March 11, 1999.
(ii) Boeing Service Bulletin DC9–32–315	01	October 24, 2000.
(iii) McDonnell Douglas Service Bulletin MD90–32–033	Original	March 11, 1999.
(iv) Boeing Service Bulletin MD90–32–033	01	October 24, 2000.
(v) McDonnell Douglas Alert Service Bulletin DC9–32A298 R02	02	October 29, 1997.
(vi) McDonnell Douglas Alert Service Bulletin MD90–32A019 R02	02	October 29, 1997.

(2) This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1–L5A (D800–0024). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(i) This amendment becomes effective on March 28, 2002.

Issued in Renton, Washington, on February 11, 2002.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–3848 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07–00–129]

RIN 2115–AE47

Drawbridge Operation Regulations: Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the operating regulations of the Gasparilla Island Causeway drawbridge on the Gulf Intracoastal Waterway, mile 34.3, in Boca Grande, Florida. This rule will allow the bridge owner or operator to open the bridge on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need only open on the hour, quarter hour, half hour and three quarter hour.

DATES: This rule is effective March 25, 2002.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket [CGD07–00–129] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, FL 33131, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Branch, at (305) 415–6743.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On March 20, 2001, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL in the **Federal Register** (66 FR 15677). We did not receive any letters commenting on the proposed rule. No public hearing was requested and none was held.

Background and Purpose

The Gasparilla Island Causeway Drawbridge across the Gulf Intracoastal Waterway, mile 34.3, has a vertical clearance of 9 feet at mean high water and a horizontal clearance of 81 feet. The owner of the bridge requested a change to current operating schedule in effect from January 1 through May 31. The owner requested that scheduled openings start at 7 a.m., three hours earlier than the current regulations provide, to ease the flow of seasonal vehicular traffic during the morning. This rule will ease the seasonal vehicle traffic flow during the morning rush hour and have little to no impact on vessel traffic.

Regulatory Evaluation

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979) because this rule only extends the existing bridge operating schedule from January 1 to May 31 for three hours in the morning and still provides for openings every 15 minutes.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this final rule would not have a significant economic impact on a substantial number of small entities because the rule only slightly alters the current bridge operating schedule and still provides for openings every 15 minutes.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. If the rule will affect your small business, organization, or government jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding this rule.

We also have a point of contact for commenting on actions by employees of the Coast Guard. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This final rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 1313, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that this rule does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this rule and concluded that, under, Figure 2–1, paragraph 32(e) of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.**

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. In § 117.287, paragraph (a–1) is revised to read as follows:

§ 117.287 Gulf Intracoastal Waterway.

* * * * *

(a–1) The draw of the Gasparilla Island Causeway drawbridge, mile 34.3, at Boca Grande shall open on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need open only on the hour, quarter hour, half hour and three quarter hour.

* * * * *

Dated: February 8, 2002.

John E. Crowley, Jr.,

Captain, U.S. Coast Guard, Commander Seventh Coast Guard District, Acting.

[FR Doc. 02–4206 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OH118–1a; FRL–7133–8]

Approval and Promulgation of Implementation Plans; OH

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) approves the State Implementation Plan (SIP) for New Source Review (NSR) provisions for nonattainment areas for the Ohio Environmental Protection Agency (OEPA). This action follows up an April 22, 1996 rulemaking action, in which EPA proposed to conditionally approve the requested revisions to the Ohio Administrative Code (OAC). Since that rulemaking action, OEPA has submitted a series of revisions to address problems that were preventing full approval and to make other, approvable changes in the rules. The rules incorporate the general NSR provisions applying to both attainment and nonattainment areas. Other rules incorporate the NSR provisions that only apply to nonattainment areas. EPA also approves the rules for public notice procedure in a August 10, 1999 SIP revision request made by OEPA. These rules apply to air pollution construction permits issued under the attainment and nonattainment parts of the SIP.

DATES: This rule is effective on April 22, 2002, unless the EPA receives relevant adverse written comments by March 25, 2002. If adverse comment is received, the EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be sent to:

Pamela Blakley, Chief, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the documents relevant to this action are available for inspection during normal business hours at the following location: Permits and Grants Section, Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Please contact Kaushal Gupta at (312) 886–6803 or Jorge Acevedo at (312) 886–2263 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Kaushal Gupta, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6803. For further information regarding OEPA's rules for public notice procedure, please contact Jorge Acevedo, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–2263.

SUPPLEMENTARY INFORMATION: This supplementary information section is organized as follows:

A. What is the purpose of this document?
B. Who is affected by this action?
C. What is the history of OEPA's NSR program?
D. How are OEPA's NSR rules structured?
E. Are OEPA's NSR general nonattainment rules now approvable?
F. Are OEPA's NSR attainment rules now approvable?
G. Are OEPA's rules for public notice procedure approvable?
H. What comments have the public submitted, and what are EPA's responses?
I. What is today's final action?

A. What Is the Purpose of This Document?

This document is our approval of the SIP revision request that OEPA has submitted for its NSR program. In part, this document follows up on our April 22, 1996 proposed rulemaking action (61 FR 17669), in which we proposed to conditionally approve the SIP for general NSR rules and NSR rules for nonattainment areas. In this document, we address a series of SIP revisions made by OEPA since our April 22, 1996 proposal and explain why those revisions are approvable. We also approve additions to the SIP for general NSR language and for public notice procedures.

B. Who Is Affected by This Action?

Because the fully approved NSR program is similar to the program that OEPA already operates under delegated

authority, air pollution sources will generally not be affected by this action. Under the additional public notice procedures, however, people must file NSR permit appeals with OEPA rather than with the EPA Environmental Appeals Board as they have been doing under the delegated program.

C. What Is the History of Ohio's NSR Program?

OEPA submitted its first NSR SIP revision request on January 31, 1972, and submitted replacement regulations on June 6, 1973. The regulations submitted by the State provided requirements, such as best available technology, that were meant to be uniformly applied throughout the State.

The Clean Air Act Amendments (CAAA) of 1977, however, required States to go further than uniformly applied regulations. The CAAA of 1977 provided for the designation of areas within a State as ''attainment'' or ''nonattainment.'' An ''attainment'' area meets the National Ambient Air Quality Standards (NAAQS) for one of six criteria pollutants: Total suspended particulates, sulfur dioxide, ozone, carbon monoxide, nitrogen dioxide and lead. A ''nonattainment'' area does not meet the NAAQS for one or more pollutants. The CAAA of 1977 required States to adopt more stringent regulations, such as offsets and lowest achievable emission rate (LAER), for new pollution sources in nonattainment areas.

OEPA submitted a request to incorporate revised regulations in the SIP on October 4, 1982, and January 24, 1993, in order to comply with the CAAA of 1977. These revised regulations sought to add the offset requirements to the SIP by incorporating Appendix S to Title 40, Part 51 of the Code of Federal Regulations. We granted only limited approval of the revised regulations on September 8, 1993 (58 FR 47214), stating that the regulations did not satisfy the nonattainment area planning requirements of Title I, Part D of the Clean Air Act (CAA).

The CAAA of 1990 imposed yet further NSR requirements for nonattainment areas. Pursuant to these latter amendments, OEPA submitted a request to revise the entire SIP package on August 20, 1993. We proposed to disapprove the SIP revision request because it was not sufficient to satisfy the Part D requirements of the CAA on March 4, 1994 (59 FR 10349). The final disapproval of the State request was published on September 21, 1994 (59 FR 48392).

OEPA submitted another SIP revision request on March 1, 1996. On April 22, 1996 (61 FR 17669), we proposed to conditionally approve the general and nonattainment provisions in the SIP. We stated that the proposed provisions were deficient for not providing a definition for ''pollution control project.'' We stated that this deficiency had to be corrected in order for the nonattainment provisions to be fully approved. OEPA subsequently submitted revisions to its request dated March 1, 1996, April 16, 1997, September 5, 1997, December 4, 1997, and April 21, 1998. We have not taken formal action on our proposed conditional approval of the nonattainment NSR program, nor have we previously acted on the subsequent SIP revision requests. The subsequent SIP revision requests allow us to fully approve the program for reasons described below.

The CAA requires that the public be given sufficient time to comment on a permit before the permit is issued. On August 19, 1999, OEPA submitted a request for approval of the incorporation of OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07, and 3745–47–08(D) into the SIP.

D. How Are OEPA's NSR Rules Structured?

Part D of Title I of the CAA requires OEPA to submit a SIP revision for NSR rules for nonattainment areas. OEPA submitted this SIP in the form of OAC 3745–31–21 to 3745–31–27. These rules were the subject of our April 22, 1996 proposed conditional approval. OEPA also submitted general NSR provisions applying to both attainment and nonattainment areas in the form of OAC 3745–31–01 to 3745–31–10.

Part C of Title I of the CAA requires public notice procedures for attainment areas. 40 CFR 51.165 and 51.166 contain the requirements for an NSR permitting program and for the public noticing of permits. OEPA satisfied these requirements by submitting OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08(D).

E. Are OEPA's NSR General and Nonattainment Rules Now Approvable?

Yes, because OEPA has submitted rules that correct the deficiency that had prevented us from fully approving the rules. The January 21, 1997 submittal introduced a definition for ''pollution control project'' at OAC 3745–31–01(TT). OEPA's definition comports with the Federal definition at 40 CFR 51.165 (a)(1)(xxv).

The OEPA submittals subsequent to the March 1, 1996 revision request made some other definitional changes that we find approvable. The submittals amended or added the definitions for the following terms in OAC 3745–31–01 to make the Rule more consistent with 40 CFR 51: ''Actual emissions,'' ''electric utility steam generating unit,'' ''major modification,'' ''reactivation of a very clean coal-fired electric utility steam generating unit,'' ''repowering,'' and ''representative actual emissions.'' Because these amendments and additions make the Rule more consistent with Federal regulations, we find them approvable.

The submittals amended or added the definitions of the following terms to make them clearer or to consolidate the definitions at OAC 3745–31–01: ''Clean coal technology demonstration project,'' ''major modification,'' ''modify'' or ''modification,'' ''net emissions increase,'' and ''temporary clean coal technology demonstration project.'' Because these amendments and additions clarify and reorganize the rule without changing any of the definitions, we find them approvable.

The submittals amended the definition of ''potential to emit'' (PTE) at OAC 3745–31–01 in order to allow emission limits that are practically and legally enforceable by the State to be used to restrict the potential to emit of a source. OEPA has made this clarifying change based on the Federal definition of PTE being stricken by the Court ruling in *National Mining Ass'n* v. *United States Environmental Protection Agency,* 59 F.3d 1351 (D.C. Cir. 1995). Because we have not reformulated a definition for PTE, and because OEPA's amendment here comports with our guidance, we find this requested amendment approvable. Future changes to the requested SIP revision's definition of PTE may become necessary if we reformulate our PTE policy in the future.

The SIP revision requests amended the definition of ''modify or modification'' at OAC 3745–31–01 as it applies to solid waste disposal facilities and infectious waste treatment facilities. The definition now requires a permit only for modifications that substantially increase the limits of solid waste placement horizontally or vertically, rather than for modifications that substantially change the depth of excavation, finished topography, or total capacity. We find this amendment approvable because it will reduce the number of permits issued for modifications that have no significant impact on air quality. Second, the definition of ''modify or modification'' now requires permits for a modification in waste handling, an increase in treatment capacity, or any other substantial change of an infectious waste treatment facility. Because this

revision request broadens the scope of the term ''modify or modification'' to include substantial changes at infectious waste treatment facilities, we find it approvable.

F. Are OEPA's NSR Attainment Rules Now Approvable?

Yes. OEPA's NSR attainment rules fulfill the requirements of the Clean Air Act with three exceptions: OEPA's rules do not include a 25 tons per year significance level for particulate matter; the 50 ton per year significance level for municipal solid waste landfill emissions as required by 40 CFR 51.166(b)(23)(I); and because total reduced sulfur and reduced sulfur compounds incorrectly exclude hydrogen sulfide. In a December 5, 2000, letter seeking comment on rule changes to OAC 3745–31, OEPA committed to correct the definition of significance in OAC 3745–31. Because OEPA's rules meet all of the requirements of 40 CFR 51.165 and 51.166 with these exceptions and OEPA has started the process to correct the deficiencies, it is appropriate to finalize the conditional approval. The conditional approval provides that if OEPA does not submit approvable changes within one year timeframe, we will disapprove OEPA's attainment rules.

G. Are OEPA's Rules for Public Notice Procedure Approvable?

Yes, because they fulfill the public participation requirements specified in Part C of Title I of the CAA, 40 CFR 51.165, and 40 CFR 51.166.

H. What Comments Have the Public Submitted, and What Are EPA's Responses?

In a June 21, 1996 letter, the Ohio Electric Utility Institute submitted two formal comments in response to our proposed conditional approval of Ohio's NSR program. Below are the comments and our responses.

Comment: ''In [the April 22, 1996 proposed conditional approval 61 FR 17669], USEPA states that, because of certain definitional omissions, ''Ohio has not given electric operating units the additional flexibility that the Federal rules would otherwise allow'' (presumably under the so-called WEPCO rules, which are incorporated into the Federal New Source Review program). USEPA goes on to state: ''On this point, the state [requirements are] more stringent than the federal requirements and, therefore, are approvable.'' (See pages 17673–17674.) Regarding USEPA's contention that OEPA did not intend to incorporate the flexibility afforded by the WEPCO rules as part of the Ohio New Source Review program, the Utilities have the following two comments.

''First, the mere absence of certain federal definitions from the submitted New Source Review rules cannot be construed as evidence of Ohio EPA's intent to adopt a more stringent federal program. On the contrary, Ohio EPA has had a consistent policy of implementing its New Source Review program to afford the maximum flexibility provided by Federal law. Ohio EPA has implemented its policy of maximum flexibility, even though Ohio New Source Review rules did not include many specific Federal definitions. For instance, although Ohio EPA regulations never specifically provided for a ''netting'' rule in order to avoid PSD [Prevention of Significant Deterioration] or nonattainment review, Ohio EPA has consistently implemented its New Source Review permitting program to allow sources to ''net'' out of PSD or nonattainment review. Ohio accomplished this important policy decision by relying on other parts of Ohio statutory law and regulatory provisions which required Ohio EPA to issue permits in accordance with Federal law. This practice of incorporating Federal flexibility ''by reference'' into the Ohio air pollution control laws is one that is well established in Ohio and well understood by the Region. Accordingly, it is inappropriate for USEPA to infer that certain definitional omissions reflect an intent by Ohio EPA to be more stringent than Federal law. The Utilities suggest that in any final action on these rules, USEPA delete any textual material which implies or suggests that Ohio EPA did not intend to allow maximum WEPCO flexibility.''

Our response to this comment: EPA's comment in the relevant proposed rule deals only with OEPA's rulemaking, and not the State's implementation policy. It is in the public interest to note whenever Ohio's SIP is more stringent or less stringent than Federal requirements. Neither the State's implementation history nor their opinion on WEPCO flexibility bear on EPA's evaluation that the SIP provisions are acceptable. No inference is made or intended in this action regarding OEPA's ''intent.''

Comment: ''As a second comment, the Utilities note that several other commentors (including the Ohio Chamber of Commerce and the Ohio Petroleum Council) have suggested that USEPA refrain from any final approval of the Ohio New Source Review rules until Ohio EPA is afforded time to submit technical conforming amendments to the regulations which will clearly and explicitly refer to the WEPCO definitional requirements. The Utilities strongly support other Ohio industry groups on this point. Because of the vital importance of the WEPCO rule to the Utilities in Ohio, USEPA should take no final position that suggests such flexibility has been revoked. Rather, USEPA should allow Ohio EPA the time to submit the technical amendments necessary to conform the Ohio rules to the WEPCO definitions.''

Our response to this comment: We are obligated to act on OEPA's rule submittals as they are received unless OEPA requests a delay in action. OEPA has made no such request, nor have they stated any intention to submit technical amendments. Therefore, we are acting on the request as submitted by the State.

I. What Is Today's Final Action?

In this rule, EPA approves OEPA's March 1, 1996 request, as amended by OEPA's April 16, 1997 request, for additions and revisions to OAC 3745–31–01 to 3745–31–10, and OAC 3745–31–21 to 3745–31–27. EPA also approves OEPA's August 10, 1999 request for additions to OAC 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08(D).

EPA is publishing this action without prior proposal because EPA views this action as a noncontroversial revision and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the State Plan should adverse or critical written comments be filed. This action will be effective without further notice unless EPA receives relevant adverse written comment by March 25, 2002. Should EPA receive such comments, it will publish a final rule informing the public that this action will not take effect. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on April 22, 2002.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any State plan. Each request for revision to a State Plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and

therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. section 804(2). This rule will be effective April 22, 2002.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

V. List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur Oxide, Volatile organic compounds.

Dated: December 6, 2001.

Norman Niedergang,

Acting Regional Administrator, Region 5.

For the reasons stated in the preamble, part 52, chapter I of title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. Section 52.1870 is amended by adding paragraph (c)(126) to read as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

(126) On March 1, 1996, Ohio submitted revisions to its Permit to Install rules as a revision to the State implementation plan. The request was supplemented on April 16, 1997, September 5, 1997, December 4, 1997, April 21, 1998, and August 19, 1999.

(i) *Incorporation by reference.*

(A) Ohio Administrative Code Rules 3745–31–01 through 3745–31–03, 3745–31–05, 3745–31–09, 3745–31–10, 3745–31–21 through 3745–31–27, effective April 12, 1996; 3745–31–04 and 3745–31–06, effective September 18, 1987; 3745–31–07 and 3745–31–08, effective August 15, 1982.

(B) Ohio Administrative Code Rules 3745–47–01, 3745–47–02, 3745–47–03, 3745–47–05, 3745–47–07 and 3745–47–08 (D), effective June 30, 1981.

[FR Doc. 02–3760 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN70–7295a; FRL–7136–4]

Approval and Promulgation of Implementation Plans; Minnesota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency is approving a site-specific revision to the Minnesota Sulfur Dioxide (SO_2) State Implementation Plan (SIP) for Koch Petroleum Group, LP (Koch). The Minnesota Pollution Control Agency (MPCA) submitted the SIP revision request on May 2, 2001. The request is approvable because it satisfies the requirements of the Clean Air Act (Act). The rationale for the

approval and other information are provided in this document.

DATES: This direct final rule will be effective April 22, 2002, unless EPA receives adverse comment by March 25, 2002. If EPA receives adverse comments, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to: Carlton Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Copies of the documents relevant to this action are available for inspection during normal business hours at the above address. (Please telephone Christos Panos at (312) 353–8328, before visiting the Region 5 office.)

FOR FURTHER INFORMATION CONTACT: Christos Panos, Regulation Development Section, Air Programs Branch (AR–18J), Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8328.

SUPPLEMENTARY INFORMATION: This supplemental information section is organized as follows:

I. General Information
1. What action is EPA taking today?
2. Why is EPA taking this action?
3. What is the background for this action?
II. Review of State Implementation Plan Revision
1. Why did the State submit this SIP Revision?
2. What did Minnesota submit for approval into the SIP?
3. How does the SIP revision show attainment of the SO_2 standards?
III. Final Rulemaking Action
IV. Administrative Requirements

I. General Information

1. What Action Is EPA Taking Today?

In this action, EPA is approving into the Minnesota SO_2 SIP a site-specific revision for Koch, located in the Pine Bend Area of Rosemount, Dakota County, Minnesota. Specifically, EPA is approving and thereby incorporating Amendment No. 5 to Koch's administrative order (order) into the Minnesota SO_2 SIP.

2. Why Is EPA Taking This Action?

EPA is taking this action because the state's submittal for Koch is fully approvable. The SIP revision provides for attainment and maintenance of the SO_2 National Ambient Air Quality Standards (NAAQS) and satisfies the applicable SO_2 requirements of the Act. A more detailed explanation of how the state's submittal meets these requirements is in EPA's November 9, 2001 Technical Support Document (TSD).

3. What Is the Background for This Action?

EPA designated Air Quality Control Region (AQCR) 131, which contains Dakota County, as a primary SO_2 nonattainment area on March 3, 1978 (43 FR 8962) based on monitored violations of the primary SO_2 NAAQS from 1975 through 1977. In response to the Part D requirements of the Act, MPCA submitted a final SO_2 plan for AQCR 131 on August 4, 1980. EPA approved the Minnesota Part D SO_2 SIP for AQCR 131 on April 8, 1981 (46 FR 20996). Based on monitored violations recorded in 1982, EPA declared the Dakota County SO_2 SIP inadequate and issued a call for revisions to the Minnesota SO_2 SIP on December 5, 1984 (49 FR 47488).

On July 29, 1992 MPCA submitted to EPA a revision to the SO_2 SIP for the Dakota County/Pine Bend SO_2 nonattainment area demonstrating attainment of the SO_2 NAAQS in response to the SIP call. The modeling for the SIP attainment demonstration showed that Koch was a culpable source for the 1982 violations and therefore, MPCA issued an order to Koch based on the modeling. The state submitted the revised order for Koch to EPA on February 25, 1994 and EPA took final action on September 9, 1994 (59 FR 46553), to approve Minnesota's SO_2 SIP revision submittals for the Dakota County/Pine Bend area of AQCR 131.

On September 7, 1994, MPCA submitted to EPA a request to redesignate the Pine Bend area of AQCR 131 to attainment. EPA approved the state's request in a direct final action published on May 31, 1995 (60 FR 28339) redesignating the Pine Bend area to attainment of the SO_2 NAAQS.

On December 20, 2000, MPCA submitted a SIP revision consisting of Amendment No. 4 to Koch's order. Amendment No. 4 requires Koch to reduce emissions of nitrogen oxides (NO_X) and SO_2 at its #2 crude unit. EPA approved Amendment No. 4 into the SO_2 SIP on June 12, 2001 (66 FR 31545).

II. Review of State Implementation Plan Revision

1. Why Did the State Submit This SIP Revision?

The Fall 2001 Turnaround project is the second project initiated by Koch to reduce emissions of NO_X and SO_2 pursuant to a December 22, 2000 consent decree in United States v. Koch Petroleum Group, L.P., Civil Action No. 00–2756–PAM–SRN. In this project Koch will modify the #2 crude unit, 32 unit, and 33 unit at the refinery. Koch addressed most of the #2 crude unit project in Amendment No. 4 of the order. Amendment No. 5 modifies the #2 crude unit by adding low-NO_X burners to heater 12H–4, includes the addition of low-NO_X burners to heaters 32H–4,5,6, 33H–31, and changes to the convection sections of heaters 33H–31 and 33H–32. Koch will use heaters 33H–31 and 33H–32 for heating process streams instead of steam generation. Because of these changes, the design stack temperatures for heaters 12H–4, 32H–5,6,7 and 33H–32 will drop below the stack temperatures used in the 1992 modeling. The current SIP for Koch requires a revision to the plan if it revises stack parameters.

2. What Did Minnesota Submit for Approval Into the SIP?

The May 2, 2001 revision submitted by MPCA requests that EPA approve Amendment No. 5 to Koch's order into the Minnesota SO_2 SIP. Amendment No. 5 authorizes the installation of low-NO_X burners to heaters 12H–4, 32H–4,5,6, 33H–31, and 33H–32. Heaters 33H–31 and 33H–32 will be used for heating process streams instead of steam generation. Within 180 days after the installation of the low-NO_X burners, heater 33H–31 will burn refinery gas and will no longer be able to burn fuel oil. The revised order allows heater 16H–1 to operate on refinery fuel gas or natural gas with allowable SO_2 emissions of 5.6 lb/hr on a 3-hour average, and 15.3 tons of SO_2 per year. The revised order also limits heater 11H–6 to SO_2 emissions of 9.3 lb/hr on a 3-hour average, and 25.2 tons of SO_2 per year.

3. How Does the SIP Revision Show Attainment of the SO_2 Standards?

The MPCA submitted air quality modeling in support of Koch's SO_2 SIP revision. MPCA's modeling demonstrates that the SO_2 emissions from the Fall 2001 Turnaround project do not threaten attainment of the SO_2 NAAQS when factored into the 1992 attainment demonstration modeling. As discussed below, SO_2 emissions will decrease.

Net baseline emissions are the allowable emission rates used in the approved 1992 SIP attainment demonstration for the Pine Bend Area. The SO_2 emissions for the units modified by the current project totaled 2443 tons/year in the 1992 SIP. Total SO_2 emissions associated with the

current project are 365 tons/year. The difference in SO_2 emissions from the 1992 SIP for the affected sources and the current project is a decrease of more than 2,000 tons/year. A more detailed discussion is in EPA's November 9, 2001 TSD.

III. Final Rulemaking Action

EPA is approving the site-specific SIP revision for Koch Petroleum Group, LP, located in the Pine Bend area of Rosemount, Dakota County, Minnesota. Specifically, EPA is incorporating Amendment No. 5 to Koch's Administrative Order into the Minnesota SO_2 SIP. The State submitted this SIP revision on May 2, 2001 as a result of negotiations to a consent decree between EPA, MPCA and Koch, in which Koch proposed a series of modifications at the Pine Bend refinery. This project consists primarily of the modification of existing process heaters by replacing existing burners with low-NO_X burners, thereby substantially decreasing SO_2 emissions at the facility. As described above, this project provides for attainment and maintenance of the SO_2 NAAQS in the Pine Bend area and is therefore fully approvable.

The EPA is publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse comments are filed. This rule will be effective April 22, 2002, without further notice unless we receive relevant adverse comments by March 25, 2002. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. We will then address all public comments received in a subsequent final rule based on the proposed action. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. If we do not receive any comments, this action will be effective April 22, 2002.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 804 exempts from section 801 the following types of rules: (1) rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). EPA is not required to submit a rule report regarding this action under section 801 because this is a rule of particular applicability.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur dioxide.

Authority: 42 U.S.C. 7401 *et. seq.*

Dated: January 16, 2002.

Gary Gulezian,

Acting Regional Administrator, Region 5.

Title 40 of the Code of Federal Regulations, chapter I, part 52, is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.1220 is amended by adding paragraph (c)(60) to read as follows:

§ 52.1220 Identification of plan.

* * * * *

(c) * * *

(60) On May 2, 2001, the State of Minnesota submitted a site-specific State Implementation Plan (SIP) revision for the control of emissions of sulfur dioxide (SO_2) for Koch Petroleum Group, L.P., located in the Pine Bend Area of Rosemount, Dakota County, Minnesota. Specifically, EPA is approving into the SO_2 SIP Amendment No. 5 to the Administrative Order previously approved in paragraph (c)(35) and revised in paragraph (c)(57) of this section.

(i) Incorporation by reference

(A) An administrative order identified as Amendment Five to Findings and Order by Stipulation, for Koch Petroleum Group, L.P., dated and effective April 30, 2001, submitted May 2, 2001.

[FR Doc. 02–3756 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 253–0321c; FRL–7139–4]

Interim Final Determination That State Has Corrected the Rule Deficiencies and Stay of Sanctions, El Dorado County Air Pollution Control District, State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA has proposed conditional approval of revisions to the California State Implementation Plan (SIP). The revisions concern El Dorado County Air Pollution Control District (EDCAPCD) Rule 233. Based on the proposed conditional approval, EPA is making an interim final determination that the State has corrected deficiencies in the rule for which a sanction clock began on February 14, 2000. This action will stay the imposition of the offset sanctions and defer the imposition of the highway sanctions. Although this action is effective upon publication, EPA will take comment and will publish a final rule taking into consideration any comments received on this interim final determination.

DATES: This document is effective February 21, 2002. Comments must be received by March 25, 2002.

ADDRESSES: Written comments must be submitted to Andrew Steckel, Rulemaking Section (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the rule revisions and EPA's evaluation report for the rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 ''M'' Street, S.W., Washington, D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Building C, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Charnjit Bhullar, Rulemaking Office, AIR–4, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 972–3960.

SUPPLEMENTARY INFORMATION:

I. Background

On October 20, 1994, the State submitted EDCAPCD Rule 233, for which EPA published a limited disapproval in the **Federal Register** on January 13, 2000 (65 FR 2052). The effective date of our limited disapproval was February 14, 2000. EPA's disapproval action started an 18-month clock for the imposition of one sanction (followed by a second sanction 6 months later) and a 24-month clock for promulgation of a Federal Implementation Plan (FIP). The State subsequently submitted a revised version of Rule 233 on November 09, 2001. In the Proposed Rules section of today's **Federal Register**, EPA has proposed conditional approval of the November 2001 submittal.

Based on the proposed conditional approval, EPA believes that it is more likely than not that the State has corrected the original disapproval deficiencies. Therefore, EPA is taking this interim final rulemaking action finding that the State has corrected the deficiencies. However, EPA is also providing the public with a opportunity to comment on this interim final action. If, based on the comments on this action and the comments on EPA's proposed conditional approval, EPA determines that the State's submittal is not approvable and this interim final action was inappropriate, EPA will propose to disapprove the State's submittal and will take interim final action finding that the State has not corrected the original disapproval deficiencies. Upon a final disapproval of the State's submittal, EPA would finalize the interim final finding, finding that the State has not corrected the deficiencies.

This action does not stop the sanctions clock that started for this area on February 14, 2000, the effective date of our disapproval. However, this action will stay the imposition of the offset sanction and will defer imposition of the highway sanction. See 40 CFR 52.31(d)(2)(ii). If EPA takes final action conditionally approving the State's submittal, such action will continue any deferral or stay of the offset and highway sanctions. When the State meets its commitment and EPA takes final action fully approving the State's submittal meeting those commitments, such action will permanently stop the sanctions clock and will permanently lift any imposed, stayed or deferred sanctions. However, if at any time EPA determines that the State, in fact, did not correct the disapproval deficiencies, as appropriate, EPA either will withdraw this interim final determination or take final action finding that the State has not corrected the deficiencies. Such action will retrigger the sanctions consequences as described in 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clock. Based on this action, imposition of the offset sanction will be stayed and imposition of the highway sanction will be deferred until EPA takes final action fully approving the State's submittal or EPA takes action proposing or finally disapproving in whole or part the State submittal. If EPA takes final action conditionally approving the State's submittal, any deferral or stay of the sanctions clock will remain in place. If EPA subsequently takes final action fully approving the State submittal meeting its commitment, any sanctions clocks will be permanently stopped and any imposed, stayed or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has an

approvable plan, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception to the 30-day notice requirement of the Administrative Procedure Act because the purpose of this notice is to relieve a restriction. *See* 5 U.S.C. 553(d)(1).

III. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 32111, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely stays and defers federal sanctions. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule only stays an imposed sanction and defers the imposition of another, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely stays a sanction and defers another one, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

This rule does not contain technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for effected conduct. EPA has compiled with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings '' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. However, section 808 provides that any rule for which the issuing agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule) that notice and public procedure thereon are impractible, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefor, and established an effective date of February 21, 2002. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rules. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: January 23, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–3915 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NO. UT–001–0037a; FRL–7142–9]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revision of Definitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action approving State Implementation Plan (SIP) revisions submitted by the Governor of Utah on April 19, 2000. The April 19, 2000 submittal revises Utah's Air Conservation Regulations by updating the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions. The intended effect of this action is to make the definitions federally enforceable. This action is being taken under section 110 of the Clean Air Act.

DATES: This rule is effective on April 22, 2002 without further notice, unless EPA receives adverse comment by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202 and copies of the Incorporation by Reference material are available at the Air and Radiation Docket and

Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Laurel Dygowski, EPA, Region 8, (303) 312–6144.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we'' or ''our'' is used means EPA.

I. Analysis of the State Submittal

A. Procedural Background

The Act requires States to observe certain procedural requirements in developing implementation plans and plan revisions for submission to EPA. Section 110(a)(2) of the Act provides that each implementation plan admitted by a State must be adopted after reasonable notice and public hearing. Section 110(1) of the Act similarly provides that each revision to an implementation plan submitted by a State under the Act must be adopted by such State after reasonable notice and public hearing.

EPA also must determine whether a submittal is complete and therefore warrants further EPA review and action (see section 110(k)(1) and 57 FR 13565). EPA's completeness criteria are set out at 40 CFR part 51, appendix V. EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law if a completeness determination is not made by EPA six months after receipt of submission.

To entertain public comment, the State of Utah, after providing adequate public notice, held a public hearing on March 1, 1999 to address revisions to the SIP. Following the public hearings and public comment period, the Utah Air Quality Board adopted the revisions. Revisions to R307–101–2 (previously codified as R307–101–1) were adopted on April 1, 1999.

The Governor of Utah submitted the revisions to the SIP in a letter dated April 19, 2000. The SIP revisions were deemed complete by operation of law.

B. April 19, 2000 Revisions—R307–101–2

The revisions the State of Utah's SIP were made to reflect the current federal definitions of ''significant'' and ''volatile organic compounds''. The first revision to the SIP incorporates changes to 40 CFR 51.166(23)(i), which was amended to establish significance levels for four pollutants emitted from municipal waste combustors and solid waste landfills, thus changing the definition for ''significant''. The significance level is used to determine the scope of review needed for an application to increase emissions for sources which are covered by the Prevention of Significant Deterioration (PSD) requirements. The second SIP revision incorporates by reference EPA's definition of ''volatile organic compound'' (VOC) found in 40 CFR 51.100(s)(1), July 1, 1998. The definition of VOC was amended to delete methyl acetate from the list of volatile organic compounds that contribute to the formation of ground level ozone, thus changing the definition of ''volatile organic compound''. EPA believes these revisions are acceptable and is approving them into the SIP.

The April 19, 2000 submittal also contained revisions to definitions in Utah's Air Conservation Regulations section R307–410–4. The Governor of Utah withdrew these revisions on October 16, 2000.

II. Final Action

EPA is approving the revisions to the Utah SIP submitted on April 19, 2000. The revisions incorporate the latest federal definitions for ''significant'' and ''volatile organic compound'' and amend the State's Air Conservation Regulations section R307–101–2. EPA believes these revisions to the SIP are consistent with the Clean Air Act and EPA policy.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments However, in the ''Proposed Rules'' section of today's **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments be filed. This rule will be effective April 22, 2002 without further notice unless the Agency receives adverse comments by March 25, 2002. If the EPA receives adverse comments, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

III. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the

absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart TT–Utah

2. Section 52.2320 is amended by adding paragraph (c)(46) to read as follows:

§ 52.2320 Identification of plan.

* * * * *

(c) * * *

(46) On April 19, 2000, the Governor of Utah submitted revisions to the State's Air Conservation Regulations to update the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions found at 40 CFR 51.166(23)(i) and 40 CFR 51.100(s)(1), July 1, 1998, respectively.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations section R307–101–2, definitions of ''significant'' and ''volatile organic compound'' (VOC), effective April 8, 1999.

[FR Doc. 02–4066 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 70

[MO 0149–1149a; FRL–7146–5]

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is announcing it is approving a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. EPA is approving a revision to Missouri rule ''Submission of Emission Data, Emission Fees, and Process Information.'' This revision will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's air program rule revision.

DATES: This direct final rule will be effective April 22, 2002 unless EPA receives adverse comments by March 25, 2002. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of documents relative to this action are available for public inspection during normal business hours at the above-listed Region 7 location. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551–7603.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This section provides additional information by addressing the following questions:

What is a SIP?
What is the Federal approval process for a SIP?
What does Federal approval of a state regulation mean to me?
What is the part 70 Operating Permits Program?
What is being addressed in this document?
Have the requirements for approval of a SIP revision and part 70 program revision been met?
What action is EPA taking?

What Is a SIP?

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards established by us. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to us for approval and incorporation into the Federally-enforceable SIP.

Each Federally-approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

What Is the Federal Approval Process for a SIP?

In order for state regulations to be incorporated into the Federally-enforceable SIP, states must formally adopt the regulations and control strategies consistent with state and Federal requirements. This process

generally includes a public notice, public hearing, public comment period, and a formal adoption by a state-authorized rulemaking body.

Once a state rule, regulation, or control strategy is adopted, the state submits it to us for inclusion into the SIP. We must provide public notice and seek additional public comment regarding the proposed Federal action on the state submission. If adverse comments are received, they must be addressed prior to any final Federal action by us.

All state regulations and supporting information approved by us under section 110 of the CAA are incorporated into the Federally-approved SIP. Records of such SIP actions are maintained in the Code of Federal Regulations (CFR) at Title 40, Part 52, entitled ''Approval and Promulgations of Implementation Plans.'' The actual state regulations which are approved are not reproduced in their entirety in the CFR outright but are ''incorporated by reference,'' which means that we have approved a given state regulation with a specific effective date.

What Does Federal Approval of a State Regulation Mean to Me?

Enforcement of the state regulation before and after it is incorporated into the Federally-approved SIP is primarily a state responsibility. However, after the regulation is Federally approved, we are authorized to take enforcement action against violators. Citizens are also offered legal recourse to address violations as described in the CAA.

What Is the Part 70 Operating Permits Program?

The CAA Amendments of 1990 require all states to develop operating permits programs that meet certain Federal criteria. In implementing this program, the states are to require certain sources of air pollution to obtain permits that contain all applicable requirements under the CAA. One purpose of the part 70 operating permits program is to improve enforcement by issuing each source a single permit that consolidates all of the applicable CAA requirements into a Federally-enforceable document. By consolidating all of the applicable requirements for a facility into one document, the source, the public, and the permitting authorities can more easily determine what CAA requirements apply and how compliance with those requirements is determined.

Sources required to obtain an operating permit under this program include ''major'' sources of air pollution and certain other sources specified in the CAA or in our implementing regulations. For example, all sources regulated under the acid rain program, regardless of size, must obtain permits. Examples of major sources include those that emit 100 tons per year or more of volatile organic compounds, carbon monoxide, lead, sulfur dioxide, nitrogen dioxide, or PM_{10}; those that emit 10 tons per year of any single hazardous air pollutant (HAP) (specifically listed under the CAA); or those that emit 25 tons per year or more of a combination of HAPs.

Revisions to the state and local agencies operating permits program are also subject to public notice, comment, and our approval.

What Is Being Addressed in This Document?

The state of Missouri has requested that EPA approve as a revision to the Missouri SIP and part 70 Operating Permits Program recently adopted revisions to rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information.''

This rule applies to sources that are required to obtain a construction or Title V permit and to sources seeking an exemption from major source permitting requirements. The rule requires the submittal of an Emission Inventory Questionnaire (EIQ) and payment of emission fees based on information submitted in the EIQ.

Missouri updates this rule annually. The only revision this year was to make the rule applicable to calendar year 2001 emissions by revising the applicable date in section (5)(A) from 2000 to 2001. The annual emission fee was not revised, so it remains at twenty-five dollars and seventy cents ($25.70) per ton. This fee, along with program cash reserves, is sufficient to fund the cost of administering the part 70 program.

Further discussion and background information is contained in the technical support document prepared for this action, which is available from the EPA contact listed above.

Have the Requirements for Approval of a SIP Revision and Part 70 Program Revision Been Met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the technical support document which is part of this document, the revisions meet the substantive SIP requirements of the CAA, including section 110 and implementing regulations. Finally, the submittal meets the substantive requirements of Title V of the 1990 CAA Amendments and 40 CFR part 70.

What Action Is EPA Taking?

EPA is processing this action as a direct final action because the revisions make routine changes to the existing rules which are noncontroversial, and make regulatory revisions required by state statute. Therefore, we do not anticipate any adverse comments.

Final action: EPA is approving as an amendment to the Missouri SIP revisions to rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information'' pursuant to section 110. EPA is also approving this rule as a program revision to the state's part 70 Operating Permits Program pursuant to part 70.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 70

Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 24, 2002.

William W. Rice,

Acting Regional Administrator, Region 7.

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart AA—Missouri

2. In § 52.1320(c) the table is amended under Chapter 6 by revising the entry for ''10–6.110'' to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

EPA—APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
* * * * * * *				
Chapter 6—Air Quality Standard, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulation for the State of Missouri				
* * * * * * *				
10–6.110	Submission of Emission Data, Emission Fees, and Process Information.	12/30/01	[*February 21, 2002 and FR cite*].	Section (5), Emission Fees, has not been approved as part of the SIP.
* * * * * * *				

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PART 70—[AMENDED]

1. The authority citation for Part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Appendix A—[Amended]

2. Appendix A to Part 70 is amended by adding paragraph (k) under ''Missouri'' to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Missouri

* * * * *

(k) The Missouri Department of Natural Resources submitted Missouri rule 10 CSR 10–6.110, ''Submission of Emission Data, Emission Fees, and Process Information'' on December 27, 2001, approval effective April 22, 2002.

* * * * *

[FR Doc. 02–3762 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MT–001–0036a; FRL–7139–6]

Approval and Promulgation of Air Quality Implementation Plans; State of Montana; Billings Carbon Monoxide Redesignation to Attainment and Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On February 9, 2001, the Governor of Montana submitted a request to redesignate the Billings ''not classified'' carbon monoxide (CO) nonattainment area to attainment for the CO National Ambient Air Quality Standard (NAAQS). The Governor also submitted a CO maintenance plan. In this action, EPA is approving the Billings CO redesignation request and the maintenance plan.

DATES: This direct final rule is effective on April 22, 2002, without further notice, unless EPA receives adverse comments by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the following offices:

United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; and,

United States Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

Copies of the State documents relevant to this action are available for public inspection at: Montana Air and Waste Management Bureau, Department of Environmental Quality, P.O. Box 20901, Helena, Montana, 59620–0901.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; Telephone number: (303) 312–6479.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' are used we mean the Environmental Protection Agency.

I. What Is the Purpose of This Action?

In this action, we are approving a change in the legal designation of the Billings area from nonattainment for CO to attainment and we're approving the maintenance plan that is designed to keep the area in attainment for CO for the next 10 years.

We originally designated the Billings area as nonattainment for CO under the provisions of the 1977 Clean Air Act (CAA) Amendments (see 43 FR 8962, March 3, 1978). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted (Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q). Under section 107(d)(1)(C) of the CAA, we designated the Billings area as nonattainment for CO because the area had been previously designated as nonattainment before November 15, 1990. The Billings area was classified as a ''not classified'' CO nonattainment area as the area had not violated the CO NAAQS in 1988 and 1989.[1]

Under the CAA, designations can be changed if sufficient data are available to warrant such changes and if certain other requirements are met. See CAA section 107(d)(3)(D). Section 107(d)(3)(E) of the CAA provides that the Administrator may not promulgate a redesignation of a nonattainment area to attainment unless:

(i) the Administrator determines that the area has attained the national ambient air quality standard;

(ii) the Administrator has fully approved the applicable implementation plan for the area under CAA section 110(k);

(iii) the Administrator determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollutant control regulations and other permanent and enforceable reductions;

(iv) the Administrator has fully approved a maintenance plan for the area as meeting the requirements of CAA section 175A; and,

(v) the State containing such area has met all requirements applicable to the area under section 110 and part D of the CAA.

Before we can approve the redesignation request, we must decide that all applicable State Implementation Plan (SIP) elements have been fully approved. Approval of the applicable SIP elements may occur prior to final approval of the redesignation request or simultaneously with final approval of the redesignation request. We note there are no outstanding SIP elements necessary for the Billings redesignation.

II. What Is the State's Process To Submit These Materials to EPA?

Section 110(k) of the CAA sets out provisions governing our actions on submissions of revisions to a SIP. The CAA also requires States to observe certain procedural requirements in developing SIP revisions for submittal to EPA. Section 110(a)(2) of the CAA requires that each SIP revision be adopted after reasonable notice and public hearing. This must occur prior to the revision being submitted by a State to us.

The Montana Department of Environmental Quality (DEQ) held a public hearing on December 19, 2000, for the Billings CO redesignation request and maintenance plan. The redesignation request and maintenance plan were adopted by the Montana DEQ directly after the hearing and became State effective December 19, 2000. These SIP materials were submitted by the Governor to us on February 9, 2001. We have evaluated the Governor's submittal and have determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA.

As required by under section 110(k)(1)(B) of the CAA, we reviewed these SIP materials for conformance with the completeness criteria in 40 CFR part 51, appendix V and determined that the Governor's February 9, 2001, submittal was administratively and technically complete. Our completeness determination was sent on March 16, 2001, through a letter from Jack W.

[1] The EPA describes areas as ''not classified'' if they were designated nonattainment both prior to enactment and (pursuant to CAA section 107(d)(1)(C) at enactment, and if the area did not violate the primary CO NAAQS in either year for the 2-year period of 1988 through 1989, Refer to the ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498, April 16, 1992. See specifically 57 FR 13535, April 16, 19992.

McGraw, Acting Regional Administrator, to Governor Judy Martz.

III. EPA's Evaluation of the Redesignation Request and Maintenance Plan

EPA has reviewed the State's redesignation request and maintenance plan and believes that approval of the request is warranted, consistent with the requirements of CAA section 107(d)(3)(E). The following are descriptions of how the section 107(d)(3)(E) requirements are being addressed.

(a) *Redesignation Criterion:* The Area Must Have Attained The Carbon Monoxide (CO) NAAQS.

Section 107(d)(3)(E)(i) of the CAA states that for an area to be redesignated to attainment, the Administrator must determine that the area has attained the applicable NAAQS. As described in 40 CFR 50.8, the national primary ambient air quality standard for carbon monoxide is 9 parts per million (10 milligrams per cubic meter) for an 8-hour average concentration not to be exceeded more than once per year. 40 CFR 50.8 continues by stating that the levels of CO in the ambient air shall be measured by a reference method based on 40 CFR part 50, appendix C and designated in accordance with 40 CFR part 53 or an equivalent method designated in accordance with 40 CFR part 53. Attainment of the CO standard is not a momentary phenomenon based on short-term data. Instead, we consider an area to be in attainment if each of the CO ambient air quality monitors in the area doesn't have more than one exceedance of the CO standard over a one-year period. 40 CFR 50.8 and 40 CFR part 50, appendix C. If any monitor in the area's CO monitoring network records more than one exceedance of the CO standard during a one-year calendar period, then the area is in violation of the CO NAAQS. In addition, our interpretation of the CAA and our national policy, as presented in the September 4, 1992, John Calcagni policy memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (hereafter referred to as the ''Calcagni Memorandum''), has been that an area seeking redesignation to attainment must show attainment of the CO NAAQS for at least a continuous two-year calendar period. In addition, the area must continue to show attainment through the date that we promulgate the redesignation to attainment in the **Federal Register**.

Montana's CO redesignation request for the Billings area is based on an analysis of quality assured ambient air quality monitoring data that are relevant to the redesignation request. Ambient air quality monitoring data for consecutive calendar years 1988 through 2000 show a measured exceedance rate of the CO NAAQS of 1.0 or less per year, per monitor, in the Billings nonattainment area. These data were collected and analyzed as required by EPA (see 40 CFR 50.8 and 40 CFR part 50, appendix C) and have been archived by the State in EPA's Aerometric Information and Retrieval System (AIRS) national database. Further information on CO monitoring is presented in section 56.12.3 of the State's maintenance plan. We have evaluated the ambient air quality data and determined that the Billings area has not violated the CO standard and continues to demonstrate attainment.

Because the Billings nonattainment area has quality-assured data showing no violations of the CO NAAQS for 1997, 1998, and 1999, the years the State used to support the redesignation request, the Billings area has met the first component for redesignation: demonstration of attainment of the CO NAAQS. We note that the State of Montana has also committed in section 56.12.7.4.A of the maintenance plan to the necessary continued operation of the CO monitors in compliance with all applicable federal regulations and guidelines.

(b) *Redesignation Criterion:* The Area Must Have Met All Applicable Requirements Under Section 110 and Part D of the CAA.

To be redesignated to attainment, section 107(d)(3)(E)(v) requires that an area must meet all applicable requirements under section 110 and part D of the CAA. We interpret section 107(d)(3)(E)(v) to mean that for a redesignation to be approved by us, the State must meet all requirements that applied to the subject area prior to or at the time of the submission of a complete redesignation request. In our evaluation of a redesignation request, we don't need to consider other requirements of the CAA that became due after the date of the submission of a complete redesignation request.

1. CAA Section 110 Requirements

On January 10, 1980, we approved revisions to Montana's SIP as meeting the requirements of section 110(a)(2) of the CAA (see 45 FR 2034). Although section 110 of the CAA was amended in 1990, most of the changes were not substantial. Thus, we have determined that the SIP revisions approved in 1980 continue to satisfy the requirements of section 110(a)(2). For further detail, please see 45 FR 2034. In addition, we have analyzed the SIP elements that we are approving as part of this action and we have determined they comply with the relevant requirements of section 110(a)(2).

2. Part D Requirements

The Billings area was originally designated as nonattainment for CO on March 3, 1978 (see 43 FR 8962). Montana's original CAA Part D plan for attainment of the CO standards in the Billings area was submitted to EPA on April 24, 1979. On March 4, 1980, we proposed conditional approval of the April 24, 1979, Governor's submittal (see 45 FR 14072). On September 25, 1980, we finalized our conditional approval of this plan (see 45 FR 62982). A revision, responding to our conditions as stated in our March 4, 1980, proposed action (see 45 FR 14072), was submitted by the Governor on August 14, 1981. The Governor's 1979 and 1981 submittals relied on traffic flow improvements and projected emission reductions from mobile sources to attain the CO NAAQS. On January 16, 1986 (see 51 FR 2397), we granted full approval for the Billings CO SIP element as by 1985, ambient air quality data were showing that the area had attained the CO NAAQS.

EPA had begun development of its forthcoming post-1987 policy for carbon monoxide; however, we did not finalize our post-1987 policy for CO because the Clean Air Act (CAA) was amended on November 15, 1990. Under section 107(d)(1)(C) of the CAA, we designated the Billings area as nonattainment for CO because the area had been previously designated nonattainment before November 15, 1990. As stated previously, the Billings area was classified as a ''not classified'' CO nonattainment area as the area had not violated the CO NAAQS in 1988 and 1989.

Before the Billings not classified CO nonattainment area may be redesignated to attainment, the State must have fulfilled the applicable requirements of part D. Under part D, an area's classification indicates the requirements to which it will be subject. Subpart 1 of part D sets forth the basic nonattainment requirements applicable to all nonattainment areas, whether classified or nonclassifiable.

The relevant Subpart 1 requirements are contained in sections 172(c) and 176. The April 16, 1992, General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990 (see 57 FR 13498; hereafter referred to as the ''General Preamble of April 16, 1992'') provides our interpretations of the CAA requirements

for not classified CO areas (see specifically 57 FR 13535):

''Although it seems clear that the CO-specific requirements of subpart 3 of part D do not apply to CO ''not classified'' areas, the 1990 CAAA are silent as to how the requirements of subpart 1 of part D, which contains general SIP planning requirements for all designated nonattainment areas, should be interpreted for such CO areas. Nevertheless, because these areas are designated nonattainment, some aspects of subpart 1 necessarily apply.''

Under section 172(b), the applicable section 172(c) requirements, as determined by the Administrator, were due no later than three years after an area was designated as nonattainment under section 107(d) of the amended CAA (see 56 FR 56694, November 6, 1991). In the case of the Billings area, the due date was November 15, 1993. As the Billings CO redesignation request and maintenance plan were not submitted by the Governor until February 9, 2001, the General Preamble of April 16, 1992, provides that the applicable requirements of CAA section 172 are 172(c)(3) (emissions inventory), 172(c)(5) (new source review permitting program), and 172(c)(7) (the section 110(a)(2) air quality monitoring requirements)). See 57 FR 13535, April 16, 1992. We have determined that Part D requirements for Reasonably Available Control Measures (RACM), an attainment demonstration, reasonable further progress (RFP), and contingency measures (CAA section 172(c)(9)) are not applicable to not classified CO areas. See 57 FR 13535, April 16, 1992. It is also worth noting that we have interpreted the requirements of sections 172(c)(1) (reasonable available control measures—RACM), 172(c)(2) (reasonable further progress—RFP), 172(c)(6) (other measures), and 172(c)(9) (contingency measures) as being irrelevant to a redesignation request because they only have meaning for an area that is not attaining the standard. See the General Preamble of April 16, 1992, and the Calcagni Memorandum. Finally, the State has not sought to exercise the options that would trigger sections 172(c)(4) (identification of certain emissions increases) and 172(c)(8) (equivalent techniques). Thus, these provisions are also not relevant to this redesignation request.

Section 176 of the CAA contains requirements related to conformity. Although our regulations (see 40 CFR 51.396) require that states adopt transportation conformity provisions in their SIPs for areas designated nonattainment or subject to an EPA-approved maintenance plan, we have decided that a transportation conformity SIP is not an applicable requirement for purposes of evaluating a redesignation request under section 107(d) of the CAA. This decision is reflected in our 1996 approval of the Boston carbon monoxide redesignation. (See 61 FR 2918, January 30, 1996.)

The applicable requirements of CAA section 172 are discussed below.

A. Section 172(c)(3)—Emissions Inventory

Section 172(c)(3) of the CAA requires a comprehensive, accurate, current inventory of all actual emissions from all sources in the Billings nonattainment area. Our interpretation of the emission inventory requirement for ''not classified'' CO nonattainment areas is detailed in the General Preamble of April 16, 1992. We determined that an emissions inventory is specifically required under CAA section 172(c)(3) and is not tied to an area's proximity to attainment. We concluded that an emissions inventory must be included as a revision to the SIP and was due three years from the time of the area's designation. For ''not classified'' CO areas, this date became November 15, 1993. To address the section 172(c)(3) requirement for a ''current'' inventory, EPA interpreted ''current'' to mean calendar year 1990 (see 57 FR 13502, April 16, 1992).

On July 18, 1995, the Governor submitted to us the 1990 base year inventory for the Billings CO nonattainment area. We approved this 1990 base year CO emissions inventory on December 15, 1997 (see 62 FR 65613.)

B. Section 172(c)(5) New Source Review (NSR)

The CAA requires all nonattainment areas to meet several requirements regarding NSR, including provisions to ensure that increased emissions will not result from any new or modified stationary major sources and a general offset rule. The State of Montana has a fully-approved NSR program (60 FR 36715, July 18, 1995) that meets the requirements of CAA section 172(c)(5). The State also has a fully approved Prevention of Significant Deterioration (PSD) program (60 FR 36715, July 18, 1995) that will apply after the redesignation to attainment is approved by EPA.

C. Section 172(c)(7)—Compliance With CAA Section 110(a)(2): Air Quality Monitoring Requirements

According to our interpretations presented in the General Preamble of April 16, 1992, ''not classified'' CO nonattainment areas should meet the ''applicable'' air quality monitoring requirements of section 110(a)(2) of the CAA as explicitly referenced by sections 172(b) and (c) of the CAA. With respect to this requirement, the State indicates in section 56.12.3 (''Ambient Air Quality Data'') of the maintenance plan, that relevant ambient CO monitoring data have been properly collected and uploaded to EPA's Aerometric Information and Retrieval System (AIRS) for the Billings area. Air quality data through 1999 are included in section 56.12.3A of the maintenance plan. We have more recently polled the AIRS database and has verified that the State has also uploaded additional ambient CO data through 2000. The data in AIRS indicate that the Billings area has shown, and continues to show, attainment of the CO NAAQS.

Information concerning CO monitoring in Montana is included in the Monitoring Network Review (MNR) prepared by the State and submitted to EPA. EPA personnel have concurred with Montana's annual network reviews and have agreed that the Billings network remains adequate. Finally, in section 56.12.7.4.A of the maintenance plan, the State commits to the continued operation of the existing Billings CO monitoring network, according to all applicable Federal regulations and guidelines, even after the Billings area is redesignated to attainment for CO.

(c) *Redesignation Criterion:* The Area Must Have A Fully Approved SIP Under Section 110(k) of the CAA.

Section 107(d)(3)(E)(ii) of the CAA states that for an area to be redesignated to attainment, it must be determined that the Administrator has fully approved the applicable implementation plan for the area under section 110(k).

Based on the approval into the SIP of provisions under the pre-1990 CAA, our prior approval of a SIP revision required under the 1990 amendments to the CAA, and our approval of the State's commitment to maintain an adequate monitoring network (contained in the maintenance plan), we have determined that, as of the date of this **Federal Register** action, Montana has a fully approved CO SIP under section 110(k) for the Billings CO nonattainment area.

(d) *Redesignation Criterion:* The Area Must Show That the Improvement in Air Quality Is Due To Permanent And Enforceable Emissions Reductions.

Section 107(d)(3)(E)(iii) of the CAA provides that for an area to be redesignated to attainment, the Administrator must determine that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from

implementation of the applicable implementation plan (Billings CO revision as approved on January 16, 1986, see 51 FR 2397), implementation of applicable Federal air pollutant control regulations, and other permanent and enforceable reductions.

The CO emissions reductions for the Billings area were primarily derived through the Federal Motor Vehicle Control Program (FMVCP) and an intersection reconstruction that was detailed in the Billings SIP revision (see 51 FR 2397, January 16, 1986.)

In general, the FMVCP provisions require vehicle manufacturers to meet more stringent vehicle emission limitations for new vehicles in future years. These emission limitations are phased in (as a percentage of new vehicles manufactured) over a period of years. As new, lower emitting vehicles replace older, higher emitting vehicles (''fleet turnover''), emission reductions are realized for a particular area such as Billings. For example, EPA promulgated lower hydrocarbon (HC) and CO exhaust emission standards in 1991, known as Tier I standards for new motor vehicles (light-duty vehicles and light-duty trucks) in response to the 1990 CAA amendments. These Tier I emissions standards were phased in with 40% of the 1994 model year fleet, 80% of the 1995 model year fleet, and 100% of the 1996 model year fleet. The benefits to the Billings CO area of the FMVCP are further presented in section 56.12.5.B of the maintenance plan.

In addition, as part of the Billings CO SIP revision approved by EPA on January 16, 1986, intersection reconstruction was performed at Exposition Drive and First Avenue North near to where CO violations had previously occurred. The project included widening Exposition Drive from four to six lanes, widening the approach of First Avenue North to the intersection with Exposition Drive, and improving signalization to increase traffic flow and speed. This control measure is further described in section 56.12.5.B of the maintenance plan.

Finally, Yellowstone County (which Billings is a part of), as part of the County's air pollution control plan, developed regulations governing open burning including requiring permits. The State indicates in section 56.12.5.B of the maintenance plan that open burning is not a major contributor to CO levels in the Billings area on average, but may be responsible for elevated levels during certain times of the year. These regulations, that we approved into the SIP (see 66 FR 32545, June 15, 2001), allow Yellowstone County to require Best Available Control Technology (BACT) on open burning permits to limit emissions through a variety of methods including prioritizing burns. The regulations also dictate the times of year to which open burning is limited. The State indicates that a percent reduction in CO emissions would be difficult to quantify, however, the State believes that having the County's open burning regulations reduces air quality impacts.

We have evaluated the various State and Federal control measures, the 1990 base year emission inventory, and the 1996 attainment year emission inventory, and has concluded that the improvement in air quality in the Billings nonattainment area has resulted from emission reductions that are permanent and enforceable.

(e) *Redesignation Criterion:* The Area Must Have A Fully Approved Maintenance Plan Under CAA Section 175A.

Section 107(d)(3)(E)(iv) of the CAA provides that for an area to be redesignated to attainment, the Administrator must have fully approved a maintenance plan for the area meeting the requirements of section 175A of the CAA.

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. For areas such as Billings that are utilizing EPA's limited maintenance plan approach, as detailed in the EPA guidance memorandum entitled ''Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas'' from Joseph Paisie, Group Leader, Integrated Policy and Strategies Group, Office of Air Quality and Planning Standards, dated October 6, 1995 (hereafter referred to as ''Paisie Memorandum''), the maintenance plan demonstration requirement is considered to be satisfied for nonclassifiable areas if the monitoring data show that the area is meeting the air quality criteria for limited maintenance areas (i.e., a design value at or below 7.65 ppm, or 85% of the CO NAAQS, based on the 8 consecutive quarters—2 years of data—used to determine attainment). There is no requirement to project emissions over the maintenance period. EPA believes if the area begins the maintenance period at or below 85 percent of CO NAAQS, the continued applicability of PSD requirements, any control measures already in the SIP, and Federal measures, should provide adequate assurance of maintenance over the initial 10-year maintenance period. In addition, the design value for the area must continue to be at or below 7.65 ppm until the time of final EPA action on the redesignation. The method for calculating the design value is presented in the June 18, 1990, EPA guidance memorandum entitled ''Ozone and Carbon Monoxide Design Value Calculations'', from William G. Laxton, Director of the OAQPS Technical Support Division, to Regional Air Directors (hereafter referred to as the ''Laxton Memorandum'.)

In the case of a nonclassifiable area applying for a limited maintenance plan, all the monitors must have a separate design value calculated and the highest design value must be at or below 7.65 ppm. Should the design value for the area exceed 7.65 ppm prior to final EPA action on the redesignation, then the area no longer qualifies for the limited maintenance plan and must instead submit a full maintenance plan as described in the Calcagni Memorandum.

Eight years after our approval of this redesignation, the State must submit a revised maintenance plan that demonstrates continued maintenance of the CO NAAQS for 10 years following the initial ten-year maintenance period. To address the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, with a schedule for adoption and implementation, that are adequate to assure prompt correction of a violation. In addition, EPA issued further maintenance plan interpretations in the General Preamble of April 16, 1992, the Calcagni Memorandum, and the Paisie Memorandum. In this direct final rulemaking action, we are approving the State of Montana's limited maintenance plan for the Billings nonattainment area because EPA has determined, as detailed below, that the State's maintenance plan submittal meets the requirements of section 175A of the CAA and is consistent with the documents referenced above. Our analysis of the pertinent maintenance plan requirements, with reference to the Governor's February 9, 2001, submittal, is provided as follows:

1. Emissions Inventory—Attainment Year

Our interpretations of the CAA section 175A maintenance plan requirements for a limited maintenance plan are described in the Calcagni Memorandum and Paisie Memorandum as referenced above. The State is to develop an attainment year emissions inventory to identify a level of emissions in the area which is sufficient to attain the CO NAAQS. This inventory is to be consistent with EPA's most

recent guidance on emissions inventories for nonattainment areas available at the time [2] and should represent emissions during the time period associated with the monitoring data showing attainment.

The maintenance plan that the Governor submitted on February 9, 2001, included a comprehensive inventory of CO emissions for the Billings area for a typical CO season day work day in 1996. This inventory includes emissions from stationary point sources, area sources, non-road mobile sources, and on-road mobile sources. The State selected 1996 as the year from which to develop the attainment year inventory as it correlated with other inventory work that the State was proceeding with. The use of a 1996 inventory is acceptable to us as it represents a recent year for which the Billings area was showing attainment for the CO NAAQS. We note, and as archived in our Aerometric Information Retrieval System (AIRS) national database, that the Billings area has actually continuously demonstrated attainment of the CO NAAQS since 1988. Further, use of the 1996 attainment year conforms with the requirements in both the Calcagni Memorandum and Paisie Memorandum.

A more detailed description of the 1996 attainment year inventory is documented in the maintenance plan, section 56.12.7.1, and in the State's Technical Support Document (TSD). The State's submittal contains detailed emission inventory information for the Billings area that was prepared in accordance with EPA guidance.

We note in the maintenance plan, section 56.12.7.1, and the State's TSD that the State elected to perform a more comprehensive gridded emission inventory that not only contained emissions from Billings, but also emissions from the nearby communities of Huntley and Laurel which may impact the Billings area. This was denoted as the ''Billings CO Emission Inventory Study Area.'' The total CO emissions for all three communities, as provided in the maintenance plan and in Table 5.1.b of the State's TSD, were 144,645.93 kilograms per day or 159.47 tons per day. However, for the purposes of the redesignation to attainment, only CO emissions from the actual Billings nonattainment area are necessary. The State also provided the CO nonattainment area emission figures in Table 5.1.c of the State's TSD. The total CO emissions for just the Billings nonattainment area were 94,936.31 kilograms per day or 104.67 tons per day.

Therefore, we are only archiving the Billings nonattainment area's summary CO emission figures from the 1996 attainment year in Table II.—2 below.

TABLE II.—2 SUMMARY OF 1996 CO EMISSIONS (TONS PER DAY) FOR BILLINGS*

Point sources	Area sources	On-road mobile	Non-road mobile	Total
2.13	9.99	85.95	6.60	104.67

*Note: The Billings 1996 attainment year inventory figures were presented in the maintenance plan and the State's TSD in kilograms per day (kg/day). For the reader's convenience, we have converted kg/day to tons per day (TPD) by multiplying kg/day by 0.0011025 tons per kg.

2. Demonstration of Maintenance

As described in our October 6, 1995, limited maintenance plan guidance memorandum (Paisie Memorandum), the maintenance plan demonstration requirement is considered to be satisfied for nonclassifiable CO areas (such as Billings) if the monitoring data show that the area is meeting the air quality criteria for limited maintenance areas (i.e., equal to or less than a 7.65 ppm design value). There is no requirement to project emissions over the maintenance period. EPA believes that if an area begins the maintenance period at or below 85 percent of the CO NAAQS (7.65 ppm), the continued application of control measures already in the SIP, PSD requirements, and Federal measures provides adequate assurance of maintenance over the initial 10-year maintenance period.

As presented in section 56.12.7.2 and in Table 56.12.7.2.A of maintenance plan, the CO design value for the Billings area is 5.8 ppm which is below the limited maintenance plan requirement of 7.65 ppm. Therefore, the Billings area has adequately demonstrated maintenance.

3. Monitoring Network and Verification of Continued Attainment

The October 6, 1995, Paisie Memorandum for limited maintenance plan areas states that to verify the attainment status of an area, such as Billings, over the maintenance period, the maintenance plan should contain provisions for the continued operation of an appropriate, EPA-approved air quality monitoring network in accordance with 40 CFR part 58.

This monitoring network requirement is met in section 56.12.7.3 of the Billings maintenance plan. This section states that the Montana Department of Environmental Quality (MDEQ) has operated and will continue to operate the Billings monitoring network in full accordance with the provisions of 40 CFR part 58 and the EPA-approved Montana Quality Assurance Project Plan. The MDEQ will also analyze the monitoring data to verify continued attainment of the CO NAAQS for the Billings area. The above air quality monitoring commitment by the State, which will be enforceable by EPA after this final approval of the Billings maintenance plan SIP revision, is deemed adequate by EPA.

4. Contingency Plan

Section 175A(d) of the CAA requires that a maintenance plan include contingency provisions. To meet this requirement, the State has identified appropriate contingency measures along with a schedule for the development and implementation of such measures. As stated in section 56.12.7.4 of the maintenance plan, the State will use an exceedance of the CO NAAQS as the trigger for adopting specific contingency measures for the Billings area. The State indicates that notification to EPA, and other affected governments, of the exceedance will occur within 60 days. Upon notification of a CO NAAQS exceedance, the MDEQ and Yellowstone County Air Quality Control (YCAQC) will convene to recommend an appropriate contingency measure or measures that would be necessary to avoid a violation of the CO NAAQS standard. The necessary contingency measure(s) will then be proposed for local adoption. The local adoption process will be completed within three

[2] The October 6, 1995, limited maintenance plan guidance memorandum states that current guidance on the preparation of emissions inventories for CO areas is contained in the following documents: ''Procedures for the Preparation of Emission Inventories for Carbon Monoxide and Precursors of Ozone: Volume I'' (EPA–450/4–91–016), and ''Procedures for Emission Inventory Preparation: Volume IV, Mobile Sources'' (EPA–450/4–81–026d revised).

months of the exceedance notification. Full implementation of the locally adopted contingency measure(s) will be achieved within one year after the recording of a CO NAAQS violation.

The potential contingency measures, identified in section 56.12.7.4.C of the Billings maintenance plan, include implementation of an oxygenated fuels program with local regulations in the Billings or Yellowstone County area for the winter months of November, December, and January and establishing a high pollution day episodic woodburning curtailment program. A more complete description of the triggering mechanism and these contingency measures can be found in section 56.12.7. 4 of the maintenance plan.

Based on the above, we find that the contingency measures and procedures provided in the State's maintenance plan for Billings are sufficient and meet the requirements of section 175A(d) of the CAA and the Paisie Memorandum for CO limited maintenance plans.

5. Subsequent Maintenance Plan Revisions

The State of Montana has committed to submit a future, revised maintenance plan for the Billings area. This commitment is contained in section 56.12.7.4.D of the Billings maintenance plan and meets the requirements of the CAA and EPA policy and guidance. Section 56.12.7.4.D states that eight years after EPA redesignates the Billings area to attainment, the State commits to submit to EPA a revised maintenance plan that will provide maintenance of the CO NAAQS for an additional 10 years after the expiration of the initial maintenance period.

IV. Conformity

Because the Billings area qualified for and utilized EPA's limited maintenance plan national policy (Paisie Memorandum), special conformity provisions apply as indicated below in an excerpt from such policy:

''e. Conformity Determinations Under Limited Maintenance Plans

The transportation conformity rule (58 FR 62188; November 24, 1993) and the general conformity rule (58 FR 63214; November 30, 1993) apply to nonattainment areas and maintenance areas operating under maintenance plans. Under either rule, one means of demonstrating conformity of Federal actions is to indicate that expected emissions from planned actions are consistent with the emissions budget for the area. Emissions budgets in limited maintenance plan areas may be treated as essentially not constraining for the length of the initial maintenance period because it is unreasonable to expect that such an area will experience so much growth in that period that a violation of the CO NAAQS would result. In other words, EPA would be concluding that emissions need not be capped for the maintenance period. Therefore, in areas with approved limited maintenance plans, Federal actions requiring conformity determinations under the transportation conformity rule could be considered to satisfy the ''budget test'' required in sections 93.118, 93.119, and 93.120 of the rule. Similarly, in these areas, Federal actions subject to the general conformity rule could be considered to satisfy the ''budget test'' specified in section 93.158(a)(5)(i)(A) of the rule.''

In addition, for Billings, Federal actions are also considered to satisfy the transportation conformity rule's requirements for expeditious implementation of transportation control measures (TCM) because there are no TCMs in the Billings CO SIP element. Transportation plans, transportation improvement programs, and Federal projects still require conformity determinations in order to proceed and Federal projects are still subject to the hotspot modeling requirements of the transportation conformity rule.

V. Final Action

In this action, EPA is approving the Billings carbon monoxide redesignation request to attainment and the maintenance plan.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective April 22, 2002, without further notice unless the Agency receives adverse comments by March 25, 2002.

If EPA receives such comments, then EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 22, 2002, and no further action will be taken on the proposed rule.

Administrative Requirements

(a) Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

(b) Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

(c) Executive Order 13132

Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612 (Federalism) and 12875 (Enhancing the Intergovernmental Partnership). Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that 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.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the

process of developing the proposed regulation.

This rule 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, as specified in Executive Order 13132, because it merely approves state rules implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. In addition, redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

(d) Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments)

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

This direct final rule does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

(e) Executive Order 13211 (Energy Effects)

This rule is not subject to Executive Order 13211 ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

(f) Regulatory Flexibility

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This final approval will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the SIP final approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.,* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2). Redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Redesignation to attainment is an action that affects the legal designation of a geographical area and does not impose any regulatory requirements. Therefore, because the final approval of the redesignation does not create any new requirements, I certify that the final approval of the redesignation request will not have a significant economic impact on a substantial number of small entities.

(g) Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that this final approval action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

(h) Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will be effective April 22, 2002.

(i) National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

(j) Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 22, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition

for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the Clean Air Act.)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Reporting and recordkeeping requirements.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

Chapter I, title 40, parts 52 and 81 of the Code of Federal Regulations are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart BB—Montana

2. Section 52.1373 is amended by redesignating the existing paragraph as paragraph (a) and adding paragraph (b) to read as follows:

§ 52.1373 Control strategy: Carbon monoxide.

* * * * *

(b) Revisions to the Montana State Implementation Plan, Carbon Monoxide Redesignation Request and Maintenance Plan for Billings, as adopted by the Montana Department of Environmental Quality on December 19, 2000, State effective December 19, 2000, and submitted by the Governor on February 9, 2001.

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. In § 81.327, the table entitled ''Montana-Carbon Monoxide'' is amended by revising the entry for ''Billings Area'' to read as follows:

§ 81.327 Montana.

* * * * *

MONTANA—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
Billings Area:				
Yellowstone County (part):				
The following areas of Yellowstone Co. (Range and Township) sections: R25E T1N—Sections 24 through 27 and 34 through 36; R25E T1S—Sections 1, 2, and 12; R26E T1N Sections 19 through 22 and 27 through 34; R26E T1S Sections 2 through 11 and 15 through 18..	April 22, 2002.	Attainment		
* *	*	*	*	*

[1] This date is November 15, 1990, unless otherwise noted.

* * * * *

[FR Doc. 02–4062 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[KY–JEFF–T5–2002–01a; FRL–7143–9]

Clean Air Act Final Approval of Operating Permit Program Revisions; Jefferson County (KY)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking final action to approve revisions to the operating permit program of the Jefferson County Air Pollution Control District in Kentucky. The County's operating permit program was submitted in response to the directive in the 1990 Clean Air Act (CAA) Amendments that states develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources within the states' jurisdiction. EPA granted full approval to Jefferson County's operating permit program on March 22, 1996. The County has revised its program since it received full approval and this action approves those revisions.

DATES: This direct final rule is effective on April 22, 2002 without further notice unless EPA receives adverse comments in writing by March 25, 2002. If adverse comment is received, EPA will publish a timely withdrawal of this direct final rule in the **Federal Register** and inform the public that the rule will not take effect. The public comments will be addressed in a subsequent final rule based on the proposed rule published in this **Federal Register**.

ADDRESSES: Written comments on this action should be addressed to César Zapata, Air Permits Section, Air Planning Branch, EPA, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960. Copies of the County's submittals and other supporting documentation relevant to this action are available for inspection during normal business hours at EPA, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960.

FOR FURTHER INFORMATION CONTACT: César Zapata, EPA, Region 4, at (404) 562–9139 or *zapata.cesar@epa.gov/.*

SUPPLEMENTARY INFORMATION: This section provides additional information by addressing the following questions:

What is the operating permit program?
What is being addressed in this document?
What are the program changes that EPA is approving?
What is involved in this final action?

What Is the Operating Permit Program?

The CAA Amendments of 1990 required all state and local permitting authorities to develop operating permit programs that met certain federal criteria. In implementing the title V operating permit programs, the

permitting authorities require certain sources of air pollution to obtain permits that contain all applicable requirements under the CAA. The focus of the operating permit program is to improve enforcement by issuing each source a permit that consolidates all of the applicable CAA requirements into a federally enforceable document. By consolidating all of the applicable requirements for a facility, the source, the public, and the permitting authorities can more easily determine what CAA requirements apply and how compliance with those requirements is determined.

Sources required to obtain an operating permit under this program include ''major'' sources of air pollution and certain other sources specified in the CAA or in EPA's implementing regulations. For example, all sources regulated under the acid rain program, regardless of size, must obtain operating permits. Examples of major sources include those that have the potential to emit 100 tons per year or more of volatile organic compounds (VOCs), carbon monoxide, lead, sulfur dioxide, nitrogen oxides (NO_X), or particulate matter (PM_{10}); those that emit 10 tons per year of any single hazardous air pollutant (specifically listed under the CAA); or those that emit 25 tons per year or more of a combination of hazardous air pollutants (HAPs). In areas that are not meeting the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter, major sources are defined by the gravity of the nonattainment classification. For example, in ozone nonattainment areas classified as serious, major sources include those with the potential of emitting 50 tons per year or more of VOCs or NO_X.

What Is Being Addressed in This Document?

Jefferson County has submitted six revisions to its approved title V program since EPA granted full approval on March 22, 1996 (61 FR 11738). These submittals are dated February 20, 1998, January 11, 1999, September 30, 1999, March 17, 2000, March 21, 2001, and October 23, 2001. This document describes and approves the changes that Jefferson County has made to its approved program.

What Are the Program Changes That EPA Is Approving?

Jefferson County conducted rulemaking in July 1996 and March 1997 to change its fee provisions in Regulation 2.08. The County's title V program received full approval based on use of the ''presumptive minimum'' fee amount described in 40 CFR 70.9(b)(2)(i). Because Regulation 2.08 specified the emission fee rate, the County needed to revise it every year based on EPA's annual update to the ''presumptive minimum'' fee amount. Accordingly, Jefferson County conducted rulemaking in July 1996 to increase the fee rate. However, instead of changing the fee rate each year thereafter, the County conducted rulemaking in March 1997 to replace the rate language in Regulation 2.08 with generic Consumer Price Index language. The local-effective rule changes were submitted to EPA on January 11, 1999. The County also submitted a fee program update on September 30, 1999, demonstrating that its title V program was adequately funded by operating permit fee revenue.

In September 1996, Jefferson County conducted rulemaking to revise the permit application due dates contained in Regulation 2.16. The deadline for submitting the last two-thirds of permit applications was changed to coincide with one year from the effective date of EPA's full approval of the County's title V program. The local-effective rule change was submitted to EPA on January 11, 1999.

In November 1997 and March 2000, Jefferson County conducted rulemaking to update its acid rain program. In November 1997, the County incorporated by reference 40 CFR part 76, entitled ''Acid Rain Nitrogen Oxides Emission Reduction Program,'' and submitted the local-effective rule change to EPA on February 20, 1998. In March 2000, the County incorporated by reference the following federal acid rain rules: 40 CFR part 73, entitled ''Sulfur Dioxide Allowance System''; part 74, entitled ''Sulfur Dioxide Opt-Ins''; part 75, entitled ''Continuous Emission Monitoring''; part 77, entitled ''Excess Emissions'; and part 78, entitled ''Appeal Procedures for Acid Rain Program.'' The local-effective rule changes were submitted to EPA on March 17, 2000.

On January 10, 2000, EPA notified Jefferson County of a deficiency in its insignificant activities provisions that came to light as a result of the decision by the Ninth Circuit Court of Appeals in *Western States Petroleum Association (WSPA)* v. *EPA,* No. 95–70034 (June 17, 1996); EPA had inadvertently approved the County's title V program without identifying the exemption of insignificant activities from permit content requirements as a program deficiency. In the **Federal Register** notice granting final interim approval to Alaska's title V operating permit program (61 FR 64466, December 5, 1996), EPA acknowledged that its approval of the insignificant activity provisions in the Jefferson County program may have been inconsistent with the WSPA decision. Further review revealed this to be true, which prompted EPA to send the January 2000 letter notifying the County that a Notice of Deficiency would be published in the **Federal Register** if the deficiency was not corrected. The January 2000 letter also identified two other deficiencies in Jefferson County's insignificant activity provisions: (1) Regulation 2.16 implied that the County could add activities to its list without EPA review and approval, and (2) the list of insignificant activities did not require emission caps to ensure that potential emissions were indeed insignificant.

Jefferson County addressed the deficiencies in its insignificant activities provisions by revising the definition of ''Insignificant activity'' in Regulation 2.16 to eliminate exemptions from applicable requirements and to impose potential emission thresholds of five tons per year for regulated pollutants and 1000 pounds per year for HAPs. The County also revised its applicability provisions in Regulation 2.16 to remove the exemption of insignificant activities from permit requirements. Additional changes in the County's insignificant activities provisions include: (1) Revised permit application requirements that allow for generic grouping and treatment of insignificant activities consistent with EPA's guidance memoranda entitled ''White Paper Streamlined Development of Part 70 Permit Applications'' (July 10, 1995) and ''White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program'' (March 5, 1996); (2) revised permit content requirements that streamline monitoring, record keeping, and reporting requirements for insignificant activities consistent with EPA's White Paper 2; and (3) the requirement for sources to include current lists of insignificant activities in their annual compliance certifications. Jefferson County completed the rulemaking in December 2000 and submitted the local-effective rule changes to EPA on March 21, 2001.

What Is Involved in This Final Action?

The Jefferson County Air Pollution Control District made six submittals of revisions to its approved title V program after it received full approval on March 22, 1996, and EPA is taking final action by this notice to approve program changes in those submittals. EPA is publishing this action without prior proposal because the Agency views this

as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to grant full approval should adverse comments be filed. This action will be effective April 22, 2002 unless the Agency receives adverse comments by March 25, 2002.

If EPA receives such comments, then it will withdraw the final rule and inform the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 22, 2002 and no further action will be taken on the proposed rule.

Administrative Requirements

A. Request for Public Comments

EPA requests comments on the program revisions discussed in this action. Copies of the Jefferson County submittals and other supporting documentation used in developing this notice are contained in the EPA docket file numbered KY–JEFF–2002–01 that is maintained at the EPA Region 4 office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed full approval. The primary purposes of the docket are: (1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and (2) to serve as the record in case of judicial review. The docket files are available for public inspection at the location listed under the **ADDRESSES** section of this document. EPA will consider any comments received in writing by March 25, 2002.

B. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it is not an economically significant regulatory action as defined in Executive Order 12866, and it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13132

This rule does not have Federalism implications because it 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, as specified in Executive Order 13132, ''Federalism'' (64 FR 43255, August 10, 1999). This rule merely approves existing requirements under state law, and does not alter the relationship or the distribution of power and responsibilities between the state and the federal government established in the CAA.

E. Executive Order 13175

This rule does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified by Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000).

F. Executive Order 13211

This rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

G. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This rule will not have a significant impact on a substantial number of small entities because operating permit program approvals under section 502 of the CAA do not create any new requirements but simply approve requirements that the state is already imposing. Therefore, because this approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

H. Unfunded Mandates Reform Act

Under sections 202 of the Unfunded Mandates Reform Act of 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a federal mandate that may result in estimated costs to state, local, or tribal governments in the aggregate, or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a federal mandate that may result in estimated costs of $100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

I. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

In reviewing operating permit programs, EPA's role is to approve state choices, provided that they meet the

criteria of the CAA and EPA's regulations codified at 40 CFR part 70. In this context, in the absence of a prior existing requirement for the state to use VCS, EPA has no authority to disapprove an operating permit program for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews an operating permit program, to use VCS in place of an operating permit program that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of NTTAA do not apply.

J. Paperwork Reduction Act

This action will not impose any collection of information subject to the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., other than those previously approved and assigned OMB control number 2060–0243. For additional information concerning these requirements, see 40 CFR part 70. 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.

K. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: January 31, 2002.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

For reasons set out in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

2. Appendix A to part 70 is amended by revising paragraph (b) in the entry for Kentucky to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Kentucky

* * * * *

(b)(1) Air Pollution Control District of Jefferson County: submitted on January 31, 1994, and supplemented on March 9, 1994, June 15, 1994, July 15, 1994, July 14, 1995, August 9, 1995, August 10, 1995, and February 16, 1996; full approval effective on April 22, 1996.

(2) Revisions submitted on February 20, 1998, January 11, 1999, September 30, 1999, March 17, 2000, March 21, 2001, and October 23, 2001; full approval of revisions effective on April 22, 2002.

* * * * *

[FR Doc. 02–3766 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register
Vol. 67, No. 35
Thursday, February 21, 2002

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.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 250

RIN 0584–AD08

Codification of Poultry Substitution and Modification of Commodity Inventory Controls for Recipient Agencies

AGENCY: Food and Nutrition Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule concerns the types of foods that may be available from the Department of Agriculture for any of the uses authorized under the Food and Nutrition Service's Food Distribution Programs and the manner in which those foods must be labeled. The first part of the rule will allow limited poultry substitution and full fruit, vegetable, and egg substitution in the processing program. The second part of the rule deals with the reduction of commodity inventory controls for schools to allow use of commercial labels.

The Department has operated a demonstration project program since Feb. 1, 1996, which allows commercial poultry to be substituted for commodity poultry in processing, in order to expedite and improve that program. The data gathered from recipient agencies, Agriculture Marketing Service (AMS) graders, and the AMS procurement division has been positive. Substitution of commercial fruits, vegetables, and eggs for commodity fruits, vegetables, and eggs has been allowed under 7 CFR 250.30(f)(4) for over ten years.

During that time, required Certified Public Accountant (CPA) audits have not shown any significant problems with fruit, vegetables, or egg substitution. There has been no substitution of inferior product identified. Therefore, this proposed rule seeks to change the regulations to allow limited poultry substitution and full fruit substitution, vegetable substitution, and egg substitution on a permanent basis.

Secondly, because of changes in the commercial market and the food donation programs, the Department will allow vendors to use their own labels in place of USDA donated food labels for school programs. Commercial labels have already been introduced in other USDA food donation programs with good results, and commercial labels for school commodities have been permitted on select commodities going into schools. However, commercial labels complicate the inventory procedures currently utilized in schools. Therefore, FNS is proposing to modify the current inventory requirements for schools in order to accommodate the use of commercial labels.

DATES: Comments regarding this proposed rule should be submitted by April 22, 2002.

ADDRESSES: Comments should be sent to Suzanne Rigby, Chief, Schools and Institutions Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, Virginia 22302–1594. Comments in response to this request may be inspected at 3101 Park Center Drive, Alexandria, Virginia, during normal business hours (8:30 a.m. to 5 p.m., Mondays through Fridays).

FOR FURTHER INFORMATION CONTACT: Suzanne Rigby at the above address or telephone (703) 305–2644.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

Public Law 104–4

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, the Food and Nutrition Service generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires the Food and Nutrition Service to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector of $100 million or more in any one year. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order 12372

The program addressed in this action is listed in the Catalog of Federal Domestic Assistance under No. 10.550, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, and final rule-related notices published at 48 FR 29114, June 24, 1983, and 49 FR 22676, May 31, 1984).

Regulatory Flexibility Act

This rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act of 1980 (5 U.S.C. 601–612). The Acting Administrator of the Food and Nutrition Service has certified that this action will not have a significant impact on a substantial number of small entities. State agencies, school food authorities and schools choosing to utilize this new method of inventory control will be affected. However, the majority of entities participating in the Food Distribution Programs will not be affected.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. The rule is intended to have preemptive effect with respect to any State or local laws, regulations or policies which conflict with its provisions or which would otherwise impede its full implementation. This rule is not intended to have retroactive effect. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this rule or the applications of its provisions.

Paperwork Reduction Act

Information collection requirements associated with the commodity processing program are approved under 0584–0293. This rule deletes the requirement for schools to maintain a dual inventory control system. Although the current inventory control requirements represent a burden on schools, estimated at 1.8 million hours annually for recipient agencies, this burden was not identified to or approved by the Office of Management and Budget. Therefore, deleting the burden requires no change to 0584–0293.

Allowing the limited substitution of donated poultry with commercial poultry significantly streamlines the manufacturing process for processors and allows recipients to receive end products on a timely basis. However, this rule does not relieve the processor from any of the current reporting or record keeping requirements contained in the regulations. Therefore, no changes are required to the current burden hours shown in 0584–0293.

Background

Substitution Issues

In February of 1996, the Department of Agriculture announced a demonstration project to study the effects of allowing the substitution of commercial chicken for USDA donated chicken in the State processing program (61 FR 5373, Feb. 12, 1996). In the State processing program, pursuant to regulations in 7 CFR part 250, surplus commodities are made available by the Federal government to processors. Under State processing and inspection requirements at least comparable to those mandated by Federal agencies responsible for food purity and safety, the commodities are processed into food products intended for sale to school food authorities for consumption by students in the various school meal programs administered by the Food and Nutrition Service. The State processing program is authorized under section 14 of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1762a.

In May of 1997 the project was expanded to include turkey as well as chicken. (62 FR 25885, May 12, 1997.) Only bulk pack poultry and poultry parts could be substituted under the project because the processing of these items could be more readily evaluated. The Department has determined from this demonstration project that current regulations regarding the non-substitution, non-diversion of poultry products has created onerous tracking and segregation requirements for both processors and recipients. Allowing the substitution of donated poultry on this limited basis has resulted in more flexibility to processors to manage inventory and production schedules and has allowed processors to better service their customers, recipient agencies. Processors are now able to deliver end products in smaller quantities, as the customers prefer. This results in a substantial saving for the recipient agencies in storage and handling costs of the finished end product. The Department has determined that this substitution demonstration project has resulted in increased processor participation and provided a greater variety of processed end products to recipient agencies.

Therefore, the Department is proposing to change the regulations at 7 CFR 250.30(f) (hereinafter all references to regulations in this rulemaking are to regulations in Title 7 of the Code of Federal Regulations) to allow the substitution of commercial bulk pack poultry and poultry parts for USDA donated bulk pack poultry and poultry parts on a permanent basis. The ability for the processor to substitute is an option, not a requirement. Any substitution of poultry or poultry parts must be consistent with the ''Buy American'' provisions of Section 104(d) of Public Law 105–336 (The William F. Goodling Child Nutrition Reauthorization Act of 1998), which amended section 12 of the NSLA, 42 U.S.C. 1760(n). The ''Buy American'' provisions are in Program regulations at 7 CFR 210.21(d) for the National School Lunch Program and 7 CFR 220.16(d) for the School Breakfast Program and are discussed fully in a final rule titled ''School Nutrition Programs: Nondiscretionary Technical Amendments'' published on September 20, 1999 in the **Federal Register** at Volume 64 beginning on page 50735.

Currently, the substitution demonstration requires a processor to submit a substitution plan to the Department annually. Processors will still need to submit a final substitution plan to USDA for approval. Once approved, the plan will be permanent. However, any changes to the plan would require resubmission of the plan and approval by USDA before implementation. The prohibition against substituting backhauled poultry products will continue.

Substitution of donated fruits, vegetables, or eggs with commercial fruits, vegetables, or eggs is allowed under § 250.30(f)(4) of the current regulations with the written approval of FNS. Independent CPA audits of the processors who have received the approval to substitute have identified no substitution of inferior product. Therefore, FNS is proposing to amend the regulations to allow full substitution in the further processing of fruits, vegetables, and eggs. Any substitution of fruits, vegetables, or eggs must be consistent with the ''Buy American'' provisions discussed above and subject to a 100% yield requirement. The Department believes that by making the substitution option permanent, processors will have more flexibility to properly service their customers. Substitution of donated commodity with commercial product of equal or better quality to the donated commodity will remain an option for processors.

Commercial Labeling Issues

Over the last year, USDA has conducted a demonstration project that allows vendors to use commercial labels rather than requiring USDA labels on foods made with or of USDA donated commodities used in the school meal programs. This project has demonstrated excellent benefits for recipient agencies including reduced delivery delays, increased competition, and reduced program costs. In addition, the project has helped eliminate a perceived stigma implied by the ''generic'' USDA labels.

However, using commercial labels has made it difficult for schools to distinguish between donated commodities and commercially purchased items in order to comply with current regulations to store and inventory donated commodities separately. These Federal requirements for storage and inventory of donated commodities have always been more stringent than the Federal requirements for foods that have been purchased using Federal reimbursement dollars from the National School Lunch Program. Schools currently must use generally accepted inventory and business management practices in order to safeguard commercially purchased products and maintain the financial integrity of their child nutrition program. For these reasons, the Department has determined that separate requirements for storage and inventory of commodities in the general food distribution regulations are redundant and more onerous than necessary to safeguard the value of commodities received at the school level. Therefore, the Department is proposing to amend the regulations at § 250.13(a) to define commodity value for the purpose of OMB Circular A–133, and at § 250.14(b), § 250.14(e), and § 250.14(f)(1) and (f)(2) to remove the requirement that ''recipient agencies''

store and inventory USDA donated food separately. A technical amendment will be made in § 250.14(c) to correct sentence structure. Section 250.14(e) will be revised to reduce physical inventory requirements for schools in this section. To satisfy the requirements of OMB Circular A–133 for the purpose of valuing the commodities, both received and used by a recipient agency, guidance will be provided by the Food Distribution Division after publication of the final rule. State and commercial warehouses, and sub-distributing agencies continue to be required to store and inventory donated commodities separately.

List of Subjects in 7 CFR Part 250

Administrative practice and procedure, Food assistance programs, Grant programs, Social programs, Indians, Reporting and record keeping requirements, Surplus agricultural commodities.

Accordingly, 7 CFR Part 250 is amended as follows:

PART 250—DONATION OF FOODS FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

1. The authority citation for Part 250 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 612c, 612c note, 1431, 1431b, 1431e, 1431 note, 1446a–1, 1859, 2014, 2025; 15 U.S.C. 713c; 22 U.S.C. 1922; 42 U.S.C. 1751, 1755, 1758, 1760, 1761, 1762a, 1766, 3030a, 5179, 5180.

2. In § 250.13 add a new sentence at the end of paragraph (a)(5) to read as follows:

§ 250.13 Distribution and control of donated foods.

(a) * * *

(5) * * * To satisfy the requirement of OMB Circular Number A–133 for the purposes of valuing commodities, both received and used by a recipient agency, guidance will be provided as needed by the Food Distribution Division. (For availability for OMB Circulars referenced in the paragraph, see 5 CFR 1310.3.)

3. In § 250.14:

a. Remove the word ''Stock'' at the beginning of paragraph (b)(4) and add in its place the words ''Excepting recipient agencies, stock'' ;

b. Remove the word ''Conduct'' from the beginning of the third sentence in paragraph (c) and add in its place the word ''conduct'' and remove the period at the end of the second sentence;

c. Revise paragraph (e);

d. Remove the words ''or recipient agency's'' in paragraph (f)(1) introductory text and add in its place the word ''agency's; and

e. Remove the words ''and recipient agencies'' in the second sentence of paragraph (f)(2).

The revision reads as follows:

§ 250.14 Warehousing, distributing, and storage of donated foods.

* * * * *

(e) *Physical inventory*. During the annual review required by paragraph (c) of this section, distributing agencies and subdistributing agencies shall take a physical inventory of their storage facilities. The physical inventory shall be reconciled with each storage facility's book inventory. The reconciliation records shall be maintained by the agency that contracted for or maintained the storage facility. Food items, which have been lost, stolen, or found to be out of condition, shall be identified and recorded. Potential excessive inventory, as described in paragraph (f) of this section, shall be reported by the subdistributing agency to the distributing agency. Corrective action on each deficiency noted during these inventories shall be initiated immediately and a written report of those corrective actions shall be forwarded to the distributing agency. Where applicable, the distributing agency shall pursue claims in accordance with § 250.15(c).

* * * * *

4. In § 250.16, revise paragraph (a)(2) to read as follows:

§ 250.16 Maintenance of records.

(a) * * *

(2) Distributing agencies shall require all subdistributing agencies to maintain accurate and complete records with respect to the receipt, distribution/disposal, and inventory of donated foods, including end products processed from donated foods. Subdistributing agencies and recipient agencies must document any funds that arise from the operation of the distribution program, including refunds made to recipient agencies by a processor in accordance with § 250.30(k). Further, these documents should allow an independent determination of the specific accounts that benefit from these funds.

* * * * *

5. In § 250.23, add a new paragraph (a)(3) to read as follows:

§ 250.23 Buy American.

(a) * * *

(3) All food purchases must be consistent with the ''Buy American'' provision of Public Law 105–336 (The William F. Goodling Child Nutrition Reauthorization Act of 1998).

* * * * *

6. In § 250.30:

a. Revise paragraph (f)(1) introductory text;

b. Remove paragraph (f)(1)(i) and redesignate paragraphs (f)(1)(ii) and (f)(1)(iii) as paragraphs (f)(1)(i) and (f)(1)(ii);

c. Revise newly redesignated paragraph (f)(1)(i);

d. Remove the words ''specifically listed in paragraph (f)(1)(i) of this section'' in the second sentence of paragraph (f)(2);

e. Remove paragraph (f)(4) and redesignate paragraph (f)(5) as paragraph (f)(4); and

f. Amend paragraph (g) by adding a sentence after the second sentence.

The revisions and additions read as follows:

§ 250.30 State processing of donated foods.

* * * * *

(f) * * *

(1) The processing contract may provide for substitution of donated foods as defined in § 250.3 except that donated beef and donated pork may not be substitutable. Any poultry processors that wish to substitute poultry must have a plan approved by USDA. No backhauled poultry product may be substitutable.

(i) All components of commercial foods substituted for any donated food must be identical or superior in every particular of the donated food specification. Records must be maintained to allow independent verification that the substituted food met the above condition.

* * * * *

(g) * * * As with the processing of donated poultry into end products, AMS graders must monitor the processing of any substituted commercial poultry to ensure that program integrity is maintained. * * *

* * * * *

Dated: February 14, 2002.

George A. Braley,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 02–4174 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–30–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–ANM–19]

Proposed Establisment of Class E Airspace; St. George, UT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at the surface at St. George Municipal Airport, St. George, UT. The intented effect of this action is to provide adequate Class E controlled airspace between the surface and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at St. George Municipal Airport, St. George, UT. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace.

EFFECTIVE DATE: Comments must be received on or before April 8, 2002.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM–520, Federal Aviation Administration, Docket No. 01–ANM–19, 1601 Lind Avenue SW, Renton, Washington 98055–4056.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Brian Durham, ANM–520.7, Federal Aviation Administration, Docket No. 01–ANM–19, 1601 Lind Avenue SW, Renton, Washington 98055–4056; telephone number: (425) 227–2527.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participated in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 01–ANM–19.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in the action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW, Renton, Washington 98055–4056. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request as copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by establishing Class E controlled airspace at St. George, UT. The intended effect of this action is to provide adequate Class E controlled airspace between the surface and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at St. George Municipal Airport, St. George, UT. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safe flight operations under IFR at the St. George Municipal Airport and between the terminal and enroute transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designated as surface areas, are published in Paragraph 6002, of FAA Order 7400.9J dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1., The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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 11013; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact 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).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

Paragraph 6002 Class E airspace designated as surface area for an airport.

ANM UT E2 St. George, UT [NEW]

St. George Municipal Airport
(Lat. 37°05′26″ N., long. 113°35′35″ W.)

Within a 4.5-mile radius of St. George Municipal Airport. This Class E airspace is effective during specific dates and times

established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

* * * * *

Issued in Seattle, Washington, on January 11, 2002.

Charles E. Davis,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 02–4199 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–ANM–18]

Proposed Modification of Class E Airspace, Hailey, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This action proposes to modify existing Class E airspace at Hailey, ID. Newly developed Area Navigation (RNAV) Special Standard Instrument Approach Procedure (SIAP) at the Friedman Memorial Airport has made this proposal necessary. Additional Class E 700-feet and 1,200-feet controlled airspace, above the surface of the earth is required to contain aircraft executing the RNAV Z RWY 31 Global Positioning System (GPS) 31R Special SIAP at Friedman Memorial Airport. The intended effect of this action is to provide adequate Class E controlled airspace between the terminal and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at Friedman Memorial Airport, Hailey, ID.

DATES: Comments must be received on or before April 8, 2002.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM–520, Federal Aviation Administration, Docket No. 01–ANM–18, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Brian Durham, ANM–520.7, Federal Aviation Administration, Docket No. 01–ANM–18, 1601 Lind Avenue SW., Renton, Washington 98055–4056: telephone number: (425) 227–2527.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 01–ANM–18.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW., Renton, Washington 98055–4059. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by modifying existing Class E airspace at Hailey, ID. Newly developed RNAV Z RWY31 Special SIAP at the Friedman Memorial Airport has made this proposal necessary. Additional Class E 700-feet and E 1,200-feet controlled airspace, above the surface of the earth is required to contain aircraft executing the Instrument Flight Rules (IFR) operations, at Friedman Memorial Airport. The FAA establishes class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safety flight operations under IFR at the Friedman Memorial Airport and between the terminal and en route transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. 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 7400.9J, dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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 11013; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact 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).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

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

* * * * *

ANM ID E5 Hailey, ID [Revised]

Friedman Memorial Airport, ID
(Lat. 43°40′34″N., long. 114°17′45″W.)

That airspace extending upward from 700-feet above the surface within a 5.5 mile radius of Friedman Memorial Airport, and within 2 miles each side of the 328° bearing from the airport extending from the 5.5 mile radius to 7.4 miles northwest of the airport, and within 2 miles each side of the 159° bearing from the airport extending from the 5.5 mile radius to 7.6 miles southeast of the airport; and that airspace extending upward from 1,200-feet above the surface, bounded by a line beginning at lat. 43°50′00″N., long. 114°38′27″W.; to lat. 43°50′00″N., long. 114°00′00″W.; to lat. 43°12′55″N., long. 114°00′00″W.; to lat. 43°12′55″N., long. 114°38′27″W.; thence to point of origin; excluding that airspace within Federal Airways and the Burley, ID, Class E airspace area.

* * * * *

Issued in Seattle, Washington, on January 11, 2002.

Charles E. Davis,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 02–4198 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 862

[Docket Nos. 01P–0119 and 01P–0235]

Clinical Chemistry and Clinical Toxicology Devices; Reclassification of Cyclosporine and Tacrolimus Assays

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to reclassify cyclosporine and tacrolimus assays from class III (premarket approval) to class II (special controls). Cyclosporine and tacrolimus assays are intended for the quantitative determination of cyclosporine and tacrolimus concentrations and are used as an aid in the management of transplant patients receiving these drugs. FDA is proposing this action after reviewing reclassification petitions submitted by Dade Behring, Inc., and Microgenics, Inc. The agency is taking this action under the Federal Food, Drug, and Cosmetic Act (the act), as amended by the Medical Device Amendments of 1976 (the 1976 amendments), the Safe Medical Devices Act of 1990 (the SMDA), and the Food and Drug Administration Modernization Act of 1997 (FDAMA). Elsewhere in this issue of the Federal Register, FDA is announcing the availability of a class II special controls draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.''

DATES: Submit written or electronic comments by April 22, 2002. See section XI of this document for the proposed effective date of a final rule based on this document.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to http://www.fda.gov/dockets/ecomments.

FOR FURTHER INFORMATION CONTACT: Jean M. Cooper, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–1243.

SUPPLEMENTARY INFORMATION:

I. Background (Regulatory Authorities)

The act, as amended by the 1976 amendments (Public Law 94–295), the SMDA (Public Law 101–629), and FDAMA (Public Law 105–115), established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

Under section 513 of the act, devices that were in commercial distribution before May 28, 1976 (the date of enactment of the 1976 amendments), generally referred to as preamendments devices, are classified after FDA has: (1) Received a recommendation from a device classification panel (an FDA advisory committee); (2) published the panel's recommendation for comment, along with a proposed regulation classifying the device; and (3) published a final regulation classifying the device. FDA has classified most preamendments devices under these procedures.

Devices that were not in commercial distribution prior to May 28, 1976, generally referred to as postamendments devices, are classified automatically by statute (section 513(f) of the act) into class III without any FDA rulemaking process. Those devices remain in class III and require premarket approval, unless and until the device is reclassified into class I or II or FDA issues an order finding the device to be substantially equivalent, under section 513(i) of the act, to a predicate device that does not require premarket approval. The agency determines whether new devices are substantially equivalent to previously offered devices by means of premarket notification procedures in section 510(k) of the act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

A preamendments device that has been classified into class III may be marketed, by means of premarket notification procedures, without submission of a premarket approval application (PMA) until FDA issues a final regulation under section 515(b) of the act (21 U.S.C. 360e(b)) requiring premarket approval.

Reclassification of classified postamendments devices is governed by section 513(f)(3) of the act. This section allows FDA to initiate reclassification of a postamendments class III device under section 513(f)(1) of the act, or the manufacturer or importer of a device to petition the Secretary of the Department of Health and Human Services for the issuance of an order classifying the device in class I or class II. FDA's regulations in § 860.134 (21 CFR 860.134) set forth the procedures for the filing and review of a petition for reclassification of such class III devices. To change the classification of the device, it is necessary that the proposed new class have sufficient regulatory controls to provide reasonable assurance of the safety and effectiveness of the device for its intended use.

II. Regulatory History of the Device

Cyclosporine assays are used for the quantitative determination of cyclosporine concentrations as an aid in the management of transplant patients receiving cyclosporine. Tacrolimus

assays are used for the quantitative determination of tacrolimus concentrations as an aid in the management of transplant patients receiving tacrolimus. These assays are postamendments devices classified into class III under section 513(f)(1) of the act, and cannot, therefore, be placed in commercial distribution unless they are reclassified under section 513(f)(3) of the act or are the subject of an approved PMA under section 515 of the act.

In accordance with section 513(f)(3) of the act and § 860.134, petitions were submitted by Dade Behring, Inc., on January 29, 2001, and by the Devices & Diagnostics Consulting Group, Inc. (on behalf of Microgenics, Inc.), on April 4, 2001, requesting reclassification of cyclosporine assays from class III to class II. On its own initiative, the agency is including tacrolimus assays, in addition to cyclosporine assays, in the proposed reclassification. Cyclosporine and tacrolimus are both calcineurin inhibitors. Tacrolimus assays have a similar intended use, as an aid in the management of transplant patients, as well as similar technological and performance characteristics to cyclosporine assays. The agency believes it is taking a least burdensome approach by including tacrolimus assays in the proposed reclassification.

III. Device Description

Cyclosporine test systems are intended for the quantitative determination of cyclosporine concentrations as an aid in the management of transplant patients receiving cyclosporine. Tacrolimus test systems are intended for the quantitative determination of tacrolimus concentrations as an aid in the management of transplant patients receiving tacrolimus. Currently marketed cyclosporine and tacrolimus immunoassay test systems utilize monoclonal antibodies in order to enhance specificity of the assay for parent drug compound. FDA has also approved test systems based on chromatographic methods. Cyclosporine and tacrolimus test systems are typically used on automated laboratory analyzers. Whole blood is the matrix recommended for currently marketed test systems for cyclosporine and tacrolimus since these drugs are rapidly distributed into red blood cells and can be most reliably measured in this matrix.

IV. Proposed Reclassification

The agency is proposing to reclassify cyclosporine and tacrolimus test systems from class III to class II and has developed a guidance document which, when final, will serve as the special control. Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of this draft guidance for comment in accordance with FDA's good guidance practices (GGPs) regulation (21 CFR 10.115). We have determined that there is adequate valid scientific evidence in the public domain to support this reclassification action and, therefore, it was unnecessary to refer the petitions to a classification panel for its review and recommendation. However, the agency did consult with certain Clinical Chemistry and Clinical Toxicology Devices panel members by mail regarding our revision of an existing 1993 guidance on cyclosporine and its adequacy as a special control for both cyclosporine and tacrolimus assays should the agency reclassify the cyclosporine and tacrolimus assays from class III to class II.

V. Risks to Health

After considering the information in the petitions, including the published literature, FDA's own experience and knowledge with cyclosporine and tacrolimus assays, and the medical device reports (MDRs) filed on cyclosporine and tacrolimus assays, FDA has identified improper patient management as the only risk to health associated with these devices. Failure of the test to perform as indicated or error in interpretation of result may lead to improper patient management in one of three ways. First, a falsely low cyclosporine or tacrolimus measurement could contribute to a decision to raise the dose above that which is necessary for therapeutic benefit. This could result in increased risk of toxicity from an elevated drug level. Second, a falsely high cyclosporine or tacrolimus measurement could contribute to a decision to decrease the dose below that which is necessary for immunosuppression. This could result in increased risk of rejection of the transplanted organ. Third, no firm therapeutic range exists for cyclosporine or tacrolimus concentrations. Optimal concentration ranges for a patient depend upon many factors such as transplant type, sensitivity of patient, coadministered drugs, time post-transplant as well as metabolite cross-reactivity of the specific commercial assay used, age, and other patient conditions. Therefore, use of assay results to adjust a treatment regimen without considering other clinical factors, could result in improper patient management.

VI. Special Controls

In addition to general controls, FDA believes that the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' is an adequate special control to address the risk to health described above. The class II special controls guidance provides information on how to meet premarket (510(k)) submission requirements for the assays in sections that discuss performance characteristics and labeling. The performance characteristics section describes studies integral to demonstration of appropriate performance and control against assays that may fail to perform to current standards. The labeling section addresses factors such as specimen requirements, assay procedure, quality control, limitations, therapeutic ranges, and performance characteristics. Because no firm therapeutic range exists for cyclosporine or tacrolimus concentrations, labeling for the assay includes a discussion of additional clinical considerations involved in interpretation of assay results essential for proper patient management. In this way, the cyclosporine and tacrolimus assays can be used as an aid in establishing a treatment regimen for individual patients. FDA tentatively believes that complying with the act and special control guidance document will provide reasonable assurance of the safety and effectiveness of these devices and adequately address the risk to health identified in section V of this document.

VII. FDA's Tentative Findings

The clinical efficacy of cyclosporine has been well-established over the past two decades. Monitoring of cyclosporine levels in blood plays a key role in patient management because of unpredictable pharmacokinetics, variable absorption, distribution, elimination and narrow therapeutic index unique to each patient (Ref. 1).

FDA has considered issues that could potentially complicate use or interpretation of cyclosporine assay results. One issue is that no firm therapeutic ranges have been established (Ref. 2). While some patients may show signs of cyclosporine toxicity even with blood levels in the recommended therapeutic range, others may show signs of inadequate immunosuppression within that same therapeutic range. The guidance document therefore recommends cautionary labeling and explanation for the user concerning therapeutic ranges.

Another issue is that the various immunoassays available differ in their accuracy and specificity for measurement of the parent cyclosporine compound (Refs. 3, 4, and 5). Average differences between two methods can be as high as 57 percent. In general, there is a positive bias of immunoassays compared with high performance liquid chromatography (HPLC) methods, as a result of metabolite cross-reactivity. HPLC methods are currently the only methods considered to be capable of measuring specifically parent compound. The biases observed are not constant and can vary, depending on factors such as transplant type and time post-transplant (Ref. 6). In addition, inter-individual differences, which can exceed the influence of the organ transplanted or hepatic function, have been observed (Ref. 3). Therefore, assay bias cannot be predicted for individual samples. Variability is less well-documented for samples collected in the early period after cyclosporine dosing, although some results indicate metabolite interference is less significant for these types of samples (Ref. 7). In light of the wide variability in cyclosporine assays, the guidance document recommends comparison of new test systems to a candidate reference HPLC method.

FDA believes clinicians are familiar with the need to tailor an individual patient's dose based on overall allograft function along with any clinical signs of toxicity, in conjunction with the blood level. That is, the calcineurin inhibitor blood level is one measure that could be used as an adjunct to the care of transplant patients. Physicians managing the care of transplant patients also have resources for advice on the use of cyclosporine blood levels, and appropriate target ranges for blood levels in the early post-transplant (induction) stage as well as in the maintenance stage. These resources include the American Society of Transplantation, registries such as the North American Pediatric Renal Transplant Cooperative Study, and literature on the use and potential toxicities of this agent. FDA believes that these resources, in conjunction with appropriate labeling of the device, will sufficiently address the risks discussed above.

In conjunction with the downclassification of cyclosporine tests, FDA proposes to include tacrolimus test systems. Tacrolimus was first cleared for clinical use in 1994, and like cyclosporine, is a calcineurin inhibitor. The immunosuppressive properties and molecular mechanisms of the two drugs are very similar (Ref. 8). Likewise, the toxicity profiles are very similar, although not identical. Tacrolimus raises the same issues as cyclosporine, related to the need for individual tailoring of dosing that is not solely dependent on blood drug levels. Similar issues to those discussed above also exist with regard to immunoassays for tacrolimus showing a positive bias compared with HPLC methods. FDA expects that the approach to validating analytical performance for test systems for these two drugs should be similar, as outlined in the draft guidance document.

VIII. Environmental Impact

The agency has determined under 21 CFR 25.34(b) that this reclassification action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IX. Analysis of Impacts

FDA has examined the impacts of the proposed rule under Executive Order 12866 and the Regulatory Flexibility Act (5 U.S.C. 601–612) (as amended by subtitle D of the Small Business Regulatory Fairness Act of 1996 (Public Law 104–121), and the Unfunded Mandates Reform Act of 1995 (Public Law 104–4)). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this proposed rule is consistent with the regulatory philosophy and principles identified in the Executive order. In addition, the reclassification action is not a significant regulatory action as defined by the Executive order and so is not subject to review under the Executive order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. Reclassification of the device from class III to class II will relieve manufacturers of the cost of complying with the premarket approval requirements in section 515 of the act. Because reclassification will reduce regulatory costs with respect to this device, it will impose no significant economic impact on any small entities, and it may permit small potential competitors to enter the marketplace by lowering their costs. The agency therefore certifies that this proposed rule, if finalized, will not have a significant economic impact on a substantial number of small entities. In addition, this reclassification action will not impose costs of $100 million or more on either the private sector or State, local, and tribal governments in the aggregate, and therefore a summary statement of analysis under section 202(a) of the Unfunded Mandates Reform Act of 1995 is not required.

X. Paperwork Reduction Act of 1995

FDA concludes that this proposed rule contains no new collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

XI. Request for Comments and Proposed Dates

Interested persons may submit to the Dockets Management Branch (address above) written or electronic comments regarding this proposed rule by April 22, 2002. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. FDA proposes that any final regulation that may issue based on this proposal become effective 30 days after its date of publication in the **Federal Register**.

XII. References

The following references have been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Shaw, L. M. et al., ''Current Opinions on Therapeutic Drug Monitoring of Immunosuppressive Drugs,'' *Clinical Therapeutics*, 21:1632–1652, 1999.

2. Oellerich, M. et al., ''Therapeutic Drug Monitoring of Cyclosporine and Tacrolimus,'' *Clinical Biochemistry*, 31:309–316, 1998.

3. Steimer, W., ''Performance and Specificity of Monoclonal Immunoassays for Cyclosporine Monitoring: How Specific Is Specific?,'' *Clinical Chemistry*, 45:371–381, 1999.

4. Schutz, E. et al., ''Cyclosporin Whole Blood Immunoassays (AxSYM, CEDIA, and EMIT): A Critical Overview of Performance Characteristics and Comparison With HPLC,'' *Clinical Chemistry*, 44:2158–2164, 1998.

5. Holt, D. W. et al., ''New Approaches to Cyclosporine Monitoring Raise Further Concerns About Analytical Techniques,'' *Clinical Chemistry*, 46:872–874, 2000.

6. Hamwi, A. et al., ''Cyclosporine Metabolism in Patients After Kidney, Bone Marrow, Heart-Lung, and Liver Transplantation in the Early and Late Posttransplant Periods,'' *American Journal of Clinical Pathology*, 114:536–543, 2000.

7. Fernandez-Marmiesse, A. et al., ''Comparison of Predose vs 2-h Postdose Blood Metabolites/Cyclosporine Ratios in Kidney and Liver Transplant Patients,'' *Clinical Biochemistry*, 33:383–386, 2000.

8. Halloran, P. F., ''Molecular Mechanisms of New Immunosuppressants,'' *Clinical Transplantation*, 10:118–123, 1996.

9. Braun, F. et al., ''Clinical Relevance of Monitoring Tacrolimus: Comparison of Microparticle Enzyme Immunoassay, Enzyme-Lined Immunosorbent Assay and Liquid Chromatography Mass Spectrometry in Renal Transplant Recipients Converted From Cyclosporine to Tacrolimus,'' *Transplantation Proceedings*, 28:3175–3176, 1996.

10. Jusko, W. J. et al., ''Consensus Document: Therapeutic Monitoring of Tacrolimus (FK–506),'' *Therapeutic Drug Monitoring*, 17:606–614, 1995.

List of Subjects in 21 CFR Part 862

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 862 be amended in subpart B as follows:

PART 862—CLINICAL CHEMISTRY AND CLINICAL TOXICOLOGY DEVICES

1. The authority citation for 21 CFR part 862 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 371.

2. Section 862.1235 is added to subpart B to read as follows:

§ 862.1235 Cyclosporine test system.

(a) *Identification.* A cyclosporine test system is a device intended to quantitatively determine cyclosporine concentrations as an aid in the management of transplant patients receiving therapy with this drug. This generic type of device includes immunoassays and chromatographic assays for cyclosporine.

(b) *Classification.* Class II (special controls). The special control is ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Guidance for Industry and FDA.''

3. Section 862.1678 is added to subpart B to read as follows:

§ 862.1678 Tacrolimus test system.

(a) *Identification.* A tacrolimus test system is a device intended to quantitatively determine tacrolimus concentrations as an aid in the management of transplant patients receiving therapy with this drug. This generic type of device includes immunoassays and chromatographic assays for tacrolimus.

(b) *Classification.* Class II (special controls). The special control is ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Guidance for Industry and FDA.''

Dated: February 11, 2002.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 02–4208 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Parts 112, 116, 121, 123, 125, 154, 156, 178, and 243

RIN 1076–AD20

Trust Management Reform: Repeal of Outdated Rules

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed removal of rules with request for comments.

SUMMARY: The Department of the Interior, Bureau of Indian Affairs (BIA) proposes to repeal nine parts of Title 25 CFR Chapter 1. These revisions are meant to further fulfill the Secretary's responsibility to federally-recognized tribes and individual Indians by ensuring that all regulations, policies, and procedures are up-to-date. The parts proposed for repeal include regulations relating to distribution of tribal funds among tribal members, establishment of private trusts for the Five Civilized Tribes, distribution of Osage Judgment Funds, assignment of future income from the Alaska Native Fund, payment of Sioux benefits, preparation of a competency roll of Osage Indians, reallotment of lands to Indian children, resale of lands within the Badlands Air Force Range, and registration of reindeer ownership in Alaska. In the interests of economy of administration, and because all of the regulations proposed to be repealed are outdated, they are included in one rulemaking vehicle.

DATES: Comments must be submitted in writing and received by us no later than April 22, 2002.

ADDRESSES: Comments should be addressed to Linda L. Richardson, Trust Policies and Procedures Subproject, Bureau of Indian Affairs, 1849 ''C'' Street, NW., MS–4070–MIB, Washington, DC 20240. Comments will also be accepted by telefax at the following telephone number: 202–208–6426.

FOR FURTHER INFORMATION CONTACT: Linda L. Richardson, 202–208–6411.

SUPPLEMENTARY INFORMATION:

I. Background
II. Part-by-Part Analysis
III. Public Comment Procedures
IV. Procedural Requirements
A. Review Under Executive Order 12866 (Regulatory Planning and Review)
B. Review Under Executive Order 12988 (Civil Justice Reform)
C. Review Under Executive Order 12291 and the Regulatory Flexibility Act
D. Review Under Small Business Regulatory Enforcement Fairness Act of 1996
E. Review Under the Paperwork Reduction Act
F. Review Under Executive Order 13132 (Federalism)
G. Review Under the National Environmental Policy Act of 1969
H. Review Under the Unfunded Mandates Reform Act of 1995
I. Review Under Executive Order 12630 (Takings Implication Assessment)
J. Review under Executive Order 13175 (Tribal Consultation)

I. Background

As described in the Department's ''Trust Management Improvement Project—High Level Implementation Plan,'' proper management of Indian trust assets has been hampered by a lack of comprehensive, consistent, up-to-date regulations, policies, and procedures covering the entire trust cycle. Last year, the BIA began revising its trust management regulations by issuing proposed revisions to regulations governing probate, trust funds, leasing, and grazing. Updated regulations affecting these functions became effective on March 23, 2001.

In April 2001, BIA submitted a report to the Department's Trust Policy Council that provided a comprehensive review of regulations, manuals and handbooks that guide trust operations. The report included recommended actions to bring all policies and procedures current and outlined a multi-year schedule to accomplish this goal. The review identified a number of regulations still on the books that are no longer operative, either because all actions required by law have been fully implemented or because the regulation no longer comports with Federal Indian policy.

II. Part-by-Part Analysis

A. 25 CFR Part 112—Pro Rata Shares of Tribal Funds

During the late 19th and early 20th centuries, the Federal Government attempted to weaken tribal governments by dividing or allotting tribal land among tribal members. A corollary to the allotment policy was a provision (March 2, 1907, c. 2523, 34 Stat. 1221; 25 U.S.C. 119, 121) that authorized the Secretary of the Interior—

''to designate any individual Indian belonging to any tribe or tribes whom he may deem to be capable of managing his or her affairs, and he may cause to the apportioned and allotted to any such Indian his or her pro rata share of any tribal or trust funds on deposit in the Treasury of the United States to the credit of the tribe or tribes of which said Indian is a member. * * *''

The regulations in part 112 established the criteria used by the BIA to determine whether to approve an individual's application for a pro rata share of tribal funds.

The Federal policy of attempting to assimilate individual Indians and weaken tribal governments was reversed in 1934 with the passage of the Indian Reorganization Act (June 18, 1934; 48 Stat. 984–988; 25 U.S.C. 461 *et seq.*). This statute ended the allotment of tribal lands to individual tribal members and authorized restoration of so-called ''surplus'' lands to tribal ownership. The Indian Reorganization Act did not specifically repeal the various laws that had previously authorized the allotment of tribal lands to individual members; it did, however, render those laws inoperative: '' * * * hereafter no land of any Indian reservation * * * shall be allotted in severalty to any Indian.'' Similarly, we believe that the Secretary's discretionary authority to distribute pro rata shares of tribal funds was also made inoperative by Section 4 of the Indian Reorganization Act: '' * * * no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe * * * shall be made or approved * * *'' (25 U.S.C. 464).

A number of Indian tribes make per capita payments to tribal members from tribal trust funds. Repeal of part 112 will not affect tribal decisions over the use of tribal funds. Repeal will only eliminate the Secretary's discretionary authority to withdraw tribal funds, without tribal consent, and give those funds to a tribal member.

B. Part 116—Trusts for the Five Civilized Tribes

In 1933 Congress passed a law (47 Stat. 777) giving the Secretary of the Interior discretionary authority to approve agreements between members of the Five Civilized Tribes (FCT) and private banks or trust companies to manage trust assets for members of the FCT. The regulations in part 116 establish the procedures for eligible Indians to apply for the establishment of a trust; identify the obligations of the trust company; specify allowable investments; require an annual accounting; and establish the trustee's compensation.

A subsequent law, the Act of August 4, 1947 (61 Stat. 731), provided in section 5: ''That all funds and securities now held by, or which may hereafter come under the supervision of the Secretary of the Interior * * * are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary * * *'' (61 Stat. 733). While this law did not specifically repeal section 2 of the Act of January 27, 1933 (Act) 1933, the authority conveyed by that section of the Act is clearly discretionary (''The Secretary of the Interior be, and he is hereby, authorized to permit, in his discretion and subject to his approval * * *'').

Current federal policy, as provided in 25 CFR part 115, allows adult Indians, with the exception of those who are *non compos mentis* or who are determined to need assistance in managing their finances, ready access to any and all funds held in trust. When an adult withdraws money from an Individual Indian Money account, the individual Indian may freely determine how that money will be spent or reinvested. As a policy matter, the Secretary has determined that the same treatment should be extended to members of the Five Civilized Tribes.

C. Part 121—Distribution of Judgment Funds Awarded to the Osage Tribe of Indians in Oklahoma

Public Law 92–586 (25 U.S.C. 883) directed how the Secretary of the Interior was to distribute judgment funds awarded by the Indian Claims Commission to the Osage Tribe of Indians in Oklahoma and authorized the Secretary to issue regulations to carry out the terms of the law. The regulations in part 121 provided notice of the eligibility requirements for per capita payments; established a 1974 deadline for filing a claim; and described how the money would be distributed. As all per capita payments subject to these regulations were disbursed more than 25 years ago, the regulations are no longer required.

D. Part 123—Alaska Native Fund

The Alaska Native Claims Settlement Act, Public Law 92–203, as amended, (ANCSA) required that payments be made over a period of years to the Regional Corporations that were established by the Act. Subsequent provisions allowed the Regional Corporations to assign future income due under ANCSA.

The regulations in part 123 established the procedures to request an assignment of future income. As the last payments due under ANSCA were made almost 20 years ago, there is no future income subject to assignment and the regulations should be repealed.

E. Part 125—Payment of Sioux Benefits

Between 1889 and 1934, Congress passed a number of laws authorizing benefit payments to Sioux tribal members. The regulations in part 125 identified eligibility requirements, established an application procedure and an appeals procedure. All payments due under the various statutes have been paid and the regulations are no longer required.

F. Part 154—Osage Roll, Certificate of Competency

In 1948 Congress passed a law (62 Stat. 18) that required the Secretary of the Interior to issue certificates of competency to any adult member of the Osage Tribe of less than one-half Indian blood. The regulations in part 154 described the process used by the BIA to prepare a competency roll including how the degree of Indian blood and determination of age would be computed. The 1948 law was repealed 30 years later by Public Law 95–496 (92 Stat. 1660). As there is no longer a statutory basis for the regulations, part 154 is proposed for repeal.

G. Part 156—Reallotment of Lands to Unallotted Indian Children

Section 3 of a 1910 statute (36 Stat. 855–863) provided that an Indian who had an allotment could relinquish all or part of the allotment to any of his or her children to whom no allotment had been made. The regulations in part 156 prescribe the process that the original allottee must follow to relinquish the allotment to one or more children.

The provision of both the statute and the regulations cover only those Indians who had allotments in 1910. As allottees had to be at least 21 years of age, any persons currently eligible for coverage by this provision or these regulations would be at least 112 years of age.

The BIA has broader regulations in Part 152—Issuance of Patents in Fee,

Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands. The regulatory authority included in part 156 is covered by § 152.17, (s)ales, exchanges, and conveyances by or with the consent of the individual Indian owner. Among the authorities cited in this subsection is the Act of June 25, 1910 (36 Stat. 855) that is the basis for the narrower regulations in part 156. As part 152 provides all required regulatory authority, part 156 can be repealed.

H. Part 178—Resale of Lands Within the Badlands Air Force Gunnery Range (Pine Ridge Aerial Gunnery Range)

The Badlands National Monument Boundary Revision Act (82 Stat. 663) provided an opportunity for former land owners to reacquire lands that had been purchased from them by the Federal Government. The regulations in part 178 defined those eligible to purchase the lands, prescribed the application and conveyance process, and identified allowable land uses. As the deadline to file an application to reacquire the lands expired in 1969, these regulations are no longer necessary.

I. Part 243—Reindeer in Alaska

The Reindeer Industry Act of 1937, 25 U.S.C. 500 *et seq.*, required all non-Natives in Alaska who owned reindeer to file a declaration of ownership. The regulations in part 243 notify such owners of the form to be used and designate the General Reindeer Supervisor in Nome, AK as the agent to receive such declarations. As the deadline for filing the notices under these regulations expired on September 1, 1938, the regulations are no longer required.

III. Public Comment Procedures

The regulatory repeal proposed in this rulemaking eliminates nine regulations that are no longer necessary. These changes are proposed to ensure that all regulations governing provision of trust services to Indian tribes and individual Indians are current and accurately reflect departmental principles for managing Indian trust assets. The public is invited to make substantive comment on any of these proposed changes.

Comments should be submitted in writing to the address indicated in the **ADDRESSES** section of this document. Comments may also be telefaxed to the following telephone number: 202–208–6426. All comments received will be available for public inspection at the Bureau of Indian Affairs, Policies and Procedures Subproject, Room 4552, 1849 C Street, NW., Washington, DC 20240. All written comments received by the date indicated in the **DATES** section of this document and all other relevant information in the record will be carefully assessed and fully considered prior to publication of the final rule. Any information considered to be confidential must be so identified and submitted in writing. We will not consider comments submitted anonymously. However, if you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. The BIA reserves the right to determine the confidential status of the information and to treat it according to our determination (see 10 CFR 1004.11).

IV. Procedural Requirements

A. Review Under Executive Order 12866 (Regulatory Planning and Review)

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the BIA must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines a ''significant regulatory action'' as one that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The Proposed rule would repeal a number of outdated regulations. As such, it does not impose a compliance burden on the economy generally or on any person or entity. Accordingly, this rule is not a ''significant regulatory action'' from an economic standpoint, and it does not otherwise create any inconsistencies or budgetary impacts to any other agency or Federal program.

B. Review Under Executive Order 12988 (Civil Justice Reform)

With respect to the review of existing regulations and the promulgation of new regulations, subsection 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (February 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction.

With regard to the review of proposed regulations, subsection 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General.

Subsection 3(c) of Executive Order 12988 requires agencies to review proposed regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. The BIA has determined that the proposed regulation meets the relevant standards of Executive Order 12988.

C. Review Under Executive Order 12291 and the Regulatory Flexibility Act

Because this proposed rule would repeal outdated regulations, the BIA has determined that this rule is not a significant rule under Executive Order 12991. This proposed rule was also reviewed under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities.

This proposed rule updates the Department's policies and procedures that apply to certain Indian trust resources by eliminating unneeded regulatory requirements. Accordingly, the BIA has determined that this proposed regulation will not have a significant economic impact on a substantial number of small entities, and, therefore, no regulatory flexibility analysis has been prepared.

D. Review Under the Small Business Regulatory Enforcement Fairness Act of 1996

This proposed rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This proposed rule will not result in an annual effect on the

economy of $100,000,000 or more. The effect of this proposed rulemaking will be to streamline and modernize policies, procedures and management operations of the BIA by eliminating unnecessary regulations. No increases in costs for administration will be realized, and no prices would be affected through these revisions as, in practice, the regulations proposed for repeal are already inoperative.

This proposed rulemaking will not result in any significant adverse effects on competition, employment, investment, productivity, or innovation, nor on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets. These administrative revisions to BIA policy and procedure will not have an impact on any small business businesses or enterprises.

E. Review Under the Paperwork Reduction Act

This rule is exempt from the requirements of the Paperwork Reduction Act, since it repeals existing regulations. An OMB form 83–1 is not required.

F. Review Under Executive Order 13132 (Federalism)

This proposed rule 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. While this proposed rule may be of interest to tribes, there is no Federalism impact on the trust relationship or balance of power between the United States government and the various tribal governments affected by this rulemaking. Therefore, in accordance with Executive Order 13132, it is determined that this rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

G. Review Under the National Environmental Policy Act of 1969

This proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is necessary for this proposed rule.

H. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995, Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments and the private sector. Under section 202 of the Act, the BIA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to state, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. This proposed rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year.

I. Review Under Executive Order 12630 (Takings Implication Assessment)

In accordance with Executive Order 12630, this proposed rule does not have significant takings implications. This rule does not involve the ''taking'' of private property interests.

J. Review Under Executive Order 13175 (Tribal Consultation)

The BIA determined that, because the proposed repeal of current regulations has tribal implications, it was an appropriate topic for consultation with tribal governments. This consultation is in keeping with Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments.'' In April 2001, BIA sent all tribal leaders a report that documents the results of a BIA review of existing regulations, policies, and procedures that affect delivery of trust services to tribal governments and individual Indians. Included in the report was a multi-year schedule for bringing all trust regulations, policies and procedures up-to-date. In May 2001, the BIA sent all tribal leaders a letter describing identifying ten parts of Title 25 CFR that we were considering for repeal. Regional directors followed up to determine if there were tribal concerns with any aspects of the proposal.

Several tribes expressed opposition to the suggested repeal of Part 140—Licensed Indian Traders. As a result, we have not included that Part in this proposed rulemaking. Two tribes asked that we not repeal Part 156—Reallotment of Lands to Unallotted Children. We have included that Part in this rulemaking, however, as the regulations in Part 152—Issuance of Patents in Fee, Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands, provides all necessary authority that is otherwise provided under part 156.

One tribe objected to the proposed repeal of Part 125—Payment of Sioux Benefits, as they do not consider all Sioux claims to be resolved. Part 125 regulated payments authorized under various laws that were passed between 1889 and 1934. All monies due under those statutes have been paid. In 1973, Congress passed the Indian Tribal Judgment Funds Use or Distribution Act, that covers all subsequent judgment awards. The regulations implementing that law are found in part 87, therefore we believe that part 125 should be repealed.

Following publication of this proposed rule, BIA will again notify tribal governments of the substance of this rule making through a direct mailing. This will enable tribal officials and the affected tribal constituency throughout Indian Country to have meaningful and timely input in the development of the final rule.

List of Subjects

25 CFR Part 112

Indians—business and finance.

25 CFR Part 116

Estates, Indians—business and finance, Trusts and trustees.

25 CFR Part 121

Indians—claims, Indians—judgment funds.

25 CFR Part 123

Alaska, Indian—claims.

25 CFR Part 125

Indians—claims, Reporting and recordkeeping requirements.

25 CFR Part 154

Indians—lands.

25 CFR Part 156

Indians—lands.

25 CFR Part 178

Indians—lands.

25 CFR Part 243

Alaska, Indians—business and finance, Reindeer.

Accordingly, under the authority in 25 U.S.C. 9, we propose to amend 25 CFR chapter 1 by removing parts 112, 116, 121, 123, 125, 154, 156, 178, and 243.

Dated: February 14, 2002.

Neal A. McCaleb,

Assistant Secretary—Indian Affairs.

[FR Doc. 02–4106 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08–02–003]

RIN 2115–AE47

Drawbridge Operation Regulation; Pelican Island Causeway, Galveston Channel, TX

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to modify the existing drawbridge operation regulation for the draw of the Pelican Island Causeway bridge across Galveston Channel, at Galveston, Texas. The modification will allow for the morning closure period to be moved 20 minutes earlier to better align with the automobile traffic that crosses the bridge. This rule also clarifies the mile mark for the location of the drawbridge.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments to Commander (obc), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana 70130–3396, or deliver them to room 1313 at the same address above between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The Commander, Eighth Coast Guard District, Bridge Administration Branch maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the Bridge Administration Branch, Eighth Coast Guard District between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. David Frank, Bridge Administration Branch, at the address given above or telephone (504) 589–2965.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD08–02–003) indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know that they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. You may submit a request for a public meeting by writing to the Commander, Eighth Coast Guard District, Bridge Administration Branch at the address under **ADDRESSES** explaining why a public meeting would be beneficial. If we determine that a public meeting would aid this rulemaking, we will hold one at a time and place to be announced by notice in the **Federal Register**.

Background and Purpose

Presently, the draw of the Pelican Island Causeway bridge, Galveston Channel mile 4.5 (GIWW mile 356.1), at Galveston, Texas, shall open on signal; except that, from 7 a.m. to 8:30 a.m., 12 noon to 1 p.m., and 4:15 p.m. to 5:15 p.m. Monday through Friday, except Federal holidays, the draw need not be opened for passage of vessels. Public vessels of the United States and vessels in distress shall be passed at any time. The bridge owner has requested to modify the morning bridge closure periods to allow the bridge to remain closed to navigation from 6:40 a.m. until 8:10 a.m. vice 7 a.m. to 8:30 a.m. Approximately 4,000 vehicles cross the bridge in each direction daily. The adjustment to the morning closure times reflects changes to align the closure periods with the work times of the businesses located on the island. The bridge has been observing the morning closure times of 6:40 a.m. to 8:10 a.m. for several years without properly codifying the times in the regulation. This change will reflect the actual times the bridge remains closed in the morning hours.

Additionally, by this rulemaking, the Coast Guard plans to clarify the published location of the bridge in the Code of Federal Regulations. In 33 CFR 117.977, the section heading is for Galveston Channel. The mile mark for the bridge in that section, 356.1, is for the GIWW. The bridge is actually located at mile 4.5 of the Galveston Channel. This rulemaking will clarify the mile mark for the bridge by including both the Galveston Channel mile mark and the GIWW mile mark.

Discussion of Proposed Rule

The proposed rule would modify the existing regulation in 33 CFR 117.977 to more accurately reflect those times when the bridge does not open for marine traffic in the morning. The change will now allow the Pelican Island Causeway bridge to remain closed to navigation from 6:40 a.m. to 8:10 a.m. vice the presently published times of 7 a.m. to 8:30 a.m. The draw will continue to open at any time for public vessels of the United States and vessels in distress.

The Coast Guard believes that allowing the modification to the morning closure time periods is reasonable and will still meet the needs of navigation. This conclusion is based upon the fact that these times are already being used and no complaints have been received from mariners.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

This proposed rule allows vessels ample opportunity to transit this waterway with proper notification before and after the peak vehicular traffic periods. Vessels have been operating in accordance with the proposed morning closure period of 6:40 a.m. to 8:10 a.m. without complaint or significant impact. According to the vehicle traffic surveys, the public at large is better served by closure times between 6:40 a.m. and 8:10 a.m.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. The proposed rule has considered the needs of the local small businesses and vessels transiting the Galveston Channel and it has been determined that, under 5 U.S.C. 605(b), it would not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the Bridge Administration Branch, Eighth Coast Guard District at the address above.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct cost of compliance on them. We have analyzed this proposed rule under Executive Order 13132 and have determined that this proposed rule does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not economically significant and does not cause an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

To help the Coast Guard establish regular and meaningful consultation and collaboration with Indian and Alaskan Native tribes, we published a notice in the **Federal Register** (66 FR 36361, July 11, 2001) requesting comments on how to best carry out the Order. We invite your comments on how this proposed rule might impact tribal governments, even if that impact may not constitute a ''tribal implication'' under the Order.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 32(e), of Commandant Instruction M16475.lD, this proposed rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. § 117.977 is revised to read as follows:

§ 117.977 Pelican Island Causeway, Galveston Channel.

The draw of the Pelican Island Causeway bridge across Galveston Channel, mile 4.5 of the Galveston Channel, (GIWW mile 356.1) at Galveston, Texas, shall open on signal; except that, from 6:40 a.m. to 8:10 a.m., 12 noon to 1 p.m., and 4:15 p.m. to 5:15 p.m. Monday through Friday except Federal holidays, the draw need not be opened for passage of vessels. Public vessels of the United States and vessels in distress shall be passed at any time.

Dated: February 5, 2002.

Roy J. Casto,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 02–4207 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07–01–143]

RIN 2115–AE47

Drawbridge Operation Regulations: Dania Beach Boulevard Drawbridge, Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating regulations of the Dania Beach Boulevard drawbridge across the Atlantic Intracoastal Waterway, mile 1069.4, Fort Lauderdale, Florida. This proposed rule would allow the drawbridge to only open a single leaf on the quarter hour and three-quarter hour for a period of 45 days between September and October 2002. This action will allow the contractor to safely complete repairs to this drawbridge without closing the waterway to all vessel traffic.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD07–01–143] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Bridge Branch, 909 S.E. 1st Ave, Miami, FL 33130, telephone number 305–415–6743.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07–01–143], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them. We anticipate making this proposed rule effective less than 30 days after publication in the **Federal Register** because we do not anticipate knowing the exact dates of the bridge closure until shortly before the rule will go into effect.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, 909 S.E. 1st Ave, Room 406, Miami, FL 33131, explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Dania Beach Boulevard drawbridge is a double span drawbridge that crosses the Intracoastal Waterway in Dania Beach, Florida. The bridge is 50 years old and in need of repair. This proposed rule will allow the bridge to only open a single leaf on the quarter hour and three-quarter hour while a contractor completes repairs to the bridge. This drawbridge has a vertical clearance of 22 feet in the closed position and a horizontal clearance of 45 feet between the fender and the unopened span.

Discussion of Proposed Rule

The proposed rule allows the bridge to operate single leaf only for a period of 45 days between September and October 2002. In order to complete the necessary repairs, the west leaf will be placed in the down position for 22 days and then the east leaf will be placed in the down position for 23 days.

The final rule will state the actual dates that each span will be closed. We anticipate making the final rule effective less than 30 days after publication in the **Federal Register** because we will likely not know the exact dates of the bridge closure until shortly before the rule will go into effect.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because the bridge will still be able to provide scheduled single leaf openings.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities because the bridge will continue to operate one span during the repairs.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment to the office listed under **ADDRESSES** explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in **FOR FURTHER INFORMATION CONTACT.**

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or

impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (32) (e) of Commandant Instruction M16475.lD, this proposed rule is categorically excluded from further environmental documentation.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. A new temporary § 117.261 (rr) is added to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(rr) *Dania Beach Boulevard bridge.* The Dania Beach Boulevard bridge, mile 1069.4 at Fort Lauderdale, FL need only open a single leaf of the bridge on the quarter hour and three-quarter hour [a period of 45 days during September and October 2002].

* * * * *

Dated: February 8, 2002.

John E. Crowley, Jr.,

Captain, U.S. Coast Guard, Commander Seventh Coast Guard District, Acting.

[FR Doc. 02–4204 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[LANT AREA–02–001]

RIN 2115–AG33

Protection of Naval Vessels

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes regulations for the safety and security of U.S. naval vessels in the navigable waters of the United States. Naval vessel protection zones will provide for the regulation of vessel traffic in the vicinity of many U.S. naval vessels in the navigable waters of the United States.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments and related material to Commander (Amr), Coast Guard Atlantic Area, 431 Crawford Street, Portsmouth, VA 23704–5004. Commander (Amr) maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket LANT AREA 02–001 and are available for inspection or copying at Commander (Amr), 431 Crawford Street, Portsmouth, VA, room 416 between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Commander Chris Doane, Commander (Amr), Coast Guard Atlantic Area, 431 Crawford Street, Portsmouth, VA 23704–5004; telephone number (757) 398–6372.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (LANT AREA 02–001), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (Amr), Coast Guard Atlantic Area, at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

These zones are necessary to provide for the safety and security of United States naval vessels in the navigable waters of the United States. The regulations are issued under the authority contained in 14 U.S.C. 91.

On September 21, 2001, the Coast Guard published a temporary final rule entitled ''Protection of Naval Vessels'' in the **Federal Register** (66 FR 48779). Prior to issuing this temporary final rule, no regulation existed implementing 14 U.S.C. 91. The temporary final rule is in effect until June 15, 2002. The Coast Guard has

received one letter. The U.S. Navy Commander in Chief, Atlantic Fleet has identified a continuing requirement for these protection zones and requested a permanent final rule. No public hearing has been requested, and none has been held.

We have determined that a continuing need exists for the protection of naval vessels. Therefore, we are establishing a final rule that will replace the temporary rule by June 15, 2002. Based on our experience with the temporary final rule, we have made some changes that are detailed at length in the ''Discussion'' section of this preamble.

Discussion of Proposed Rule

This proposed rule, for safety and security concerns, controls vessel movement in a regulated area surrounding many U.S. naval vessels. All vessels within 500 yards of such a U.S. naval vessel shall operate at the minimum speed necessary to maintain a safe course, unless required by the Navigation Rules to maintain speed, and shall always proceed as directed by the Coast Guard, the senior naval officer present in command, or the official patrol. No vessel or person is allowed within 100 yards of a U.S. naval vessel greater than 100 feet in length unless authorized by the Coast Guard, the senior naval officer present in command, or the official patrol.

In the proposed rule, we altered the definition of ''navigable waters of the United States.'' In the temporary final rule, we cited to 33 CFR 2.05–25 for the definition of navigable waters. The Coast Guard has plans to amend these regulations to re-define the terms in 33 CFR part 2. When the 33 CFR part 2 amendments are complete, 33 CFR 2.05–25 may no longer exist (66 FR 61897, 61941, December 3, 2001). We, therefore, now propose to simply refer to 33 CFR part 2 for the definition of navigable waters of the United States.

In the proposed rule, ''official patrol'' is now defined as those personnel designated and supervised by a senior naval officer present in command and tasked to monitor a naval vessel protection zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the U.S. Navy. The proposed rule does not limit the senior naval officer's discretion in designating the official patrol since this is an operational decision based on the totality of the circumstances and governed by a number of U.S. Navy practices and directives.

In the proposed rule, the term ''senior naval officer present in command'' is more clearly defined than in the temporary final rule. In the temporary final rule, the note to section 165.2020(b) defined the term ''senior naval officer present in command.'' This note has been eliminated and replaced with a formal definition of the term based on the text of 32 CFR 700.901. In the proposed rule, a senior naval officer present in command is, unless otherwise designated by competent authority, the senior line officer of the U.S. Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of the Navy in the area. We anticipate that the senior naval officer present in command normally will be the Commanding Officer of a U.S. naval vessel or his or her military designee. However, it is possible that the U.S. Navy may occasionally designate a different officer.

When necessary, the senior naval officer present in command has full authority to enforce the proposed regulation and may directly assist any Coast Guard enforcement personnel who are present in the vicinity of a U.S. naval vessel. Any Coast Guard commissioned, warrant, or petty officer may enforce the rules and regulations contained in the proposed rule. In almost all cases, however, only on scene Coast Guard personnel will be involved in direct enforcement of the proposed rule, especially when a mariner is arranging safe passage between his or her vessel and an underway U.S. naval vessel. On very rare occasions, the Coast Guard Captain of the Port or District Commander may become involved with granting permission for a vessel transit through a naval vessel protection zone around a moored or anchored U.S. naval vessel. At no time should these officials, or any other Coast Guard member not at the immediate scene, be expected to arrange for safe passage between an underway vessel and an underway U.S. naval vessel.

In the proposed rule, the definition of ''U.S. naval vessel'' has been expanded to include any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water, and any vessel under the operational control of a Combatant Command. The full definition now reads that a U.S. naval vessel is any vessel owned, operated, chartered, or leased by the U.S. Navy; any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water; and any vessel under the operational control of the U.S. Navy or a Combatant Command.

This broad definition includes vessels traditionally recognized as U.S. Navy vessels (aircraft carriers, submarines, frigates, etc.) and other vessels that are less easily recognized. For example, the U.S. Transportation Command (TRANSCOM) is a Combatant Command, and consists of the Navy's Military Sealift Command (MSC), the Army's Military Traffic Management Command (MTMC), and the Air Force's Air Mobility Command (AMC). Any vessel under TRANSCOM operational control meets the definition of a U.S. naval vessel.

Pre-commissioned U.S. Navy vessels have distinctive U.S. Navy markings and profiles, usually including hull numbers, the ship's name, and U.S. Navy coloring. There are strong public policy reasons to protect these pre-commissioned vessels and the U.S. Navy personnel assigned to them.

The definition of U.S. naval vessel also includes floating drydocks that meet all other requirements and any U.S. naval vessel in a commercial drydock within the navigable waters of the United States.

The proposed rule contains new language to more accurately describe the current command and control structure over U.S. naval vessels. In the definition of U.S. naval vessel, the term ''unified commander'' has been replaced with ''Combatant Command.'' The term ''Combatant Command'' is described in 10 U.S.C. 162 and 10 U.S.C. 164. The term ''Combatant Command'' includes such unified commands as TRANSCOM and U.S. Joint Forces Command (JFCOM).

The proposed rule states that naval vessel protection zones exist around U.S. naval vessels greater than 100 feet in length overall. The zones exist around these vessels at all times in the navigable waters of the U.S., whether the U.S. naval vessel is underway, anchored, moored, or within a floating drydock, except when the naval vessel is moored or anchored within a restricted area or within a naval defensive sea area. The primary purpose of this rule is to provide security for U.S. naval vessels that are moored or anchored away from their normal homeports and while moving through the navigable waters. Since most U.S. Navy piers are already protected by either restricted areas or naval defensive sea zones, the naval vessels within these areas do not require naval vessel protection zones.

Only larger U.S. naval vessels are surrounded by a naval vessel protection zone to minimize this rule's effect on the public. For example, small U.S. Naval Academy sailboats or other recreational vessels meet the definition of a ''U.S. naval vessel'' but do not require naval vessel protection zones. Moreover, the presence of a zone around

these naval vessels could unnecessarily interfere with other mariners. Likewise, tugboats owned or leased by the U.S. Navy fit the definition of ''U.S. naval vessel,'' but do not require naval vessel protection zones.

The proposed rule defines U.S. naval vessels over 100 feet in length overall as ''large U.S. naval vessels.'' This definition helps us avoid long, and potentially confusing, sentences in parts of the proposed rule.

The proposed rule contains several additional provisions to limit public impact. Vessels that need to pass within 100 yards of a large U.S. naval vessel may contact the Coast Guard, the senior naval officer present in command, or the official patrol on VHF–FM channel 16 to obtain the necessary permission.

Additionally, the Coast Guard, senior naval officer present in command, or the official patrol should permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large U.S. naval vessel in order to ensure a safe passage in accordance with the Navigation Rules.

Similarly, commercial vessels anchored in a designated anchorage area should be permitted to remain at anchor within 100 yards of a passing large U.S. naval vessel when consistent with security requirements. As illustrated by the October 12, 2000, attack on the U.S.S. COLE, all vessels are potentially a security threat; therefore, vessels may, at times, be required to move. From a pure security perspective, all anchored vessels should be required to move. We believe, however, that security must be balanced with the burden on mariners and encourage enforcement officials to limit the impact on larger vessels, which are the most expensive and difficult to move.

In the proposed rule, we added language to address the situation where a naval vessel protection zone around a moored or anchored U.S. naval vessel effectively shuts down a narrow waterway. This situation could arise when a U.S. naval vessel makes a temporary port visit away from its normal homeport. In this situation, the Coast Guard, senior naval officer present in command, or the official patrol should permit transiting vessels to pass within 100 yards of the moored U.S. naval vessel with the minimal delay consistent with security requirements. This proposed rule does not intend to block narrow waterways from public use for extended periods of time. Mariners should anticipate some delay due to security needs. However, by including this new language in the regulation text, we want to make it clear that the Coast Guard, senior naval officer present in command, or the official patrol should, when appropriate, allow transiting vessels within the 100-yard exclusionary zone as needed to safely pass through a navigable channel or waterway. While maintaining security is paramount, avoiding extended delays in normal traffic is also very important.

We also added language that the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice on VHF–FM channel 16 of all movements by large U.S. naval vessels once security concerns permit publicizing the movement. The goal is to give as much advance notice as possible. In most cases, however, this notice will probably be no more than an hour or two. These notifications should, to some extent, help mariners adjust their navigation plans accordingly or obtain early permission to enter into a naval vessel protection zone.

Violations of these regulations are punishable as a class D felony (imprisonment for not more than 6 years and a fine of not more than $250,000), a civil penalty, and may result in rem liability against the vessel.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Transportation (DOT)(44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Although this proposed regulation restricts access to the regulated area, the effect of this proposed regulation will not be significant because: (i) Individual naval vessel protection zones are limited in size; (ii) the Coast Guard, senior naval officer present in command, or official patrol may authorize access to the naval vessel protection zone; (iii) the naval vessel protection zone for any given transiting naval vessel will only effect a given geographical location for a limited time; and (iv) when conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice of all naval vessel movements on VHF–FM channel 16 so mariners can adjust their plans accordingly. Further, the Coast Guard received no comments related to economic impact following implementation of the temporary final rule.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This proposed rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to operate near or anchor in the vicinity of U.S. naval vessels in the navigable waters of the United States.

This proposed regulation will not have a significant economic impact on a substantial number of small entities for the following reasons: (i) Individual naval vessel protection zones are limited in size; (ii) the official patrol may authorize access to the naval vessel protection zone; (iii) the naval vessel protection zone for any given transiting naval vessel will only affect a given geographic location for a limited time; and (iv) when conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice of all naval vessel movements on VHF–FM channel 16 so mariners can adjust their plans accordingly. Further, the Coast Guard received no comments related to small entity impact following implementation of the temporary final rule.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in

understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under **ADDRESSES.**

Collection of Information

This proposed rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

To help the Coast Guard establish regular and meaningful consultation and collaboration with Indian and Alaskan Native tribes, we published a notice in the **Federal Register** (66 FR 36361, July 11, 2001) requesting comments on how to best carry out the Order. We invite your comments on how this proposed rule might impact tribal governments, even if that impact may not constitute a ''tribal implication'' under the Order.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

We have considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (34)(g), of Commandant Instruction M16475.lD, this rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.** Further, the Coast Guard received no comments related to environmental impact following implementation of the temporary final rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Protection of naval vessels, Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 subpart G reads as follows:

Authority: 14 U.S.C 91 and 633; 49 CFR 1.45.

2. Subpart G is added to part 165 to read as follows:

Subpart G—Protection of Naval Vessels

Sec.

165.2010 Purpose.
165.2015 Definitions.
165.2020 Enforcement Authority.
165.2025 Atlantic Area.

Subpart G—Protection of Naval Vessels

§ 165.2010 Purpose.

This subpart establishes the geographic parameters of naval vessel protection zones surrounding U.S. naval vessels in the navigable waters of the United States. This subpart also establishes when the U.S. Navy will take enforcement action in accordance with the statutory guidelines of 14 U.S.C. 91. Nothing in the rules and regulations contained in this subpart shall relieve any vessel, including U.S. naval vessels, from the observance of the Navigation Rules. The rules and regulations contained in this subpart supplement, but do not replace or supercede, any other regulation pertaining to the safety or security of U.S. naval vessels.

§ 165.2015 Definitions.

The following definitions apply to this subpart:

Atlantic Area means that area described in 33 CFR 3.04–1 Atlantic Area.

Large U.S. naval vessel means any U.S. naval vessel greater than 100 feet in length overall.

Naval defensive sea area means those areas described in 32 CFR part 761.

Naval vessel protection zone is a 500-yard regulated area of water surrounding large U.S. naval vessels that is necessary to provide for the safety or security of these U.S. naval vessels.

Navigable waters of the United States means those waters defined as such in 33 CFR part 2.

Navigation rules means the Navigation Rules, International-Inland.

Official patrol means those personnel designated and supervised by a senior naval officer present in command and tasked to monitor a naval vessel protection zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the U.S. Navy.

Pacific Area means that area described in 33 CFR 3.04–3 Pacific Area.

Restricted area means those areas established by the Army Corps of Engineers and set out in 33 CFR part 334.

Senior naval officer present in command is, unless otherwise

designated by competent authority, the senior line officer of the U.S. Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of Navy in the area.

U.S. naval vessel means any vessel owned, operated, chartered, or leased by the U.S. Navy; any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water; and any vessel under the operational control of the U.S. Navy or a Combatant Command.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. naval vessels.

§ 165.2020 Enforcement Authority.

(a) *Coast Guard.* Any Coast Guard commissioned, warrant or petty officer may enforce the rules and regulations contained in this subpart.

(b) *Senior naval officer present in command.* In the navigable waters of the United States, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to exercise effective control in the vicinity of large U.S. naval vessels, the senior naval officer present in command is responsible for the enforcement of the rules and regulations contained in this subpart to ensure the safety and security of all large naval vessels present. In meeting this responsibility, the senior naval officer present in command may directly assist any Coast Guard enforcement personnel who are present.

§ 165.2025 Atlantic Area.

(a) This section applies to any vessel or person in the navigable waters of the United States within the boundaries of the U.S. Coast Guard Atlantic Area, which includes the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts.

Note to § 165.2025 paragraph (a): The boundaries of the U.S. Coast Guard Atlantic Area and the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts are set out in 33 CFR part 3.

(b) A naval vessel protection zone exists around U.S. naval vessels greater than 100 feet in length overall at all times in the navigable waters of the United States, whether the large U.S. naval vessel is underway, anchored, moored, or within a floating drydock, except when the large naval vessel is moored or anchored within a restricted area or within a naval defensive sea area.

(c) The Navigation Rules shall apply at all times within a naval vessel protection zone.

(d) When within a naval vessel protection zone, all vessels shall operate at the minimum speed necessary to maintain a safe course, unless required to maintain speed by the Navigation Rules, and shall proceed as directed by the Coast Guard, the senior naval officer present in command, or the official patrol. When within a naval vessel protection zone, no vessel or person is allowed within 100 yards of a large U.S. naval vessel unless authorized by the Coast Guard, the senior naval officer present in command, or official patrol.

(e) To request authorization to operate within 100 yards of a large U.S. naval vessel, contact the Coast Guard, the senior naval officer present in command, or the official patrol on VHF–FM channel 16.

(f) When conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should:

(1) Give advance notice on VHF–FM channel 16 of all large U.S. naval vessel movements; and

(2) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large U.S. naval vessel in order to ensure a safe passage in accordance with the Navigation Rules; and

(3) Permit commercial vessels anchored in a designated anchorage area to remain at anchor when within 100 yards of passing large U.S. naval vessels; and

(4) Permit vessels that must transit via a navigable channel or waterway to pass within 100 yards of a moored or anchored large U.S. naval vessel with minimal delay consistent with security.

Note to § 165.2025 paragraph (f): The listed actions are discretionary and do not create any additional right to appeal or otherwise dispute a decision of the Coast Guard, the senior naval officer present in command, or the official patrol.

Dated: February 8, 2002.

T.C. Paar,

Captain, Coast Guard, Commander, Atlantic Area, Acting.

[FR Doc. 02–4205 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR PART 52

[OH118–1b; FRL–7133–9]

Approval and Promulgation of Implementation Plan Ohio; Nonattainment Major Stationary Source Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: In this action, EPA is proposing to approve an addition to the Ohio State Implementation Plan (SIP), comprising rules for nonattainment New Source Review (NSR) procedures. This addition makes the State's existing program for nonattainment NSR procedures into the SIP. It was submitted as a SIP revision request on April 22, 1996 (with subsequent amendments), by the Ohio Environmental Protection Agency (OEPA) to EPA for approval. It consists of general NSR provisions and NSR provisions relating to nonattainment areas. The subsequent amendments resolved problems that prevented full approval and added rules for the public notice requirements of all NSR permits. The EPA proposes to approve the amended SIP revision request as the basis for an NSR nonattainment permitting program consistent with federal rules.

In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comment. The EPA has explained reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comment, EPA will take no further action on this proposed rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. In that event, EPA will addresss all relevant public comments in a subsequent final rule based on this proposed rule. In either event, EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

DATES: Written comments must be received by March 25, 2002.

ADDRESSES: Written comments should be addressed to Ms. Pamela Blakley, Chief, Permits and Grants Section (IL/IN/OH), Attention: Mr. Kaushal Gupta, at the EPA Region 5 office listed below.

Copies of documents relevant to this action are available for public inspection during normal business hours at the following location: Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

FOR FURTHER INFORMATION CONTACT: Kaushal Gupta, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, telephone (312) 886–6803. For further information regarding OEPA's rules for public notice procedure, please contact Jorge Acevedo, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, telephone (312) 886–2263.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final Rule which is published in the Rules and Regulations section of this **Federal Register**.

Authority: 42 U.S.C. 7401–7671q.

Dated: December 6, 2001.

Norman Niedergang,

Acting Regional Administrator, Region 5.

[FR Doc. 02–3761 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN70–7295b; FRL–7136–5]

Approval and Promulgation of Implementation Plans; Minnesota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: We are proposing to approve a State Implementation Plan (SIP) revision for Dakota County, Minnesota, for the control of emissions of sulfur dioxide (SO_2) in the Pine Bend Area of Rosemount. The site-specific SIP revision for Koch Petroleum Group, LP (Koch) was submitted by the Minnesota Pollution Control Agency on May 2, 2001, and is approvable because it satisfies the requirements of the Clean Air Act. Specifically, EPA is proposing to approve into the SO_2 SIP Amendment No. 5 to the Administrative Order for Koch. In the final rules section of this **Federal Register**, we are approving the SIP revision as a direct final rule without prior proposal, because we view this as a noncontroversial revision amendment and anticipate no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. If we receive adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before March 25, 2002.

ADDRESSES: Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590.

FOR FURTHER INFORMATION CONTACT: Christos Panos, Regulation Development Section, Air Programs Branch (AR–18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8328.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final notice which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA's analysis are available for inspection at the above address. (Please telephone Christos Panos at (312) 353–8328 before visiting the Region 5 Office.)

Dated: January 16, 2002.

Gary Gulezian,

Acting Regional Administrator, Region 5.

[FR Doc. 02–3757 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 253–0321b; FRL–7139–5]

Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a conditional approval of revisions to the El Dorado County Air Pollution Control District (EDCAPCD) portion of the California State Implementation Plan (SIP). These revisions concern oxides of nitrogen (NO_X) emissions from internal combustion engines. We are proposing action on a local rule that regulates these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by March 25, 2002.

ADDRESSES: Mail comments to Andy Steckel, Rulemaking Office Chief (AIR–4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revisions and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revisions at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Building C, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Charnjit Bhullar, Rulemaking Office (AIR–4), U.S. Environmental Protection Agency, Region IX, (415) 972–3960.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

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I. The State's Submittal

A. What Rule Did the State Submit?

Table 1 lists the rule addressed by this proposal with the dates that it was adopted by the local air agency and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local agency	Rule No.	Rule title	Adopted	Submitted
EDCAPCD	233	Stationary Internal Combustion Engines	09/25/01	11/09/01

On January 15, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

B. Are There Other Versions of This Rule?

On January 13, 2000, we published a final limited approval and limited disapproval of a version of this rule that had been submitted to EPA on October 20, 1994.

C. What Is the Purpose of the Submitted Rule?

EDCAPCD Rule 233 establishes NO_X emission limits for stationary internal combustion engines within the Federal ozone non-attainment area regulated by EDCAPCD. EPA published a limited approval and limited disapproval of a previous version of this rule because the following provisions conflicted with section 110 and part D of the Act.

1. Emission limits were significantly higher than those established as Reasonably Available Control Technology (RACT) by CARB.

2. Annual emission testing of all engines was not required.

3. Nonresettable fuel or hour meters were not required. The submitted revisions are designed primarily to correct these deficiencies. The TSD has more information about this rule.

II. EPA's Evaluation and Action

A. How Is EPA Evaluating This Rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act), must require RACT for major sources in nonattainment areas (see sections 182(b)(2)(a) and 182(f)), and must not relax existing requirements (see sections 110(l) and 193). EDCAPCD regulates an ozone nonattainment area (see 40 CFR 81.305), so Rule 233 must fulfill RACT.

Guidance and policy documents that we used to help evaluate enforceability and RACT requirements consistently include the following:

1. *Issue Relating to VOC Regulation, Cut points, Deficiencies, and Deviations* (the ''Blue Book''), U.S. EPA, May 25, 1988.

2. *State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble for the Implementation of Title I of the Clean Air Act Amendment of 1990* (the ''NO_X Supplement to the General Preamble''), U.S. EPA, 57 FR 55620, Nov. 25, 1992.

3. *State Implementation Plans for National Primary and Secondary Ambient Air Quality Standards,* Section 110 of the Clean Air Act (CAA), and Plan Requirements for Nonattainment Areas, Title I, Part D of the CAA.

4. *Requirement for Preparation, Adoption, and Submittal of Implementation Plans,* U.S. EPA, 40 CFR Part 51.

5. *Alternative Control Techniques (ACT) Document—NO_X Emission from Stationary Reciprocating Internal Combustion Engines* (EPA–453/R–93–032).

6. *CAPCOA/ARB Proposed Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Internal Combustion Engines* State of California Air Resources Board, December, 1997.

B. Does the Rule Meet the Evaluation Criteria?

In EPA's January 2000 action on a previous version the Rule, we determined that it improved the SIP and fulfilled the relevant evaluation criteria except for three deficiencies. The submitted rule addresses these deficiencies as follows:

1. Emission limits have been significantly reduced in section 233.3(A).

2. Through an administrative error, the revisions to Rule 233 did not clearly require emission testing for all engines. By letter dated January 2, 2002, EDCAPCD has stated its intension to revise the rule appropriately by July 2002.

3. A nonresettable fuel and/or hour meter is required in section 233.5(D).

The submitted revisions are designed primarily to correct these deficiencies. The TSD has more information about this rule.

C. Proposed Action and Public Comment

A January 2, 2002 letter from the EDCAPCD Air Pollution Control Officer stated his intention to submit a commitment through CARB to adopt and submit revisions to Rule 233 by July 2002. As authorized in section 110(k)(4) of the Act and based on the expectation that we will receive this commitment shortly, EPA is proposing a conditional approval of the submitted rule to improve the SIP. If finalized, this action would incorporate into the SIP both the submitted rule and the commitment from CARB to correct the identified deficiency. Pursuant to 40 CFR 52.31(d)(5), if finalized, this action would also permanently terminate all section 179 sanctions, sanctions clocks and section 110(c) FIP obligations associated with our January 2000 action.

This conditional approval shall be treated as a disapproval if EDCAPCD fails to adopt rule revisions to correct the deficiencies within one year. If this rule is disapproved, the stay of sanctions will be lifted under section 179 of the Act in accordance with 40 CFR 52.31. Please see our Interim Final Determination elsewhere in today's **Federal Register**. Note that the submitted rule has been adopted by EDCAPCD, and EPA's final conditional approval would not prevent the local agency from enforcing it.

We will accept comments from the public on the proposed conditional approval for the next 30 days.

III. Background Information

Why Was This Rule Submitted?

NO_X helps produce ground-level ozone, smog and particulate matter which harm human health and the environment. Section 110(a) of the CAA requires states to submit regulations that control NO_X emissions. Table 2 lists some of the national milestones leading to the submittal of these local agency NO_X rules.

TABLE 2.—OZONE NONATTAINMENT MILESTONES

Date	Event
March 3, 1978	EPA promulgated a list of ozone nonattainment areas under the Clean Air Act as amended in 1977. 43 FR 8964; 40 CFR 81.305.

TABLE 2.—OZONE NONATTAINMENT MILESTONES—Continued

Date	Event
May 26, 1988	EPA notified Governors that parts of their SIPs were inadequate to attain and maintain the ozone standard and requested that they correct the deficiencies (EPA's SIP-Call). See section 110(a)(2)(H) of the pre-amended Act.
November 15, 1990	Clean Air Act Amendments of 1990 were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q.
May 15, 1991	Section 182(a)(2)(A) requires that ozone nonattainment areas correct deficient RACT rules by this date.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget has exempted this regulation action from Executive Order 12866, Regulatory Planning and Review.

B. Executive Order 13211

This proposed rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

C. Executive Order 13045

Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13132

Executive Order 13132, entitled Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612, Federalism and 12875, Enhancing and Intergovernmental Partnership. Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that 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.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulations. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This proposed rule 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, as specified in Executive Order 13132, because it merely acts on a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Thus, the requirements of section 6 of the Executive Order do not apply to this proposed rule.

E. Executive Order 13175

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

This proposed rule does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule. In the spirit of Executive Order 13175, and consistent with EPA policy to promote communications between EPA and tribal governments, EPA specifically solicits additional comment on this proposed rule from tribal officials.

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This proposed rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply act on requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

G. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This proposed Federal action acts on pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

EPA believes that VCS are inapplicable to today's proposed action because it does not require the public to perform activities conducive to the use of VCS.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: January 23, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–3916 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NO. UT–001–0037b; FRL–7143–1]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revision of Definitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the Governor of Utah on April 19, 2000. The April 19, 2000 submittal revises Utah's Air Conservation Regulations by updating the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions. The intended effect of this action is to make the definitions federally enforceable. In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

DATES: Comments must be received in writing on or before March 25, 2002.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Laurel Dygowski, EPA, Region 8, (303) 312–6144.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

Authority: 42 U.S.C. 7401 et seq.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region 8.

[FR Doc. 02–4065 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 70

[MO 0149–1149; FRL–7146–4]

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. EPA is approving a revision to Missouri rule ''Submission of Emission Data, Emission Fees, and Process Information.'' This revision will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's air program rule revision.

In the final rules section of the **Federal Register**, EPA is approving the state's submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in

commenting on this action should do so at this time.

DATES: Comments on this proposed action must be received in writing by March 25, 2002.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551–7603.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: January 24, 2002.

William W. Rice,

Acting Regional Administrator, Region 7.

[FR Doc. 02–3763 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MT–001–0036b; FRL–7139–7]

Approval and Promulgation of Air Quality Implementation Plans; State of Montana; Billings Carbon Monoxide Redesignation to Attainment and Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On February 9, 2001, the Governor of Montana submitted a request to redesignate the Billings ''not classified'' carbon monoxide (CO) nonattainment area to attainment for the CO National Ambient Air Quality Standard (NAAQS). The Governor also submitted a CO maintenance plan. In this action, EPA is proposing approval of the Billings CO redesignation request and the maintenance plan. In the Final Rules section of this **Federal Register**, EPA is approving the State's redesignation request and State Implementation Plan (SIP) revision, involving the maintenance plan, as a direct final rule without prior proposal because the Agency views the redesignation and SIP revision as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by March 25, 2002.

ADDRESSES: Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection between 8:00 a.m. and 4:00 p.m., Monday through Friday at the following office: United States Environmental Protection Agency, Region VIII, Air Program, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; telephone number (303) 312–6479.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule, of the same title, published in the rules section of this **Federal Register**.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

[FR Doc. 02–4063 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[KY–JEFF–T5–2002–01b; FRL–7144–1]

Clean Air Act Proposed Full Approval of Operating Permit Program Revisions; Jefferson County (KY)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes approval of revisions to the operating permit program of the Jefferson County Air Pollution Control District in Kentucky. In the final rules section of this **Federal Register**, EPA is approving revisions to the County's operating permit program as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. An explanation for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting should do so at this time.

DATES: Written comments must be received by March 25, 2002.

ADDRESSES: Written comments on this action should be addressed to César Zapata, Air Permits Section, Air Planning Branch, EPA Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960. Copies of the Jefferson County submittals and other supporting documentation relevant to this action are available for inspection during normal business hours at EPA Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960.

FOR FURTHER INFORMATION CONTACT: César Zapata, EPA Region 4, at (404) 562–9139 or *zapata.cesar@epa.gov/.*

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the final rules section of this **Federal Register**.

Dated: January 31, 2002.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 02–3767 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register
Vol. 67, No. 35
Thursday, February 21, 2002

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.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 250

RIN 0584–AD08

Codification of Poultry Substitution and Modification of Commodity Inventory Controls for Recipient Agencies

AGENCY: Food and Nutrition Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule concerns the types of foods that may be available from the Department of Agriculture for any of the uses authorized under the Food and Nutrition Service's Food Distribution Programs and the manner in which those foods must be labeled. The first part of the rule will allow limited poultry substitution and full fruit, vegetable, and egg substitution in the processing program. The second part of the rule deals with the reduction of commodity inventory controls for schools to allow use of commercial labels.

The Department has operated a demonstration project program since Feb. 1, 1996, which allows commercial poultry to be substituted for commodity poultry in processing, in order to expedite and improve that program. The data gathered from recipient agencies, Agriculture Marketing Service (AMS) graders, and the AMS procurement division has been positive. Substitution of commercial fruits, vegetables, and eggs for commodity fruits, vegetables, and eggs has been allowed under 7 CFR 250.30(f)(4) for over ten years.

During that time, required Certified Public Accountant (CPA) audits have not shown any significant problems with fruit, vegetables, or egg substitution. There has been no substitution of inferior product identified. Therefore, this proposed rule seeks to change the regulations to allow limited poultry substitution and full fruit substitution, vegetable substitution, and egg substitution on a permanent basis.

Secondly, because of changes in the commercial market and the food donation programs, the Department will allow vendors to use their own labels in place of USDA donated food labels for school programs. Commercial labels have already been introduced in other USDA food donation programs with good results, and commercial labels for school commodities have been permitted on select commodities going into schools. However, commercial labels complicate the inventory procedures currently utilized in schools. Therefore, FNS is proposing to modify the current inventory requirements for schools in order to accommodate the use of commercial labels.

DATES: Comments regarding this proposed rule should be submitted by April 22, 2002.

ADDRESSES: Comments should be sent to Suzanne Rigby, Chief, Schools and Institutions Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, Virginia 22302–1594. Comments in response to this request may be inspected at 3101 Park Center Drive, Alexandria, Virginia, during normal business hours (8:30 a.m. to 5 p.m., Mondays through Fridays).

FOR FURTHER INFORMATION CONTACT: Suzanne Rigby at the above address or telephone (703) 305–2644.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

Public Law 104–4

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, the Food and Nutrition Service generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires the Food and Nutrition Service to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector of $100 million or more in any one year. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order 12372

The program addressed in this action is listed in the Catalog of Federal Domestic Assistance under No. 10.550, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, and final rule-related notices published at 48 FR 29114, June 24, 1983, and 49 FR 22676, May 31, 1984).

Regulatory Flexibility Act

This rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act of 1980 (5 U.S.C. 601–612). The Acting Administrator of the Food and Nutrition Service has certified that this action will not have a significant impact on a substantial number of small entities. State agencies, school food authorities and schools choosing to utilize this new method of inventory control will be affected. However, the majority of entities participating in the Food Distribution Programs will not be affected.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. The rule is intended to have preemptive effect with respect to any State or local laws, regulations or policies which conflict with its provisions or which would otherwise impede its full implementation. This rule is not intended to have retroactive effect. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this rule or the applications of its provisions.

Paperwork Reduction Act

Information collection requirements associated with the commodity processing program are approved under 0584–0293. This rule deletes the requirement for schools to maintain a dual inventory control system. Although the current inventory control requirements represent a burden on schools, estimated at 1.8 million hours annually for recipient agencies, this burden was not identified to or approved by the Office of Management and Budget. Therefore, deleting the burden requires no change to 0584–0293.

Allowing the limited substitution of donated poultry with commercial poultry significantly streamlines the manufacturing process for processors and allows recipients to receive end products on a timely basis. However, this rule does not relieve the processor from any of the current reporting or record keeping requirements contained in the regulations. Therefore, no changes are required to the current burden hours shown in 0584–0293.

Background

Substitution Issues

In February of 1996, the Department of Agriculture announced a demonstration project to study the effects of allowing the substitution of commercial chicken for USDA donated chicken in the State processing program (61 FR 5373, Feb. 12, 1996). In the State processing program, pursuant to regulations in 7 CFR part 250, surplus commodities are made available by the Federal government to processors. Under State processing and inspection requirements at least comparable to those mandated by Federal agencies responsible for food purity and safety, the commodities are processed into food products intended for sale to school food authorities for consumption by students in the various school meal programs administered by the Food and Nutrition Service. The State processing program is authorized under section 14 of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1762a.

In May of 1997 the project was expanded to include turkey as well as chicken. (62 FR 25885, May 12, 1997.) Only bulk pack poultry and poultry parts could be substituted under the project because the processing of these items could be more readily evaluated. The Department has determined from this demonstration project that current regulations regarding the non-substitution, non-diversion of poultry products has created onerous tracking and segregation requirements for both processors and recipients. Allowing the substitution of donated poultry on this limited basis has resulted in more flexibility to processors to manage inventory and production schedules and has allowed processors to better service their customers, recipient agencies. Processors are now able to deliver end products in smaller quantities, as the customers prefer. This results in a substantial saving for the recipient agencies in storage and handling costs of the finished end product. The Department has determined that this substitution demonstration project has resulted in increased processor participation and provided a greater variety of processed end products to recipient agencies.

Therefore, the Department is proposing to change the regulations at 7 CFR 250.30(f) (hereinafter all references to regulations in this rulemaking are to regulations in Title 7 of the Code of Federal Regulations) to allow the substitution of commercial bulk pack poultry and poultry parts for USDA donated bulk pack poultry and poultry parts on a permanent basis. The ability for the processor to substitute is an option, not a requirement. Any substitution of poultry or poultry parts must be consistent with the ''Buy American'' provisions of Section 104(d) of Public Law 105–336 (The William F. Goodling Child Nutrition Reauthorization Act of 1998), which amended section 12 of the NSLA, 42 U.S.C. 1760(n). The ''Buy American'' provisions are in Program regulations at 7 CFR 210.21(d) for the National School Lunch Program and 7 CFR 220.16(d) for the School Breakfast Program and are discussed fully in a final rule titled ''School Nutrition Programs: Nondiscretionary Technical Amendments'' published on September 20, 1999 in the **Federal Register** at Volume 64 beginning on page 50735.

Currently, the substitution demonstration requires a processor to submit a substitution plan to the Department annually. Processors will still need to submit a final substitution plan to USDA for approval. Once approved, the plan will be permanent. However, any changes to the plan would require resubmission of the plan and approval by USDA before implementation. The prohibition against substituting backhauled poultry products will continue.

Substitution of donated fruits, vegetables, or eggs with commercial fruits, vegetables, or eggs is allowed under § 250.30(f)(4) of the current regulations with the written approval of FNS. Independent CPA audits of the processors who have received the approval to substitute have identified no substitution of inferior product. Therefore, FNS is proposing to amend the regulations to allow full substitution in the further processing of fruits, vegetables, and eggs. Any substitution of fruits, vegetables, or eggs must be consistent with the ''Buy American'' provisions discussed above and subject to a 100% yield requirement. The Department believes that by making the substitution option permanent, processors will have more flexibility to properly service their customers. Substitution of donated commodity with commercial product of equal or better quality to the donated commodity will remain an option for processors.

Commercial Labeling Issues

Over the last year, USDA has conducted a demonstration project that allows vendors to use commercial labels rather than requiring USDA labels on foods made with or of USDA donated commodities used in the school meal programs. This project has demonstrated excellent benefits for recipient agencies including reduced delivery delays, increased competition, and reduced program costs. In addition, the project has helped eliminate a perceived stigma implied by the ''generic'' USDA labels.

However, using commercial labels has made it difficult for schools to distinguish between donated commodities and commercially purchased items in order to comply with current regulations to store and inventory donated commodities separately. These Federal requirements for storage and inventory of donated commodities have always been more stringent than the Federal requirements for foods that have been purchased using Federal reimbursement dollars from the National School Lunch Program. Schools currently must use generally accepted inventory and business management practices in order to safeguard commercially purchased products and maintain the financial integrity of their child nutrition program. For these reasons, the Department has determined that separate requirements for storage and inventory of commodities in the general food distribution regulations are redundant and more onerous than necessary to safeguard the value of commodities received at the school level. Therefore, the Department is proposing to amend the regulations at § 250.13(a) to define commodity value for the purpose of OMB Circular A–133, and at § 250.14(b), § 250.14(e), and § 250.14(f)(1) and (f)(2) to remove the requirement that ''recipient agencies''

store and inventory USDA donated food separately. A technical amendment will be made in § 250.14(c) to correct sentence structure. Section 250.14(e) will be revised to reduce physical inventory requirements for schools in this section. To satisfy the requirements of OMB Circular A–133 for the purpose of valuing the commodities, both received and used by a recipient agency, guidance will be provided by the Food Distribution Division after publication of the final rule. State and commercial warehouses, and sub-distributing agencies continue to be required to store and inventory donated commodities separately.

List of Subjects in 7 CFR Part 250

Administrative practice and procedure, Food assistance programs, Grant programs, Social programs, Indians, Reporting and record keeping requirements, Surplus agricultural commodities.

Accordingly, 7 CFR Part 250 is amended as follows:

PART 250—DONATION OF FOODS FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

1. The authority citation for Part 250 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 612c, 612c note, 1431, 1431b, 1431e, 1431 note, 1446a–1, 1859, 2014, 2025; 15 U.S.C. 713c; 22 U.S.C. 1922; 42 U.S.C. 1751, 1755, 1758, 1760, 1761, 1762a, 1766, 3030a, 5179, 5180.

2. In § 250.13 add a new sentence at the end of paragraph (a)(5) to read as follows:

§ 250.13 Distribution and control of donated foods.

(a) * * *

(5) * * * To satisfy the requirement of OMB Circular Number A–133 for the purposes of valuing commodities, both received and used by a recipient agency, guidance will be provided as needed by the Food Distribution Division. (For availability for OMB Circulars referenced in the paragraph, see 5 CFR 1310.3.)

3. In § 250.14:

a. Remove the word ''Stock'' at the beginning of paragraph (b)(4) and add in its place the words ''Excepting recipient agencies, stock'' ;

b. Remove the word ''Conduct'' from the beginning of the third sentence in paragraph (c) and add in its place the word ''conduct'' and remove the period at the end of the second sentence;

c. Revise paragraph (e);

d. Remove the words ''or recipient agency's'' in paragraph (f)(1) introductory text and add in its place the word ''agency's; and

e. Remove the words ''and recipient agencies'' in the second sentence of paragraph (f)(2).

The revision reads as follows:

§ 250.14 Warehousing, distributing, and storage of donated foods.

* * * * *

(e) *Physical inventory*. During the annual review required by paragraph (c) of this section, distributing agencies and subdistributing agencies shall take a physical inventory of their storage facilities. The physical inventory shall be reconciled with each storage facility's book inventory. The reconciliation records shall be maintained by the agency that contracted for or maintained the storage facility. Food items, which have been lost, stolen, or found to be out of condition, shall be identified and recorded. Potential excessive inventory, as described in paragraph (f) of this section, shall be reported by the subdistributing agency to the distributing agency. Corrective action on each deficiency noted during these inventories shall be initiated immediately and a written report of those corrective actions shall be forwarded to the distributing agency. Where applicable, the distributing agency shall pursue claims in accordance with § 250.15(c).

* * * * *

4. In § 250.16, revise paragraph (a)(2) to read as follows:

§ 250.16 Maintenance of records.

(a) * * *

(2) Distributing agencies shall require all subdistributing agencies to maintain accurate and complete records with respect to the receipt, distribution/disposal, and inventory of donated foods, including end products processed from donated foods. Subdistributing agencies and recipient agencies must document any funds that arise from the operation of the distribution program, including refunds made to recipient agencies by a processor in accordance with § 250.30(k). Further, these documents should allow an independent determination of the specific accounts that benefit from these funds.

* * * * *

5. In § 250.23, add a new paragraph (a)(3) to read as follows:

§ 250.23 Buy American.

(a) * * *

(3) All food purchases must be consistent with the ''Buy American'' provision of Public Law 105–336 (The William F. Goodling Child Nutrition Reauthorization Act of 1998).

* * * * *

6. In § 250.30:

a. Revise paragraph (f)(1) introductory text;

b. Remove paragraph (f)(1)(i) and redesignate paragraphs (f)(1)(ii) and (f)(1)(iii) as paragraphs (f)(1)(i) and (f)(1)(ii);

c. Revise newly redesignated paragraph (f)(1)(i);

d. Remove the words ''specifically listed in paragraph (f)(1)(i) of this section'' in the second sentence of paragraph (f)(2);

e. Remove paragraph (f)(4) and redesignate paragraph (f)(5) as paragraph (f)(4); and

f. Amend paragraph (g) by adding a sentence after the second sentence.

The revisions and additions read as follows:

§ 250.30 State processing of donated foods.

* * * * *

(f) * * *

(1) The processing contract may provide for substitution of donated foods as defined in § 250.3 except that donated beef and donated pork may not be substitutable. Any poultry processors that wish to substitute poultry must have a plan approved by USDA. No backhauled poultry product may be substitutable.

(i) All components of commercial foods substituted for any donated food must be identical or superior in every particular of the donated food specification. Records must be maintained to allow independent verification that the substituted food met the above condition.

* * * * *

(g) * * * As with the processing of donated poultry into end products, AMS graders must monitor the processing of any substituted commercial poultry to ensure that program integrity is maintained. * * *

* * * * *

Dated: February 14, 2002.

George A. Braley,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 02–4174 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–30–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–ANM–19]

Proposed Establisment of Class E Airspace; St. George, UT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at the surface at St. George Municipal Airport, St. George, UT. The intented effect of this action is to provide adequate Class E controlled airspace between the surface and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at St. George Municipal Airport, St. George, UT. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace.

EFFECTIVE DATE: Comments must be received on or before April 8, 2002.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM–520, Federal Aviation Administration, Docket No. 01–ANM–19, 1601 Lind Avenue SW, Renton, Washington 98055–4056.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Brian Durham, ANM–520.7, Federal Aviation Administration, Docket No. 01–ANM–19, 1601 Lind Avenue SW, Renton, Washington 98055–4056; telephone number: (425) 227–2527.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participated in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 01–ANM–19.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in the action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW, Renton, Washington 98055–4056. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request as copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by establishing Class E controlled airspace at St. George, UT. The intended effect of this action is to provide adequate Class E controlled airspace between the surface and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at St. George Municipal Airport, St. George, UT. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safe flight operations under IFR at the St. George Municipal Airport and between the terminal and enroute transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designated as surface areas, are published in Paragraph 6002, of FAA Order 7400.9J dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1., The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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 11013; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact 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).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

Paragraph 6002 Class E airspace designated as surface area for an airport.

ANM UT E2 St. George, UT [NEW]

St. George Municipal Airport
(Lat. 37°05′26″ N., long. 113°35′35″ W.)

Within a 4.5-mile radius of St. George Municipal Airport. This Class E airspace is effective during specific dates and times

established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

* * * * *

Issued in Seattle, Washington, on January 11, 2002.

Charles E. Davis,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 02–4199 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01–ANM–18]

Proposed Modification of Class E Airspace, Hailey, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This action proposes to modify existing Class E airspace at Hailey, ID. Newly developed Area Navigation (RNAV) Special Standard Instrument Approach Procedure (SIAP) at the Friedman Memorial Airport has made this proposal necessary. Additional Class E 700-feet and 1,200-feet controlled airspace, above the surface of the earth is required to contain aircraft executing the RNAV Z RWY 31 Global Positioning System (GPS) 31R Special SIAP at Friedman Memorial Airport. The intended effect of this action is to provide adequate Class E controlled airspace between the terminal and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at Friedman Memorial Airport, Hailey, ID.

DATES: Comments must be received on or before April 8, 2002.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM–520, Federal Aviation Administration, Docket No. 01–ANM–18, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Brian Durham, ANM–520.7, Federal Aviation Administration, Docket No. 01–ANM–18, 1601 Lind Avenue SW., Renton, Washington 98055–4056: telephone number: (425) 227–2527.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 01–ANM–18.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW., Renton, Washington 98055–4059. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by modifying existing Class E airspace at Hailey, ID. Newly developed RNAV Z RWY31 Special SIAP at the Friedman Memorial Airport has made this proposal necessary. Additional Class E 700-feet and E 1,200-feet controlled airspace, above the surface of the earth is required to contain aircraft executing the Instrument Flight Rules (IFR) operations, at Friedman Memorial Airport. The FAA establishes class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safety flight operations under IFR at the Friedman Memorial Airport and between the terminal and en route transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. 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 7400.9J, dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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 11013; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact 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).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

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

* * * * *

ANM ID E5 Hailey, ID [Revised]

Friedman Memorial Airport, ID
(Lat. 43°40′34″N., long. 114°17′45″W.)

That airspace extending upward from 700-feet above the surface within a 5.5 mile radius of Friedman Memorial Airport, and within 2 miles each side of the 328° bearing from the airport extending from the 5.5 mile radius to 7.4 miles northwest of the airport, and within 2 miles each side of the 159° bearing from the airport extending from the 5.5 mile radius to 7.6 miles southeast of the airport; and that airspace extending upward from 1,200-feet above the surface, bounded by a line beginning at lat. 43°50′00″N., long. 114°38′27″W.; to lat. 43°50′00″N., long. 114°00′00″W.; to lat. 43°12′55″N., long. 114°00′00″W.; to lat. 43°12′55″N., long. 114°38′27″W.; thence to point of origin; excluding that airspace within Federal Airways and the Burley, ID, Class E airspace area.

* * * * *

Issued in Seattle, Washington, on January 11, 2002.

Charles E. Davis,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 02–4198 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 862

[Docket Nos. 01P–0119 and 01P–0235]

Clinical Chemistry and Clinical Toxicology Devices; Reclassification of Cyclosporine and Tacrolimus Assays

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to reclassify cyclosporine and tacrolimus assays from class III (premarket approval) to class II (special controls). Cyclosporine and tacrolimus assays are intended for the quantitative determination of cyclosporine and tacrolimus concentrations and are used as an aid in the management of transplant patients receiving these drugs. FDA is proposing this action after reviewing reclassification petitions submitted by Dade Behring, Inc., and Microgenics, Inc. The agency is taking this action under the Federal Food, Drug, and Cosmetic Act (the act), as amended by the Medical Device Amendments of 1976 (the 1976 amendments), the Safe Medical Devices Act of 1990 (the SMDA), and the Food and Drug Administration Modernization Act of 1997 (FDAMA). Elsewhere in this issue of the Federal Register, FDA is announcing the availability of a class II special controls draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.''

DATES: Submit written or electronic comments by April 22, 2002. See section XI of this document for the proposed effective date of a final rule based on this document.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to http://www.fda.gov/dockets/ecomments.

FOR FURTHER INFORMATION CONTACT: Jean M. Cooper, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–1243.

SUPPLEMENTARY INFORMATION:

I. Background (Regulatory Authorities)

The act, as amended by the 1976 amendments (Public Law 94–295), the SMDA (Public Law 101–629), and FDAMA (Public Law 105–115), established a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the act (21 U.S.C. 360c) established three categories (classes) of devices, depending on the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three categories of devices are class I (general controls), class II (special controls), and class III (premarket approval).

Under section 513 of the act, devices that were in commercial distribution before May 28, 1976 (the date of enactment of the 1976 amendments), generally referred to as preamendments devices, are classified after FDA has: (1) Received a recommendation from a device classification panel (an FDA advisory committee); (2) published the panel's recommendation for comment, along with a proposed regulation classifying the device; and (3) published a final regulation classifying the device. FDA has classified most preamendments devices under these procedures.

Devices that were not in commercial distribution prior to May 28, 1976, generally referred to as postamendments devices, are classified automatically by statute (section 513(f) of the act) into class III without any FDA rulemaking process. Those devices remain in class III and require premarket approval, unless and until the device is reclassified into class I or II or FDA issues an order finding the device to be substantially equivalent, under section 513(i) of the act, to a predicate device that does not require premarket approval. The agency determines whether new devices are substantially equivalent to previously offered devices by means of premarket notification procedures in section 510(k) of the act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

A preamendments device that has been classified into class III may be marketed, by means of premarket notification procedures, without submission of a premarket approval application (PMA) until FDA issues a final regulation under section 515(b) of the act (21 U.S.C. 360e(b)) requiring premarket approval.

Reclassification of classified postamendments devices is governed by section 513(f)(3) of the act. This section allows FDA to initiate reclassification of a postamendments class III device under section 513(f)(1) of the act, or the manufacturer or importer of a device to petition the Secretary of the Department of Health and Human Services for the issuance of an order classifying the device in class I or class II. FDA's regulations in § 860.134 (21 CFR 860.134) set forth the procedures for the filing and review of a petition for reclassification of such class III devices. To change the classification of the device, it is necessary that the proposed new class have sufficient regulatory controls to provide reasonable assurance of the safety and effectiveness of the device for its intended use.

II. Regulatory History of the Device

Cyclosporine assays are used for the quantitative determination of cyclosporine concentrations as an aid in the management of transplant patients receiving cyclosporine. Tacrolimus

assays are used for the quantitative determination of tacrolimus concentrations as an aid in the management of transplant patients receiving tacrolimus. These assays are postamendments devices classified into class III under section 513(f)(1) of the act, and cannot, therefore, be placed in commercial distribution unless they are reclassified under section 513(f)(3) of the act or are the subject of an approved PMA under section 515 of the act.

In accordance with section 513(f)(3) of the act and § 860.134, petitions were submitted by Dade Behring, Inc., on January 29, 2001, and by the Devices & Diagnostics Consulting Group, Inc. (on behalf of Microgenics, Inc.), on April 4, 2001, requesting reclassification of cyclosporine assays from class III to class II. On its own initiative, the agency is including tacrolimus assays, in addition to cyclosporine assays, in the proposed reclassification. Cyclosporine and tacrolimus are both calcineurin inhibitors. Tacrolimus assays have a similar intended use, as an aid in the management of transplant patients, as well as similar technological and performance characteristics to cyclosporine assays. The agency believes it is taking a least burdensome approach by including tacrolimus assays in the proposed reclassification.

III. Device Description

Cyclosporine test systems are intended for the quantitative determination of cyclosporine concentrations as an aid in the management of transplant patients receiving cyclosporine. Tacrolimus test systems are intended for the quantitative determination of tacrolimus concentrations as an aid in the management of transplant patients receiving tacrolimus. Currently marketed cyclosporine and tacrolimus immunoassay test systems utilize monoclonal antibodies in order to enhance specificity of the assay for parent drug compound. FDA has also approved test systems based on chromatographic methods. Cyclosporine and tacrolimus test systems are typically used on automated laboratory analyzers. Whole blood is the matrix recommended for currently marketed test systems for cyclosporine and tacrolimus since these drugs are rapidly distributed into red blood cells and can be most reliably measured in this matrix.

IV. Proposed Reclassification

The agency is proposing to reclassify cyclosporine and tacrolimus test systems from class III to class II and has developed a guidance document which, when final, will serve as the special control. Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of this draft guidance for comment in accordance with FDA's good guidance practices (GGPs) regulation (21 CFR 10.115). We have determined that there is adequate valid scientific evidence in the public domain to support this reclassification action and, therefore, it was unnecessary to refer the petitions to a classification panel for its review and recommendation. However, the agency did consult with certain Clinical Chemistry and Clinical Toxicology Devices panel members by mail regarding our revision of an existing 1993 guidance on cyclosporine and its adequacy as a special control for both cyclosporine and tacrolimus assays should the agency reclassify the cyclosporine and tacrolimus assays from class III to class II.

V. Risks to Health

After considering the information in the petitions, including the published literature, FDA's own experience and knowledge with cyclosporine and tacrolimus assays, and the medical device reports (MDRs) filed on cyclosporine and tacrolimus assays, FDA has identified improper patient management as the only risk to health associated with these devices. Failure of the test to perform as indicated or error in interpretation of result may lead to improper patient management in one of three ways. First, a falsely low cyclosporine or tacrolimus measurement could contribute to a decision to raise the dose above that which is necessary for therapeutic benefit. This could result in increased risk of toxicity from an elevated drug level. Second, a falsely high cyclosporine or tacrolimus measurement could contribute to a decision to decrease the dose below that which is necessary for immunosuppression. This could result in increased risk of rejection of the transplanted organ. Third, no firm therapeutic range exists for cyclosporine or tacrolimus concentrations. Optimal concentration ranges for a patient depend upon many factors such as transplant type, sensitivity of patient, coadministered drugs, time post-transplant as well as metabolite cross-reactivity of the specific commercial assay used, age, and other patient conditions. Therefore, use of assay results to adjust a treatment regimen without considering other clinical factors, could result in improper patient management.

VI. Special Controls

In addition to general controls, FDA believes that the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' is an adequate special control to address the risk to health described above. The class II special controls guidance provides information on how to meet premarket (510(k)) submission requirements for the assays in sections that discuss performance characteristics and labeling. The performance characteristics section describes studies integral to demonstration of appropriate performance and control against assays that may fail to perform to current standards. The labeling section addresses factors such as specimen requirements, assay procedure, quality control, limitations, therapeutic ranges, and performance characteristics. Because no firm therapeutic range exists for cyclosporine or tacrolimus concentrations, labeling for the assay includes a discussion of additional clinical considerations involved in interpretation of assay results essential for proper patient management. In this way, the cyclosporine and tacrolimus assays can be used as an aid in establishing a treatment regimen for individual patients. FDA tentatively believes that complying with the act and special control guidance document will provide reasonable assurance of the safety and effectiveness of these devices and adequately address the risk to health identified in section V of this document.

VII. FDA's Tentative Findings

The clinical efficacy of cyclosporine has been well-established over the past two decades. Monitoring of cyclosporine levels in blood plays a key role in patient management because of unpredictable pharmacokinetics, variable absorption, distribution, elimination and narrow therapeutic index unique to each patient (Ref. 1).

FDA has considered issues that could potentially complicate use or interpretation of cyclosporine assay results. One issue is that no firm therapeutic ranges have been established (Ref. 2). While some patients may show signs of cyclosporine toxicity even with blood levels in the recommended therapeutic range, others may show signs of inadequate immunosuppression within that same therapeutic range. The guidance document therefore recommends cautionary labeling and explanation for the user concerning therapeutic ranges.

Another issue is that the various immunoassays available differ in their accuracy and specificity for measurement of the parent cyclosporine compound (Refs. 3, 4, and 5). Average differences between two methods can be as high as 57 percent. In general, there is a positive bias of immunoassays compared with high performance liquid chromatography (HPLC) methods, as a result of metabolite cross-reactivity. HPLC methods are currently the only methods considered to be capable of measuring specifically parent compound. The biases observed are not constant and can vary, depending on factors such as transplant type and time post-transplant (Ref. 6). In addition, inter-individual differences, which can exceed the influence of the organ transplanted or hepatic function, have been observed (Ref. 3). Therefore, assay bias cannot be predicted for individual samples. Variability is less well-documented for samples collected in the early period after cyclosporine dosing, although some results indicate metabolite interference is less significant for these types of samples (Ref. 7). In light of the wide variability in cyclosporine assays, the guidance document recommends comparison of new test systems to a candidate reference HPLC method.

FDA believes clinicians are familiar with the need to tailor an individual patient's dose based on overall allograft function along with any clinical signs of toxicity, in conjunction with the blood level. That is, the calcineurin inhibitor blood level is one measure that could be used as an adjunct to the care of transplant patients. Physicians managing the care of transplant patients also have resources for advice on the use of cyclosporine blood levels, and appropriate target ranges for blood levels in the early post-transplant (induction) stage as well as in the maintenance stage. These resources include the American Society of Transplantation, registries such as the North American Pediatric Renal Transplant Cooperative Study, and literature on the use and potential toxicities of this agent. FDA believes that these resources, in conjunction with appropriate labeling of the device, will sufficiently address the risks discussed above.

In conjunction with the downclassification of cyclosporine tests, FDA proposes to include tacrolimus test systems. Tacrolimus was first cleared for clinical use in 1994, and like cyclosporine, is a calcineurin inhibitor. The immunosuppressive properties and molecular mechanisms of the two drugs are very similar (Ref. 8). Likewise, the toxicity profiles are very similar, although not identical. Tacrolimus raises the same issues as cyclosporine, related to the need for individual tailoring of dosing that is not solely dependent on blood drug levels. Similar issues to those discussed above also exist with regard to immunoassays for tacrolimus showing a positive bias compared with HPLC methods. FDA expects that the approach to validating analytical performance for test systems for these two drugs should be similar, as outlined in the draft guidance document.

VIII. Environmental Impact

The agency has determined under 21 CFR 25.34(b) that this reclassification action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IX. Analysis of Impacts

FDA has examined the impacts of the proposed rule under Executive Order 12866 and the Regulatory Flexibility Act (5 U.S.C. 601–612) (as amended by subtitle D of the Small Business Regulatory Fairness Act of 1996 (Public Law 104–121), and the Unfunded Mandates Reform Act of 1995 (Public Law 104–4)). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The agency believes that this proposed rule is consistent with the regulatory philosophy and principles identified in the Executive order. In addition, the reclassification action is not a significant regulatory action as defined by the Executive order and so is not subject to review under the Executive order.

The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities. Reclassification of the device from class III to class II will relieve manufacturers of the cost of complying with the premarket approval requirements in section 515 of the act. Because reclassification will reduce regulatory costs with respect to this device, it will impose no significant economic impact on any small entities, and it may permit small potential competitors to enter the marketplace by lowering their costs. The agency therefore certifies that this proposed rule, if finalized, will not have a significant economic impact on a substantial number of small entities. In addition, this reclassification action will not impose costs of $100 million or more on either the private sector or State, local, and tribal governments in the aggregate, and therefore a summary statement of analysis under section 202(a) of the Unfunded Mandates Reform Act of 1995 is not required.

X. Paperwork Reduction Act of 1995

FDA concludes that this proposed rule contains no new collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

XI. Request for Comments and Proposed Dates

Interested persons may submit to the Dockets Management Branch (address above) written or electronic comments regarding this proposed rule by April 22, 2002. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. FDA proposes that any final regulation that may issue based on this proposal become effective 30 days after its date of publication in the **Federal Register**.

XII. References

The following references have been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Shaw, L. M. et al., ''Current Opinions on Therapeutic Drug Monitoring of Immunosuppressive Drugs,'' *Clinical Therapeutics*, 21:1632–1652, 1999.

2. Oellerich, M. et al., ''Therapeutic Drug Monitoring of Cyclosporine and Tacrolimus,'' *Clinical Biochemistry*, 31:309–316, 1998.

3. Steimer, W., ''Performance and Specificity of Monoclonal Immunoassays for Cyclosporine Monitoring: How Specific Is Specific?,'' *Clinical Chemistry*, 45:371–381, 1999.

4. Schutz, E. et al., ''Cyclosporin Whole Blood Immunoassays (AxSYM, CEDIA, and EMIT): A Critical Overview of Performance Characteristics and Comparison With HPLC,'' *Clinical Chemistry*, 44:2158–2164, 1998.

5. Holt, D. W. et al., ''New Approaches to Cyclosporine Monitoring Raise Further Concerns About Analytical Techniques,'' *Clinical Chemistry*, 46:872–874, 2000.

6. Hamwi, A. et al., ''Cyclosporine Metabolism in Patients After Kidney, Bone Marrow, Heart-Lung, and Liver Transplantation in the Early and Late Posttransplant Periods,'' *American Journal of Clinical Pathology*, 114:536–543, 2000.

7. Fernandez-Marmiesse, A. et al., ''Comparison of Predose vs 2-h Postdose Blood Metabolites/Cyclosporine Ratios in Kidney and Liver Transplant Patients,'' *Clinical Biochemistry*, 33:383–386, 2000.

8. Halloran, P. F., ''Molecular Mechanisms of New Immunosuppressants,'' *Clinical Transplantation*, 10:118–123, 1996.

9. Braun, F. et al., ''Clinical Relevance of Monitoring Tacrolimus: Comparison of Microparticle Enzyme Immunoassay, Enzyme-Lined Immunosorbent Assay and Liquid Chromatography Mass Spectrometry in Renal Transplant Recipients Converted From Cyclosporine to Tacrolimus,'' *Transplantation Proceedings*, 28:3175–3176, 1996.

10. Jusko, W. J. et al., ''Consensus Document: Therapeutic Monitoring of Tacrolimus (FK–506),'' *Therapeutic Drug Monitoring*, 17:606–614, 1995.

List of Subjects in 21 CFR Part 862

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 862 be amended in subpart B as follows:

PART 862—CLINICAL CHEMISTRY AND CLINICAL TOXICOLOGY DEVICES

1. The authority citation for 21 CFR part 862 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 371.

2. Section 862.1235 is added to subpart B to read as follows:

§ 862.1235 Cyclosporine test system.

(a) *Identification.* A cyclosporine test system is a device intended to quantitatively determine cyclosporine concentrations as an aid in the management of transplant patients receiving therapy with this drug. This generic type of device includes immunoassays and chromatographic assays for cyclosporine.

(b) *Classification.* Class II (special controls). The special control is ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Guidance for Industry and FDA.''

3. Section 862.1678 is added to subpart B to read as follows:

§ 862.1678 Tacrolimus test system.

(a) *Identification.* A tacrolimus test system is a device intended to quantitatively determine tacrolimus concentrations as an aid in the management of transplant patients receiving therapy with this drug. This generic type of device includes immunoassays and chromatographic assays for tacrolimus.

(b) *Classification.* Class II (special controls). The special control is ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Guidance for Industry and FDA.''

Dated: February 11, 2002.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 02–4208 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Parts 112, 116, 121, 123, 125, 154, 156, 178, and 243

RIN 1076–AD20

Trust Management Reform: Repeal of Outdated Rules

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed removal of rules with request for comments.

SUMMARY: The Department of the Interior, Bureau of Indian Affairs (BIA) proposes to repeal nine parts of Title 25 CFR Chapter 1. These revisions are meant to further fulfill the Secretary's responsibility to federally-recognized tribes and individual Indians by ensuring that all regulations, policies, and procedures are up-to-date. The parts proposed for repeal include regulations relating to distribution of tribal funds among tribal members, establishment of private trusts for the Five Civilized Tribes, distribution of Osage Judgment Funds, assignment of future income from the Alaska Native Fund, payment of Sioux benefits, preparation of a competency roll of Osage Indians, reallotment of lands to Indian children, resale of lands within the Badlands Air Force Range, and registration of reindeer ownership in Alaska. In the interests of economy of administration, and because all of the regulations proposed to be repealed are outdated, they are included in one rulemaking vehicle.

DATES: Comments must be submitted in writing and received by us no later than April 22, 2002.

ADDRESSES: Comments should be addressed to Linda L. Richardson, Trust Policies and Procedures Subproject, Bureau of Indian Affairs, 1849 ''C'' Street, NW., MS–4070–MIB, Washington, DC 20240. Comments will also be accepted by telefax at the following telephone number: 202–208–6426.

FOR FURTHER INFORMATION CONTACT: Linda L. Richardson, 202–208–6411.

SUPPLEMENTARY INFORMATION:

I. Background
II. Part-by-Part Analysis
III. Public Comment Procedures
IV. Procedural Requirements
A. Review Under Executive Order 12866 (Regulatory Planning and Review)
B. Review Under Executive Order 12988 (Civil Justice Reform)
C. Review Under Executive Order 12291 and the Regulatory Flexibility Act
D. Review Under Small Business Regulatory Enforcement Fairness Act of 1996
E. Review Under the Paperwork Reduction Act
F. Review Under Executive Order 13132 (Federalism)
G. Review Under the National Environmental Policy Act of 1969
H. Review Under the Unfunded Mandates Reform Act of 1995
I. Review Under Executive Order 12630 (Takings Implication Assessment)
J. Review under Executive Order 13175 (Tribal Consultation)

I. Background

As described in the Department's ''Trust Management Improvement Project—High Level Implementation Plan,'' proper management of Indian trust assets has been hampered by a lack of comprehensive, consistent, up-to-date regulations, policies, and procedures covering the entire trust cycle. Last year, the BIA began revising its trust management regulations by issuing proposed revisions to regulations governing probate, trust funds, leasing, and grazing. Updated regulations affecting these functions became effective on March 23, 2001.

In April 2001, BIA submitted a report to the Department's Trust Policy Council that provided a comprehensive review of regulations, manuals and handbooks that guide trust operations. The report included recommended actions to bring all policies and procedures current and outlined a multi-year schedule to accomplish this goal. The review identified a number of regulations still on the books that are no longer operative, either because all actions required by law have been fully implemented or because the regulation no longer comports with Federal Indian policy.

II. Part-by-Part Analysis

A. 25 CFR Part 112—Pro Rata Shares of Tribal Funds

During the late 19th and early 20th centuries, the Federal Government attempted to weaken tribal governments by dividing or allotting tribal land among tribal members. A corollary to the allotment policy was a provision (March 2, 1907, c. 2523, 34 Stat. 1221; 25 U.S.C. 119, 121) that authorized the Secretary of the Interior—

''to designate any individual Indian belonging to any tribe or tribes whom he may deem to be capable of managing his or her affairs, and he may cause to the apportioned and allotted to any such Indian his or her pro rata share of any tribal or trust funds on deposit in the Treasury of the United States to the credit of the tribe or tribes of which said Indian is a member. * * *''

The regulations in part 112 established the criteria used by the BIA to determine whether to approve an individual's application for a pro rata share of tribal funds.

The Federal policy of attempting to assimilate individual Indians and weaken tribal governments was reversed in 1934 with the passage of the Indian Reorganization Act (June 18, 1934; 48 Stat. 984–988; 25 U.S.C. 461 *et seq.*). This statute ended the allotment of tribal lands to individual tribal members and authorized restoration of so-called ''surplus'' lands to tribal ownership. The Indian Reorganization Act did not specifically repeal the various laws that had previously authorized the allotment of tribal lands to individual members; it did, however, render those laws inoperative: '' * * * hereafter no land of any Indian reservation * * * shall be allotted in severalty to any Indian.'' Similarly, we believe that the Secretary's discretionary authority to distribute pro rata shares of tribal funds was also made inoperative by Section 4 of the Indian Reorganization Act: '' * * * no sale, devise, gift, exchange or other transfer of restricted Indian lands or of shares in the assets of any Indian tribe * * * shall be made or approved * * *'' (25 U.S.C. 464).

A number of Indian tribes make per capita payments to tribal members from tribal trust funds. Repeal of part 112 will not affect tribal decisions over the use of tribal funds. Repeal will only eliminate the Secretary's discretionary authority to withdraw tribal funds, without tribal consent, and give those funds to a tribal member.

B. Part 116—Trusts for the Five Civilized Tribes

In 1933 Congress passed a law (47 Stat. 777) giving the Secretary of the Interior discretionary authority to approve agreements between members of the Five Civilized Tribes (FCT) and private banks or trust companies to manage trust assets for members of the FCT. The regulations in part 116 establish the procedures for eligible Indians to apply for the establishment of a trust; identify the obligations of the trust company; specify allowable investments; require an annual accounting; and establish the trustee's compensation.

A subsequent law, the Act of August 4, 1947 (61 Stat. 731), provided in section 5: ''That all funds and securities now held by, or which may hereafter come under the supervision of the Secretary of the Interior * * * are hereby declared to be restricted and shall remain subject to the jurisdiction of said Secretary * * *'' (61 Stat. 733). While this law did not specifically repeal section 2 of the Act of January 27, 1933 (Act) 1933, the authority conveyed by that section of the Act is clearly discretionary (''The Secretary of the Interior be, and he is hereby, authorized to permit, in his discretion and subject to his approval * * *'').

Current federal policy, as provided in 25 CFR part 115, allows adult Indians, with the exception of those who are *non compos mentis* or who are determined to need assistance in managing their finances, ready access to any and all funds held in trust. When an adult withdraws money from an Individual Indian Money account, the individual Indian may freely determine how that money will be spent or reinvested. As a policy matter, the Secretary has determined that the same treatment should be extended to members of the Five Civilized Tribes.

C. Part 121—Distribution of Judgment Funds Awarded to the Osage Tribe of Indians in Oklahoma

Public Law 92–586 (25 U.S.C. 883) directed how the Secretary of the Interior was to distribute judgment funds awarded by the Indian Claims Commission to the Osage Tribe of Indians in Oklahoma and authorized the Secretary to issue regulations to carry out the terms of the law. The regulations in part 121 provided notice of the eligibility requirements for per capita payments; established a 1974 deadline for filing a claim; and described how the money would be distributed. As all per capita payments subject to these regulations were disbursed more than 25 years ago, the regulations are no longer required.

D. Part 123—Alaska Native Fund

The Alaska Native Claims Settlement Act, Public Law 92–203, as amended, (ANCSA) required that payments be made over a period of years to the Regional Corporations that were established by the Act. Subsequent provisions allowed the Regional Corporations to assign future income due under ANCSA.

The regulations in part 123 established the procedures to request an assignment of future income. As the last payments due under ANSCA were made almost 20 years ago, there is no future income subject to assignment and the regulations should be repealed.

E. Part 125—Payment of Sioux Benefits

Between 1889 and 1934, Congress passed a number of laws authorizing benefit payments to Sioux tribal members. The regulations in part 125 identified eligibility requirements, established an application procedure and an appeals procedure. All payments due under the various statutes have been paid and the regulations are no longer required.

F. Part 154—Osage Roll, Certificate of Competency

In 1948 Congress passed a law (62 Stat. 18) that required the Secretary of the Interior to issue certificates of competency to any adult member of the Osage Tribe of less than one-half Indian blood. The regulations in part 154 described the process used by the BIA to prepare a competency roll including how the degree of Indian blood and determination of age would be computed. The 1948 law was repealed 30 years later by Public Law 95–496 (92 Stat. 1660). As there is no longer a statutory basis for the regulations, part 154 is proposed for repeal.

G. Part 156—Reallotment of Lands to Unallotted Indian Children

Section 3 of a 1910 statute (36 Stat. 855–863) provided that an Indian who had an allotment could relinquish all or part of the allotment to any of his or her children to whom no allotment had been made. The regulations in part 156 prescribe the process that the original allottee must follow to relinquish the allotment to one or more children.

The provision of both the statute and the regulations cover only those Indians who had allotments in 1910. As allottees had to be at least 21 years of age, any persons currently eligible for coverage by this provision or these regulations would be at least 112 years of age.

The BIA has broader regulations in Part 152—Issuance of Patents in Fee,

Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands. The regulatory authority included in part 156 is covered by § 152.17, (s)ales, exchanges, and conveyances by or with the consent of the individual Indian owner. Among the authorities cited in this subsection is the Act of June 25, 1910 (36 Stat. 855) that is the basis for the narrower regulations in part 156. As part 152 provides all required regulatory authority, part 156 can be repealed.

H. Part 178—Resale of Lands Within the Badlands Air Force Gunnery Range (Pine Ridge Aerial Gunnery Range)

The Badlands National Monument Boundary Revision Act (82 Stat. 663) provided an opportunity for former land owners to reacquire lands that had been purchased from them by the Federal Government. The regulations in part 178 defined those eligible to purchase the lands, prescribed the application and conveyance process, and identified allowable land uses. As the deadline to file an application to reacquire the lands expired in 1969, these regulations are no longer necessary.

I. Part 243—Reindeer in Alaska

The Reindeer Industry Act of 1937, 25 U.S.C. 500 *et seq.*, required all non-Natives in Alaska who owned reindeer to file a declaration of ownership. The regulations in part 243 notify such owners of the form to be used and designate the General Reindeer Supervisor in Nome, AK as the agent to receive such declarations. As the deadline for filing the notices under these regulations expired on September 1, 1938, the regulations are no longer required.

III. Public Comment Procedures

The regulatory repeal proposed in this rulemaking eliminates nine regulations that are no longer necessary. These changes are proposed to ensure that all regulations governing provision of trust services to Indian tribes and individual Indians are current and accurately reflect departmental principles for managing Indian trust assets. The public is invited to make substantive comment on any of these proposed changes.

Comments should be submitted in writing to the address indicated in the **ADDRESSES** section of this document. Comments may also be telefaxed to the following telephone number: 202–208–6426. All comments received will be available for public inspection at the Bureau of Indian Affairs, Policies and Procedures Subproject, Room 4552, 1849 C Street, NW., Washington, DC 20240. All written comments received by the date indicated in the **DATES** section of this document and all other relevant information in the record will be carefully assessed and fully considered prior to publication of the final rule. Any information considered to be confidential must be so identified and submitted in writing. We will not consider comments submitted anonymously. However, if you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. The BIA reserves the right to determine the confidential status of the information and to treat it according to our determination (see 10 CFR 1004.11).

IV. Procedural Requirements

A. Review Under Executive Order 12866 (Regulatory Planning and Review)

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the BIA must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines a ''significant regulatory action'' as one that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The Proposed rule would repeal a number of outdated regulations. As such, it does not impose a compliance burden on the economy generally or on any person or entity. Accordingly, this rule is not a ''significant regulatory action'' from an economic standpoint, and it does not otherwise create any inconsistencies or budgetary impacts to any other agency or Federal program.

B. Review Under Executive Order 12988 (Civil Justice Reform)

With respect to the review of existing regulations and the promulgation of new regulations, subsection 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (February 7, 1996), imposes on Executive agencies the general duty to adhere to the following requirements: (1) Eliminate drafting errors and ambiguity; (2) write regulations to minimize litigation; and (3) provide a clear legal standard for affected conduct rather than a general standard and promote simplification and burden reduction.

With regard to the review of proposed regulations, subsection 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) Clearly specifies the preemptive effect, if any; (2) clearly specifies any effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General.

Subsection 3(c) of Executive Order 12988 requires agencies to review proposed regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. The BIA has determined that the proposed regulation meets the relevant standards of Executive Order 12988.

C. Review Under Executive Order 12291 and the Regulatory Flexibility Act

Because this proposed rule would repeal outdated regulations, the BIA has determined that this rule is not a significant rule under Executive Order 12991. This proposed rule was also reviewed under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities.

This proposed rule updates the Department's policies and procedures that apply to certain Indian trust resources by eliminating unneeded regulatory requirements. Accordingly, the BIA has determined that this proposed regulation will not have a significant economic impact on a substantial number of small entities, and, therefore, no regulatory flexibility analysis has been prepared.

D. Review Under the Small Business Regulatory Enforcement Fairness Act of 1996

This proposed rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This proposed rule will not result in an annual effect on the

economy of $100,000,000 or more. The effect of this proposed rulemaking will be to streamline and modernize policies, procedures and management operations of the BIA by eliminating unnecessary regulations. No increases in costs for administration will be realized, and no prices would be affected through these revisions as, in practice, the regulations proposed for repeal are already inoperative.

This proposed rulemaking will not result in any significant adverse effects on competition, employment, investment, productivity, or innovation, nor on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets. These administrative revisions to BIA policy and procedure will not have an impact on any small business businesses or enterprises.

E. Review Under the Paperwork Reduction Act

This rule is exempt from the requirements of the Paperwork Reduction Act, since it repeals existing regulations. An OMB form 83–1 is not required.

F. Review Under Executive Order 13132 (Federalism)

This proposed rule 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. While this proposed rule may be of interest to tribes, there is no Federalism impact on the trust relationship or balance of power between the United States government and the various tribal governments affected by this rulemaking. Therefore, in accordance with Executive Order 13132, it is determined that this rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

G. Review Under the National Environmental Policy Act of 1969

This proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is necessary for this proposed rule.

H. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995, Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments and the private sector. Under section 202 of the Act, the BIA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to state, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. This proposed rule will not result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year.

I. Review Under Executive Order 12630 (Takings Implication Assessment)

In accordance with Executive Order 12630, this proposed rule does not have significant takings implications. This rule does not involve the ''taking'' of private property interests.

J. Review Under Executive Order 13175 (Tribal Consultation)

The BIA determined that, because the proposed repeal of current regulations has tribal implications, it was an appropriate topic for consultation with tribal governments. This consultation is in keeping with Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments.'' In April 2001, BIA sent all tribal leaders a report that documents the results of a BIA review of existing regulations, policies, and procedures that affect delivery of trust services to tribal governments and individual Indians. Included in the report was a multi-year schedule for bringing all trust regulations, policies and procedures up-to-date. In May 2001, the BIA sent all tribal leaders a letter describing identifying ten parts of Title 25 CFR that we were considering for repeal. Regional directors followed up to determine if there were tribal concerns with any aspects of the proposal.

Several tribes expressed opposition to the suggested repeal of Part 140—Licensed Indian Traders. As a result, we have not included that Part in this proposed rulemaking. Two tribes asked that we not repeal Part 156—Reallotment of Lands to Unallotted Children. We have included that Part in this rulemaking, however, as the regulations in Part 152—Issuance of Patents in Fee, Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands, provides all necessary authority that is otherwise provided under part 156.

One tribe objected to the proposed repeal of Part 125—Payment of Sioux Benefits, as they do not consider all Sioux claims to be resolved. Part 125 regulated payments authorized under various laws that were passed between 1889 and 1934. All monies due under those statutes have been paid. In 1973, Congress passed the Indian Tribal Judgment Funds Use or Distribution Act, that covers all subsequent judgment awards. The regulations implementing that law are found in part 87, therefore we believe that part 125 should be repealed.

Following publication of this proposed rule, BIA will again notify tribal governments of the substance of this rule making through a direct mailing. This will enable tribal officials and the affected tribal constituency throughout Indian Country to have meaningful and timely input in the development of the final rule.

List of Subjects

25 CFR Part 112

Indians—business and finance.

25 CFR Part 116

Estates, Indians—business and finance, Trusts and trustees.

25 CFR Part 121

Indians—claims, Indians—judgment funds.

25 CFR Part 123

Alaska, Indian—claims.

25 CFR Part 125

Indians—claims, Reporting and recordkeeping requirements.

25 CFR Part 154

Indians—lands.

25 CFR Part 156

Indians—lands.

25 CFR Part 178

Indians—lands.

25 CFR Part 243

Alaska, Indians—business and finance, Reindeer.

Accordingly, under the authority in 25 U.S.C. 9, we propose to amend 25 CFR chapter 1 by removing parts 112, 116, 121, 123, 125, 154, 156, 178, and 243.

Dated: February 14, 2002.

Neal A. McCaleb,

Assistant Secretary—Indian Affairs.

[FR Doc. 02–4106 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08–02–003]

RIN 2115–AE47

Drawbridge Operation Regulation; Pelican Island Causeway, Galveston Channel, TX

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to modify the existing drawbridge operation regulation for the draw of the Pelican Island Causeway bridge across Galveston Channel, at Galveston, Texas. The modification will allow for the morning closure period to be moved 20 minutes earlier to better align with the automobile traffic that crosses the bridge. This rule also clarifies the mile mark for the location of the drawbridge.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments to Commander (obc), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana 70130–3396, or deliver them to room 1313 at the same address above between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The Commander, Eighth Coast Guard District, Bridge Administration Branch maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the Bridge Administration Branch, Eighth Coast Guard District between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. David Frank, Bridge Administration Branch, at the address given above or telephone (504) 589–2965.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD08–02–003) indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know that they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. You may submit a request for a public meeting by writing to the Commander, Eighth Coast Guard District, Bridge Administration Branch at the address under **ADDRESSES** explaining why a public meeting would be beneficial. If we determine that a public meeting would aid this rulemaking, we will hold one at a time and place to be announced by notice in the **Federal Register**.

Background and Purpose

Presently, the draw of the Pelican Island Causeway bridge, Galveston Channel mile 4.5 (GIWW mile 356.1), at Galveston, Texas, shall open on signal; except that, from 7 a.m. to 8:30 a.m., 12 noon to 1 p.m., and 4:15 p.m. to 5:15 p.m. Monday through Friday, except Federal holidays, the draw need not be opened for passage of vessels. Public vessels of the United States and vessels in distress shall be passed at any time. The bridge owner has requested to modify the morning bridge closure periods to allow the bridge to remain closed to navigation from 6:40 a.m. until 8:10 a.m. vice 7 a.m. to 8:30 a.m. Approximately 4,000 vehicles cross the bridge in each direction daily. The adjustment to the morning closure times reflects changes to align the closure periods with the work times of the businesses located on the island. The bridge has been observing the morning closure times of 6:40 a.m. to 8:10 a.m. for several years without properly codifying the times in the regulation. This change will reflect the actual times the bridge remains closed in the morning hours.

Additionally, by this rulemaking, the Coast Guard plans to clarify the published location of the bridge in the Code of Federal Regulations. In 33 CFR 117.977, the section heading is for Galveston Channel. The mile mark for the bridge in that section, 356.1, is for the GIWW. The bridge is actually located at mile 4.5 of the Galveston Channel. This rulemaking will clarify the mile mark for the bridge by including both the Galveston Channel mile mark and the GIWW mile mark.

Discussion of Proposed Rule

The proposed rule would modify the existing regulation in 33 CFR 117.977 to more accurately reflect those times when the bridge does not open for marine traffic in the morning. The change will now allow the Pelican Island Causeway bridge to remain closed to navigation from 6:40 a.m. to 8:10 a.m. vice the presently published times of 7 a.m. to 8:30 a.m. The draw will continue to open at any time for public vessels of the United States and vessels in distress.

The Coast Guard believes that allowing the modification to the morning closure time periods is reasonable and will still meet the needs of navigation. This conclusion is based upon the fact that these times are already being used and no complaints have been received from mariners.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

This proposed rule allows vessels ample opportunity to transit this waterway with proper notification before and after the peak vehicular traffic periods. Vessels have been operating in accordance with the proposed morning closure period of 6:40 a.m. to 8:10 a.m. without complaint or significant impact. According to the vehicle traffic surveys, the public at large is better served by closure times between 6:40 a.m. and 8:10 a.m.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. The proposed rule has considered the needs of the local small businesses and vessels transiting the Galveston Channel and it has been determined that, under 5 U.S.C. 605(b), it would not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the Bridge Administration Branch, Eighth Coast Guard District at the address above.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct cost of compliance on them. We have analyzed this proposed rule under Executive Order 13132 and have determined that this proposed rule does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not economically significant and does not cause an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

To help the Coast Guard establish regular and meaningful consultation and collaboration with Indian and Alaskan Native tribes, we published a notice in the **Federal Register** (66 FR 36361, July 11, 2001) requesting comments on how to best carry out the Order. We invite your comments on how this proposed rule might impact tribal governments, even if that impact may not constitute a ''tribal implication'' under the Order.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 32(e), of Commandant Instruction M16475.lD, this proposed rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. § 117.977 is revised to read as follows:

§ 117.977 Pelican Island Causeway, Galveston Channel.

The draw of the Pelican Island Causeway bridge across Galveston Channel, mile 4.5 of the Galveston Channel, (GIWW mile 356.1) at Galveston, Texas, shall open on signal; except that, from 6:40 a.m. to 8:10 a.m., 12 noon to 1 p.m., and 4:15 p.m. to 5:15 p.m. Monday through Friday except Federal holidays, the draw need not be opened for passage of vessels. Public vessels of the United States and vessels in distress shall be passed at any time.

Dated: February 5, 2002.

Roy J. Casto,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 02–4207 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07–01–143]

RIN 2115–AE47

Drawbridge Operation Regulations: Dania Beach Boulevard Drawbridge, Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating regulations of the Dania Beach Boulevard drawbridge across the Atlantic Intracoastal Waterway, mile 1069.4, Fort Lauderdale, Florida. This proposed rule would allow the drawbridge to only open a single leaf on the quarter hour and three-quarter hour for a period of 45 days between September and October 2002. This action will allow the contractor to safely complete repairs to this drawbridge without closing the waterway to all vessel traffic.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD07–01–143] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Bridge Branch, 909 S.E. 1st Ave, Miami, FL 33130, telephone number 305–415–6743.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07–01–143], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them. We anticipate making this proposed rule effective less than 30 days after publication in the **Federal Register** because we do not anticipate knowing the exact dates of the bridge closure until shortly before the rule will go into effect.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, 909 S.E. 1st Ave, Room 406, Miami, FL 33131, explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Dania Beach Boulevard drawbridge is a double span drawbridge that crosses the Intracoastal Waterway in Dania Beach, Florida. The bridge is 50 years old and in need of repair. This proposed rule will allow the bridge to only open a single leaf on the quarter hour and three-quarter hour while a contractor completes repairs to the bridge. This drawbridge has a vertical clearance of 22 feet in the closed position and a horizontal clearance of 45 feet between the fender and the unopened span.

Discussion of Proposed Rule

The proposed rule allows the bridge to operate single leaf only for a period of 45 days between September and October 2002. In order to complete the necessary repairs, the west leaf will be placed in the down position for 22 days and then the east leaf will be placed in the down position for 23 days.

The final rule will state the actual dates that each span will be closed. We anticipate making the final rule effective less than 30 days after publication in the **Federal Register** because we will likely not know the exact dates of the bridge closure until shortly before the rule will go into effect.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because the bridge will still be able to provide scheduled single leaf openings.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities because the bridge will continue to operate one span during the repairs.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment to the office listed under **ADDRESSES** explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in **FOR FURTHER INFORMATION CONTACT.**

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or

impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (32) (e) of Commandant Instruction M16475.lD, this proposed rule is categorically excluded from further environmental documentation.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. A new temporary § 117.261 (rr) is added to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(rr) *Dania Beach Boulevard bridge.* The Dania Beach Boulevard bridge, mile 1069.4 at Fort Lauderdale, FL need only open a single leaf of the bridge on the quarter hour and three-quarter hour [a period of 45 days during September and October 2002].

* * * * *

Dated: February 8, 2002.

John E. Crowley, Jr.,

Captain, U.S. Coast Guard, Commander Seventh Coast Guard District, Acting.

[FR Doc. 02–4204 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[LANT AREA–02–001]

RIN 2115–AG33

Protection of Naval Vessels

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes regulations for the safety and security of U.S. naval vessels in the navigable waters of the United States. Naval vessel protection zones will provide for the regulation of vessel traffic in the vicinity of many U.S. naval vessels in the navigable waters of the United States.

DATES: Comments and related material must reach the Coast Guard on or before April 22, 2002.

ADDRESSES: You may mail comments and related material to Commander (Amr), Coast Guard Atlantic Area, 431 Crawford Street, Portsmouth, VA 23704–5004. Commander (Amr) maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket LANT AREA 02–001 and are available for inspection or copying at Commander (Amr), 431 Crawford Street, Portsmouth, VA, room 416 between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Commander Chris Doane, Commander (Amr), Coast Guard Atlantic Area, 431 Crawford Street, Portsmouth, VA 23704–5004; telephone number (757) 398–6372.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (LANT AREA 02–001), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (Amr), Coast Guard Atlantic Area, at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

These zones are necessary to provide for the safety and security of United States naval vessels in the navigable waters of the United States. The regulations are issued under the authority contained in 14 U.S.C. 91.

On September 21, 2001, the Coast Guard published a temporary final rule entitled ''Protection of Naval Vessels'' in the **Federal Register** (66 FR 48779). Prior to issuing this temporary final rule, no regulation existed implementing 14 U.S.C. 91. The temporary final rule is in effect until June 15, 2002. The Coast Guard has

received one letter. The U.S. Navy Commander in Chief, Atlantic Fleet has identified a continuing requirement for these protection zones and requested a permanent final rule. No public hearing has been requested, and none has been held.

We have determined that a continuing need exists for the protection of naval vessels. Therefore, we are establishing a final rule that will replace the temporary rule by June 15, 2002. Based on our experience with the temporary final rule, we have made some changes that are detailed at length in the ''Discussion'' section of this preamble.

Discussion of Proposed Rule

This proposed rule, for safety and security concerns, controls vessel movement in a regulated area surrounding many U.S. naval vessels. All vessels within 500 yards of such a U.S. naval vessel shall operate at the minimum speed necessary to maintain a safe course, unless required by the Navigation Rules to maintain speed, and shall always proceed as directed by the Coast Guard, the senior naval officer present in command, or the official patrol. No vessel or person is allowed within 100 yards of a U.S. naval vessel greater than 100 feet in length unless authorized by the Coast Guard, the senior naval officer present in command, or the official patrol.

In the proposed rule, we altered the definition of ''navigable waters of the United States.'' In the temporary final rule, we cited to 33 CFR 2.05–25 for the definition of navigable waters. The Coast Guard has plans to amend these regulations to re-define the terms in 33 CFR part 2. When the 33 CFR part 2 amendments are complete, 33 CFR 2.05–25 may no longer exist (66 FR 61897, 61941, December 3, 2001). We, therefore, now propose to simply refer to 33 CFR part 2 for the definition of navigable waters of the United States.

In the proposed rule, ''official patrol'' is now defined as those personnel designated and supervised by a senior naval officer present in command and tasked to monitor a naval vessel protection zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the U.S. Navy. The proposed rule does not limit the senior naval officer's discretion in designating the official patrol since this is an operational decision based on the totality of the circumstances and governed by a number of U.S. Navy practices and directives.

In the proposed rule, the term ''senior naval officer present in command'' is more clearly defined than in the temporary final rule. In the temporary final rule, the note to section 165.2020(b) defined the term ''senior naval officer present in command.'' This note has been eliminated and replaced with a formal definition of the term based on the text of 32 CFR 700.901. In the proposed rule, a senior naval officer present in command is, unless otherwise designated by competent authority, the senior line officer of the U.S. Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of the Navy in the area. We anticipate that the senior naval officer present in command normally will be the Commanding Officer of a U.S. naval vessel or his or her military designee. However, it is possible that the U.S. Navy may occasionally designate a different officer.

When necessary, the senior naval officer present in command has full authority to enforce the proposed regulation and may directly assist any Coast Guard enforcement personnel who are present in the vicinity of a U.S. naval vessel. Any Coast Guard commissioned, warrant, or petty officer may enforce the rules and regulations contained in the proposed rule. In almost all cases, however, only on scene Coast Guard personnel will be involved in direct enforcement of the proposed rule, especially when a mariner is arranging safe passage between his or her vessel and an underway U.S. naval vessel. On very rare occasions, the Coast Guard Captain of the Port or District Commander may become involved with granting permission for a vessel transit through a naval vessel protection zone around a moored or anchored U.S. naval vessel. At no time should these officials, or any other Coast Guard member not at the immediate scene, be expected to arrange for safe passage between an underway vessel and an underway U.S. naval vessel.

In the proposed rule, the definition of ''U.S. naval vessel'' has been expanded to include any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water, and any vessel under the operational control of a Combatant Command. The full definition now reads that a U.S. naval vessel is any vessel owned, operated, chartered, or leased by the U.S. Navy; any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water; and any vessel under the operational control of the U.S. Navy or a Combatant Command.

This broad definition includes vessels traditionally recognized as U.S. Navy vessels (aircraft carriers, submarines, frigates, etc.) and other vessels that are less easily recognized. For example, the U.S. Transportation Command (TRANSCOM) is a Combatant Command, and consists of the Navy's Military Sealift Command (MSC), the Army's Military Traffic Management Command (MTMC), and the Air Force's Air Mobility Command (AMC). Any vessel under TRANSCOM operational control meets the definition of a U.S. naval vessel.

Pre-commissioned U.S. Navy vessels have distinctive U.S. Navy markings and profiles, usually including hull numbers, the ship's name, and U.S. Navy coloring. There are strong public policy reasons to protect these pre-commissioned vessels and the U.S. Navy personnel assigned to them.

The definition of U.S. naval vessel also includes floating drydocks that meet all other requirements and any U.S. naval vessel in a commercial drydock within the navigable waters of the United States.

The proposed rule contains new language to more accurately describe the current command and control structure over U.S. naval vessels. In the definition of U.S. naval vessel, the term ''unified commander'' has been replaced with ''Combatant Command.'' The term ''Combatant Command'' is described in 10 U.S.C. 162 and 10 U.S.C. 164. The term ''Combatant Command'' includes such unified commands as TRANSCOM and U.S. Joint Forces Command (JFCOM).

The proposed rule states that naval vessel protection zones exist around U.S. naval vessels greater than 100 feet in length overall. The zones exist around these vessels at all times in the navigable waters of the U.S., whether the U.S. naval vessel is underway, anchored, moored, or within a floating drydock, except when the naval vessel is moored or anchored within a restricted area or within a naval defensive sea area. The primary purpose of this rule is to provide security for U.S. naval vessels that are moored or anchored away from their normal homeports and while moving through the navigable waters. Since most U.S. Navy piers are already protected by either restricted areas or naval defensive sea zones, the naval vessels within these areas do not require naval vessel protection zones.

Only larger U.S. naval vessels are surrounded by a naval vessel protection zone to minimize this rule's effect on the public. For example, small U.S. Naval Academy sailboats or other recreational vessels meet the definition of a ''U.S. naval vessel'' but do not require naval vessel protection zones. Moreover, the presence of a zone around

these naval vessels could unnecessarily interfere with other mariners. Likewise, tugboats owned or leased by the U.S. Navy fit the definition of ''U.S. naval vessel,'' but do not require naval vessel protection zones.

The proposed rule defines U.S. naval vessels over 100 feet in length overall as ''large U.S. naval vessels.'' This definition helps us avoid long, and potentially confusing, sentences in parts of the proposed rule.

The proposed rule contains several additional provisions to limit public impact. Vessels that need to pass within 100 yards of a large U.S. naval vessel may contact the Coast Guard, the senior naval officer present in command, or the official patrol on VHF–FM channel 16 to obtain the necessary permission.

Additionally, the Coast Guard, senior naval officer present in command, or the official patrol should permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large U.S. naval vessel in order to ensure a safe passage in accordance with the Navigation Rules.

Similarly, commercial vessels anchored in a designated anchorage area should be permitted to remain at anchor within 100 yards of a passing large U.S. naval vessel when consistent with security requirements. As illustrated by the October 12, 2000, attack on the U.S.S. COLE, all vessels are potentially a security threat; therefore, vessels may, at times, be required to move. From a pure security perspective, all anchored vessels should be required to move. We believe, however, that security must be balanced with the burden on mariners and encourage enforcement officials to limit the impact on larger vessels, which are the most expensive and difficult to move.

In the proposed rule, we added language to address the situation where a naval vessel protection zone around a moored or anchored U.S. naval vessel effectively shuts down a narrow waterway. This situation could arise when a U.S. naval vessel makes a temporary port visit away from its normal homeport. In this situation, the Coast Guard, senior naval officer present in command, or the official patrol should permit transiting vessels to pass within 100 yards of the moored U.S. naval vessel with the minimal delay consistent with security requirements. This proposed rule does not intend to block narrow waterways from public use for extended periods of time. Mariners should anticipate some delay due to security needs. However, by including this new language in the regulation text, we want to make it clear that the Coast Guard, senior naval officer present in command, or the official patrol should, when appropriate, allow transiting vessels within the 100-yard exclusionary zone as needed to safely pass through a navigable channel or waterway. While maintaining security is paramount, avoiding extended delays in normal traffic is also very important.

We also added language that the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice on VHF–FM channel 16 of all movements by large U.S. naval vessels once security concerns permit publicizing the movement. The goal is to give as much advance notice as possible. In most cases, however, this notice will probably be no more than an hour or two. These notifications should, to some extent, help mariners adjust their navigation plans accordingly or obtain early permission to enter into a naval vessel protection zone.

Violations of these regulations are punishable as a class D felony (imprisonment for not more than 6 years and a fine of not more than $250,000), a civil penalty, and may result in rem liability against the vessel.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Transportation (DOT)(44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Although this proposed regulation restricts access to the regulated area, the effect of this proposed regulation will not be significant because: (i) Individual naval vessel protection zones are limited in size; (ii) the Coast Guard, senior naval officer present in command, or official patrol may authorize access to the naval vessel protection zone; (iii) the naval vessel protection zone for any given transiting naval vessel will only effect a given geographical location for a limited time; and (iv) when conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice of all naval vessel movements on VHF–FM channel 16 so mariners can adjust their plans accordingly. Further, the Coast Guard received no comments related to economic impact following implementation of the temporary final rule.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This proposed rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to operate near or anchor in the vicinity of U.S. naval vessels in the navigable waters of the United States.

This proposed regulation will not have a significant economic impact on a substantial number of small entities for the following reasons: (i) Individual naval vessel protection zones are limited in size; (ii) the official patrol may authorize access to the naval vessel protection zone; (iii) the naval vessel protection zone for any given transiting naval vessel will only affect a given geographic location for a limited time; and (iv) when conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should give advance notice of all naval vessel movements on VHF–FM channel 16 so mariners can adjust their plans accordingly. Further, the Coast Guard received no comments related to small entity impact following implementation of the temporary final rule.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in

understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under **ADDRESSES.**

Collection of Information

This proposed rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

To help the Coast Guard establish regular and meaningful consultation and collaboration with Indian and Alaskan Native tribes, we published a notice in the **Federal Register** (66 FR 36361, July 11, 2001) requesting comments on how to best carry out the Order. We invite your comments on how this proposed rule might impact tribal governments, even if that impact may not constitute a ''tribal implication'' under the Order.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

We have considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (34)(g), of Commandant Instruction M16475.lD, this rule is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES.** Further, the Coast Guard received no comments related to environmental impact following implementation of the temporary final rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Protection of naval vessels, Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 subpart G reads as follows:

Authority: 14 U.S.C 91 and 633; 49 CFR 1.45.

2. Subpart G is added to part 165 to read as follows:

Subpart G—Protection of Naval Vessels

Sec.

165.2010 Purpose.
165.2015 Definitions.
165.2020 Enforcement Authority.
165.2025 Atlantic Area.

Subpart G—Protection of Naval Vessels

§ 165.2010 Purpose.

This subpart establishes the geographic parameters of naval vessel protection zones surrounding U.S. naval vessels in the navigable waters of the United States. This subpart also establishes when the U.S. Navy will take enforcement action in accordance with the statutory guidelines of 14 U.S.C. 91. Nothing in the rules and regulations contained in this subpart shall relieve any vessel, including U.S. naval vessels, from the observance of the Navigation Rules. The rules and regulations contained in this subpart supplement, but do not replace or supercede, any other regulation pertaining to the safety or security of U.S. naval vessels.

§ 165.2015 Definitions.

The following definitions apply to this subpart:

Atlantic Area means that area described in 33 CFR 3.04–1 Atlantic Area.

Large U.S. naval vessel means any U.S. naval vessel greater than 100 feet in length overall.

Naval defensive sea area means those areas described in 32 CFR part 761.

Naval vessel protection zone is a 500-yard regulated area of water surrounding large U.S. naval vessels that is necessary to provide for the safety or security of these U.S. naval vessels.

Navigable waters of the United States means those waters defined as such in 33 CFR part 2.

Navigation rules means the Navigation Rules, International-Inland.

Official patrol means those personnel designated and supervised by a senior naval officer present in command and tasked to monitor a naval vessel protection zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the U.S. Navy.

Pacific Area means that area described in 33 CFR 3.04–3 Pacific Area.

Restricted area means those areas established by the Army Corps of Engineers and set out in 33 CFR part 334.

Senior naval officer present in command is, unless otherwise

designated by competent authority, the senior line officer of the U.S. Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of Navy in the area.

U.S. naval vessel means any vessel owned, operated, chartered, or leased by the U.S. Navy; any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water; and any vessel under the operational control of the U.S. Navy or a Combatant Command.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. naval vessels.

§ 165.2020 Enforcement Authority.

(a) *Coast Guard.* Any Coast Guard commissioned, warrant or petty officer may enforce the rules and regulations contained in this subpart.

(b) *Senior naval officer present in command.* In the navigable waters of the United States, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to exercise effective control in the vicinity of large U.S. naval vessels, the senior naval officer present in command is responsible for the enforcement of the rules and regulations contained in this subpart to ensure the safety and security of all large naval vessels present. In meeting this responsibility, the senior naval officer present in command may directly assist any Coast Guard enforcement personnel who are present.

§ 165.2025 Atlantic Area.

(a) This section applies to any vessel or person in the navigable waters of the United States within the boundaries of the U.S. Coast Guard Atlantic Area, which includes the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts.

Note to § 165.2025 paragraph (a): The boundaries of the U.S. Coast Guard Atlantic Area and the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts are set out in 33 CFR part 3.

(b) A naval vessel protection zone exists around U.S. naval vessels greater than 100 feet in length overall at all times in the navigable waters of the United States, whether the large U.S. naval vessel is underway, anchored, moored, or within a floating drydock, except when the large naval vessel is moored or anchored within a restricted area or within a naval defensive sea area.

(c) The Navigation Rules shall apply at all times within a naval vessel protection zone.

(d) When within a naval vessel protection zone, all vessels shall operate at the minimum speed necessary to maintain a safe course, unless required to maintain speed by the Navigation Rules, and shall proceed as directed by the Coast Guard, the senior naval officer present in command, or the official patrol. When within a naval vessel protection zone, no vessel or person is allowed within 100 yards of a large U.S. naval vessel unless authorized by the Coast Guard, the senior naval officer present in command, or official patrol.

(e) To request authorization to operate within 100 yards of a large U.S. naval vessel, contact the Coast Guard, the senior naval officer present in command, or the official patrol on VHF–FM channel 16.

(f) When conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should:

(1) Give advance notice on VHF–FM channel 16 of all large U.S. naval vessel movements; and

(2) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large U.S. naval vessel in order to ensure a safe passage in accordance with the Navigation Rules; and

(3) Permit commercial vessels anchored in a designated anchorage area to remain at anchor when within 100 yards of passing large U.S. naval vessels; and

(4) Permit vessels that must transit via a navigable channel or waterway to pass within 100 yards of a moored or anchored large U.S. naval vessel with minimal delay consistent with security.

Note to § 165.2025 paragraph (f): The listed actions are discretionary and do not create any additional right to appeal or otherwise dispute a decision of the Coast Guard, the senior naval officer present in command, or the official patrol.

Dated: February 8, 2002.

T.C. Paar,

Captain, Coast Guard, Commander, Atlantic Area, Acting.

[FR Doc. 02–4205 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR PART 52

[OH118–1b; FRL–7133–9]

Approval and Promulgation of Implementation Plan Ohio; Nonattainment Major Stationary Source Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: In this action, EPA is proposing to approve an addition to the Ohio State Implementation Plan (SIP), comprising rules for nonattainment New Source Review (NSR) procedures. This addition makes the State's existing program for nonattainment NSR procedures into the SIP. It was submitted as a SIP revision request on April 22, 1996 (with subsequent amendments), by the Ohio Environmental Protection Agency (OEPA) to EPA for approval. It consists of general NSR provisions and NSR provisions relating to nonattainment areas. The subsequent amendments resolved problems that prevented full approval and added rules for the public notice requirements of all NSR permits. The EPA proposes to approve the amended SIP revision request as the basis for an NSR nonattainment permitting program consistent with federal rules.

In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comment. The EPA has explained reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comment, EPA will take no further action on this proposed rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. In that event, EPA will addresss all relevant public comments in a subsequent final rule based on this proposed rule. In either event, EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

DATES: Written comments must be received by March 25, 2002.

ADDRESSES: Written comments should be addressed to Ms. Pamela Blakley, Chief, Permits and Grants Section (IL/IN/OH), Attention: Mr. Kaushal Gupta, at the EPA Region 5 office listed below.

Copies of documents relevant to this action are available for public inspection during normal business hours at the following location: Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

FOR FURTHER INFORMATION CONTACT: Kaushal Gupta, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, telephone (312) 886–6803. For further information regarding OEPA's rules for public notice procedure, please contact Jorge Acevedo, Environmental Engineer, Permits and Grants Section (IL/IN/OH), Air Programs Branch, (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, telephone (312) 886–2263.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final Rule which is published in the Rules and Regulations section of this **Federal Register**.

Authority: 42 U.S.C. 7401–7671q.

Dated: December 6, 2001.

Norman Niedergang,

Acting Regional Administrator, Region 5.

[FR Doc. 02–3761 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN70–7295b; FRL–7136–5]

Approval and Promulgation of Implementation Plans; Minnesota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: We are proposing to approve a State Implementation Plan (SIP) revision for Dakota County, Minnesota, for the control of emissions of sulfur dioxide (SO_2) in the Pine Bend Area of Rosemount. The site-specific SIP revision for Koch Petroleum Group, LP (Koch) was submitted by the Minnesota Pollution Control Agency on May 2, 2001, and is approvable because it satisfies the requirements of the Clean Air Act. Specifically, EPA is proposing to approve into the SO_2 SIP Amendment No. 5 to the Administrative Order for Koch. In the final rules section of this **Federal Register**, we are approving the SIP revision as a direct final rule without prior proposal, because we view this as a noncontroversial revision amendment and anticipate no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. If we receive adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before March 25, 2002.

ADDRESSES: Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR–18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590.

FOR FURTHER INFORMATION CONTACT: Christos Panos, Regulation Development Section, Air Programs Branch (AR–18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8328.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final notice which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA's analysis are available for inspection at the above address. (Please telephone Christos Panos at (312) 353–8328 before visiting the Region 5 Office.)

Dated: January 16, 2002.

Gary Gulezian,

Acting Regional Administrator, Region 5.

[FR Doc. 02–3757 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 253–0321b; FRL–7139–5]

Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a conditional approval of revisions to the El Dorado County Air Pollution Control District (EDCAPCD) portion of the California State Implementation Plan (SIP). These revisions concern oxides of nitrogen (NO_X) emissions from internal combustion engines. We are proposing action on a local rule that regulates these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by March 25, 2002.

ADDRESSES: Mail comments to Andy Steckel, Rulemaking Office Chief (AIR–4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

You can inspect copies of the submitted SIP revisions and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revisions at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 ''I'' Street, Sacramento, CA 95814.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Building C, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Charnjit Bhullar, Rulemaking Office (AIR–4), U.S. Environmental Protection Agency, Region IX, (415) 972–3960.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

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I. The State's Submittal

A. What Rule Did the State Submit?

Table 1 lists the rule addressed by this proposal with the dates that it was adopted by the local air agency and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local agency	Rule No.	Rule title	Adopted	Submitted
EDCAPCD	233	Stationary Internal Combustion Engines	09/25/01	11/09/01

On January 15, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

B. Are There Other Versions of This Rule?

On January 13, 2000, we published a final limited approval and limited disapproval of a version of this rule that had been submitted to EPA on October 20, 1994.

C. What Is the Purpose of the Submitted Rule?

EDCAPCD Rule 233 establishes NO_X emission limits for stationary internal combustion engines within the Federal ozone non-attainment area regulated by EDCAPCD. EPA published a limited approval and limited disapproval of a previous version of this rule because the following provisions conflicted with section 110 and part D of the Act.

1. Emission limits were significantly higher than those established as Reasonably Available Control Technology (RACT) by CARB.

2. Annual emission testing of all engines was not required.

3. Nonresettable fuel or hour meters were not required. The submitted revisions are designed primarily to correct these deficiencies. The TSD has more information about this rule.

II. EPA's Evaluation and Action

A. How Is EPA Evaluating This Rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act), must require RACT for major sources in nonattainment areas (see sections 182(b)(2)(a) and 182(f)), and must not relax existing requirements (see sections 110(l) and 193). EDCAPCD regulates an ozone nonattainment area (see 40 CFR 81.305), so Rule 233 must fulfill RACT.

Guidance and policy documents that we used to help evaluate enforceability and RACT requirements consistently include the following:

1. *Issue Relating to VOC Regulation, Cut points, Deficiencies, and Deviations* (the ''Blue Book''), U.S. EPA, May 25, 1988.

2. *State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble for the Implementation of Title I of the Clean Air Act Amendment of 1990* (the ''NO_X Supplement to the General Preamble''), U.S. EPA, 57 FR 55620, Nov. 25, 1992.

3. *State Implementation Plans for National Primary and Secondary Ambient Air Quality Standards,* Section 110 of the Clean Air Act (CAA), and Plan Requirements for Nonattainment Areas, Title I, Part D of the CAA.

4. *Requirement for Preparation, Adoption, and Submittal of Implementation Plans,* U.S. EPA, 40 CFR Part 51.

5. *Alternative Control Techniques (ACT) Document—NO_X Emission from Stationary Reciprocating Internal Combustion Engines* (EPA–453/R–93–032).

6. *CAPCOA/ARB Proposed Determination of Reasonably Available Control Technology and Best Available Retrofit Control Technology for Stationary Internal Combustion Engines* State of California Air Resources Board, December, 1997.

B. Does the Rule Meet the Evaluation Criteria?

In EPA's January 2000 action on a previous version the Rule, we determined that it improved the SIP and fulfilled the relevant evaluation criteria except for three deficiencies. The submitted rule addresses these deficiencies as follows:

1. Emission limits have been significantly reduced in section 233.3(A).

2. Through an administrative error, the revisions to Rule 233 did not clearly require emission testing for all engines. By letter dated January 2, 2002, EDCAPCD has stated its intension to revise the rule appropriately by July 2002.

3. A nonresettable fuel and/or hour meter is required in section 233.5(D).

The submitted revisions are designed primarily to correct these deficiencies. The TSD has more information about this rule.

C. Proposed Action and Public Comment

A January 2, 2002 letter from the EDCAPCD Air Pollution Control Officer stated his intention to submit a commitment through CARB to adopt and submit revisions to Rule 233 by July 2002. As authorized in section 110(k)(4) of the Act and based on the expectation that we will receive this commitment shortly, EPA is proposing a conditional approval of the submitted rule to improve the SIP. If finalized, this action would incorporate into the SIP both the submitted rule and the commitment from CARB to correct the identified deficiency. Pursuant to 40 CFR 52.31(d)(5), if finalized, this action would also permanently terminate all section 179 sanctions, sanctions clocks and section 110(c) FIP obligations associated with our January 2000 action.

This conditional approval shall be treated as a disapproval if EDCAPCD fails to adopt rule revisions to correct the deficiencies within one year. If this rule is disapproved, the stay of sanctions will be lifted under section 179 of the Act in accordance with 40 CFR 52.31. Please see our Interim Final Determination elsewhere in today's **Federal Register**. Note that the submitted rule has been adopted by EDCAPCD, and EPA's final conditional approval would not prevent the local agency from enforcing it.

We will accept comments from the public on the proposed conditional approval for the next 30 days.

III. Background Information

Why Was This Rule Submitted?

NO_X helps produce ground-level ozone, smog and particulate matter which harm human health and the environment. Section 110(a) of the CAA requires states to submit regulations that control NO_X emissions. Table 2 lists some of the national milestones leading to the submittal of these local agency NO_X rules.

TABLE 2.—OZONE NONATTAINMENT MILESTONES

Date	Event
March 3, 1978	EPA promulgated a list of ozone nonattainment areas under the Clean Air Act as amended in 1977. 43 FR 8964; 40 CFR 81.305.

TABLE 2.—OZONE NONATTAINMENT MILESTONES—Continued

Date	Event
May 26, 1988	EPA notified Governors that parts of their SIPs were inadequate to attain and maintain the ozone standard and requested that they correct the deficiencies (EPA's SIP-Call). See section 110(a)(2)(H) of the pre-amended Act.
November 15, 1990	Clean Air Act Amendments of 1990 were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q.
May 15, 1991	Section 182(a)(2)(A) requires that ozone nonattainment areas correct deficient RACT rules by this date.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget has exempted this regulation action from Executive Order 12866, Regulatory Planning and Review.

B. Executive Order 13211

This proposed rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

C. Executive Order 13045

Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13132

Executive Order 13132, entitled Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612, Federalism and 12875, Enhancing and Intergovernmental Partnership. Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that 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.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulations. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This proposed rule 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, as specified in Executive Order 13132, because it merely acts on a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Thus, the requirements of section 6 of the Executive Order do not apply to this proposed rule.

E. Executive Order 13175

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

This proposed rule does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule. In the spirit of Executive Order 13175, and consistent with EPA policy to promote communications between EPA and tribal governments, EPA specifically solicits additional comment on this proposed rule from tribal officials.

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This proposed rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply act on requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

G. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed action does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This proposed Federal action acts on pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

EPA believes that VCS are inapplicable to today's proposed action because it does not require the public to perform activities conducive to the use of VCS.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: January 23, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–3916 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NO. UT–001–0037b; FRL–7143–1]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revision of Definitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the Governor of Utah on April 19, 2000. The April 19, 2000 submittal revises Utah's Air Conservation Regulations by updating the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions. The intended effect of this action is to make the definitions federally enforceable. In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

DATES: Comments must be received in writing on or before March 25, 2002.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114.

FOR FURTHER INFORMATION CONTACT: Laurel Dygowski, EPA, Region 8, (303) 312–6144.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this **Federal Register**.

Authority: 42 U.S.C. 7401 et seq.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region 8.

[FR Doc. 02–4065 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 70

[MO 0149–1149; FRL–7146–4]

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. EPA is approving a revision to Missouri rule ''Submission of Emission Data, Emission Fees, and Process Information.'' This revision will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's air program rule revision.

In the final rules section of the **Federal Register**, EPA is approving the state's submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in

commenting on this action should do so at this time.

DATES: Comments on this proposed action must be received in writing by March 25, 2002.

ADDRESSES: Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Wayne Kaiser at (913) 551–7603.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: January 24, 2002.

William W. Rice,

Acting Regional Administrator, Region 7.

[FR Doc. 02–3763 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MT–001–0036b; FRL–7139–7]

Approval and Promulgation of Air Quality Implementation Plans; State of Montana; Billings Carbon Monoxide Redesignation to Attainment and Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On February 9, 2001, the Governor of Montana submitted a request to redesignate the Billings ''not classified'' carbon monoxide (CO) nonattainment area to attainment for the CO National Ambient Air Quality Standard (NAAQS). The Governor also submitted a CO maintenance plan. In this action, EPA is proposing approval of the Billings CO redesignation request and the maintenance plan. In the Final Rules section of this **Federal Register**, EPA is approving the State's redesignation request and State Implementation Plan (SIP) revision, involving the maintenance plan, as a direct final rule without prior proposal because the Agency views the redesignation and SIP revision as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by March 25, 2002.

ADDRESSES: Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection between 8:00 a.m. and 4:00 p.m., Monday through Friday at the following office: United States Environmental Protection Agency, Region VIII, Air Program, 999 18th Street, Suite 300, Denver, Colorado 80202–2466.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202–2466; telephone number (303) 312–6479.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule, of the same title, published in the rules section of this **Federal Register**.

Dated: January 29, 2002.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

[FR Doc. 02–4063 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[KY–JEFF–T5–2002–01b; FRL–7144–1]

Clean Air Act Proposed Full Approval of Operating Permit Program Revisions; Jefferson County (KY)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes approval of revisions to the operating permit program of the Jefferson County Air Pollution Control District in Kentucky. In the final rules section of this **Federal Register**, EPA is approving revisions to the County's operating permit program as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. An explanation for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting should do so at this time.

DATES: Written comments must be received by March 25, 2002.

ADDRESSES: Written comments on this action should be addressed to César Zapata, Air Permits Section, Air Planning Branch, EPA Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960. Copies of the Jefferson County submittals and other supporting documentation relevant to this action are available for inspection during normal business hours at EPA Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–8960.

FOR FURTHER INFORMATION CONTACT: César Zapata, EPA Region 4, at (404) 562–9139 or *zapata.cesar@epa.gov/.*

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the final rules section of this **Federal Register**.

Dated: January 31, 2002.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 02–3767 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 67, No. 35
Thursday, February 21, 2002

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.

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

Notice of Request for Approval of Information Collection

AGENCY: Risk Management Agency, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces a public comment period on the information collection requests (ICRs) associated with the Standard Reinsurance Agreement Plan of Operations administered by Federal Crop Insurance Corporation.

DATES: Written comments on this notice will be accepted until close of business April 22, 2002.

ADDRESSES: Interested persons are invited to submit written comments to the Director, Reinsurance Services Division, Federal Crop Insurance Corporation, United States Department of Agriculture (USDA), 1400 Independence Avenue SW., Stop 0804, Washington, DC 20250, or electronically to *Heyward_Baker@wdc.usda.gov.*

FOR FURTHER INFORMATION CONTACT: John H. Brown, Risk Management Specialist, Federal Crop Insurance Corporation, at the address listed above, telephone (202) 720–2099.

SUPPLEMENTARY INFORMATION:

Title: Standard Reinsurance Agreement Plan of Operations.

OMB Number: 0563–NEW.

Type of Request: New information collection.

Abstract: The Federal Crop Insurance Act (Act), Title 7 U.S.C. Chapter 36 Section 1508(k) authorizes the Federal Crop Insurance Corporation (FCIC) to provide reinsurance to insurers approved by FCIC that insure producers of any agricultural commodity under one or more plans acceptable to FCIC. The Act also states that the reinsurance shall be provided on such terms and conditions as the Board may determine to be consistent with subsections (b) and (c) of this section and sound reinsurance principles.

FCIC executes the same form of reinsurance agreement, called the Standard Reinsurance Agreement (SRA), with eighteen participating insures approved for the 2002 program. In Appendix 2 of the SRA, the Plan of Operations (Plan) sets forth the information the insurer is required to file with RMA for the initial and each subsequent reinsurance year. The Plan's information enables RMA to evaluate the insurer's financial and operational capability to deliver the crop insurance program in accordance with the Act. Estimated premiums by fund by state, and retained percentages along with current policyholders surplus are used in calculations to approve the insurer's requested maximum reinsurable premium writings for the reinsurance year per 7 CFR 400 Subpart L. This information has a direct effect upon the insurer's amount of retained premium and associated liability and is required to calculate the insurer's underwriting gain or loss.

Manual 14, Guidelines and Expectations for Delivery of the Federal Crop Insurance Program, is incorporated into the SRA by reference. Manual 14 establishes the minimum Training and quality control review procedures and performance standards required of all insurers who deliver any policy reinsured under the Act. In order to evaluate their compliance with the terms of the SRA, FCIC requires each insurer to submit, for each reinsurance year, an Annual Summary Report to Compliance containing details of the results of their completed reviews classified into four categories: Proficiency Evaluations, Compliance Crop Insurance Contract Reviews, Underwriting Reviews, and Claims Reviews.

We are asking the Office of Management and Budget (OMB) to approve this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public concerning this information collection activity. These comments will help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 465 hours per response.

Respondents/Affected Entities: Insurance companies reinsured by FCIC.

Estimated annual number of respondents: 18.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 18.

Estimated total annual burden on respondents(hours): 8,370.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed in Washington, D.C., on February 7, 2002.

Phyllis W. Honor,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 02–4101 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–FA–P

DEPARTMENT OF AGRICULTURE

Forest Service

Sierra County, CA, Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Sierra County Resource Advisory Committee (RAC) will meet on March 18, 2002, is Sierra City, California. The purpose of the meeting is to discuss issues relating to implementing the *Secure Rural Schools and Community Self-Determination Act of 2000* (Payments to States) and the expenditure of Title II funds benefiting National Forest System lands on the

Humboldt-Toiyabe, Plumas and Tahoe National Forests in Sierra County.

DATES: The meeting will be held March 18, 2002, from 1:30 p.m. to 4:30 p.m. If a storm or other difficulty presents itself, a backup meeting date is scheduled for March 25, 2001, at the same time and location.

ADDRESSES: The meeting will be held at the Sierra City Community Hall, 14 Castagna Alley, Sierra City, CA.

FOR FURTHER INFORMATION CONTACT: Ann Westling, Committee Coordinator, USDA, Tahoe National Forest, 631 Coyote St, Nevada City, CA, 95959, (530) 478–6205, e-mail: *awestling@fs.fed.us*

SUPPLEMENTARY INFORMATION: Agenda items to be covered include: (1) Welcome and introductions; (2) review of previous meeting and meeting minutes; (3) discussion and decision on criteria for Sierra County RAC projects; (4) presentation of project ideas and ranking of project ideas. The meeting is open to the public and the public will have an opportunity to comment at the meeting.

Dated: February 14, 2002.

Steven T. Eubanks,

Forest Supervisor.

[FR Doc. 02–4107 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Forest Service

Rogue/Umpqua Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Rogue/Umpqua Resource Advisory Committee (RAC) will met on Friday, March 1, 2002. The meeting is scheduled to begin at 8:30 a.m. and conclude at approximately 4:30 p.m. The meeting will be held at the Douglas County Library in the Ford Community Room, 1409 NE Diamond Lake Blvd in Roseburg. The agenda includes: Review of Title II projects on the Rogue River and Umpqua national forests proposed by the Forest Service and Public Forum, including presentation of proposals submitted by the public. The Public Forum is scheduled to begin at 9 a.m. Time allotted for individual presentations will be limited to 3–4 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits for the Public Forum. Written comments may be submitted prior to the March 1 st meeting by sending them to Designated Federal Official Jim Caplan at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Jim Caplan; Umpqua National Forest; PO Box 1008, Roseburg, Oregon 97470; (541) 957–3203.

Dated: February 13, 2002.

Deborah Schmidt,

Acting Deputy Forest Supervisor, Umpqua National Forest.

[FR Doc. 02–4108 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Risk Management Agency

Notice of Request for Approval of an Information Collection

AGENCY: Risk Management Agency, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Risk Management Agency (RMA) to request approval for the information collection projects listed in the Abstract of this document.

DATES: Written comments on this notice will be accepted until close of business April 22, 2002.

ADDRESSES: Interested persons are invited to submit written comments to: Lydia M. Astorga, Risk Management Education Division, USDA/RMA, 1400 Independence Avenue, SW, Stop 0808, Portals Building, Suite 508, Washington, DC 20250–0808. Or electronically to: *Lydia_Astorga@wdc.usda.gov.*

FOR FURTHER INFORMATION CONTACT: To request additional information on the proposed collection of information contact: Lydia M. Astorga, Risk Management Education Division, USDA/RMA, Stop 0808, 1400 Independence Ave., SW, Washington, D.C. 20250–0808, or call (202) 260–4728.

SUPPLEMENTARY INFORMATION:

Title: Agricultural Risk Management Education and Information.

OMB Number: 0563–NEW.

Type of Request: New information collection.

Abstract: The Federal Crop Insurance Act directs the Federal Crop Insurance Corporation, operating through RMA, to (a) establish crop insurance education and information programs in States that have been historically underserved by the Federal crop insurance program (7 U.S.C. 1524(a)(2)); and (b) provide agricultural producers with training opportunities in risk management, with a priority given to producers of specialty crops and underserved commodities (7 U.S.C. 1522(d)(3)(F)). With this submission, RMA seeks to obtain OMB's generic approval for four information collection projects that will assist RMA in operating and evaluating these programs. The four information collection projects are: (1) Request for Applications; (2) Performance Reporting; (3) Training Session Evaluation; and (4) Needs Assessment. The primary objectives of the four information collection projects are, respectively, to: (1) Enable RMA to better evaluate the performance capacity and plans of organizations that are applying for funds for cooperative and partnership agreements; (2) document the scope of activities conducted by the recipients of Federal educational funding; (3) assess the effectiveness of individual educational activities; and (4) provide program managers and policy makers with information regarding the effectiveness of educational programs in underserved States. We are asking the Office of Management and Budget (OMB) to approve this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public concerning this information collection activity. These comments will help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average: 8 hours per response for agri-business professionals, for a total of 5,904 hours AND 15 minutes per response for producers, for a total of 21 hours.

Respondents/Affected Entities: Agribusiness professionals and agricultural producers.

Estimated annual number of respondents: 19,450 respondents (2,950

agribusiness professionals and 16,500 agricultural producers).

Estimated annual number of responses: 19,450 responses or 1 per respondent.

Estimated total annual burden on respondents: 5,925 hours (5,904 hours for agribusiness professionals and 21 hours for agricultural producers).

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed in Washington, DC, on February 12, 2002.

Phyllis W. Honor,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 02–4102 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–08–P

BROADCASTING BOARD OF GOVERNORS

Sunshine Act Meeting Notice

DATE AND TIME: February 26, 2002; 12:30 p.m.–4:30 p.m.

PLACE: Cohen Building, Room 3321, 330 Independence Ave., SW., Washington, DC 20237.

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: February 15, 2002.

Carol Booker,

Legal Counsel.

[FR Doc. 02–4299 Filed 2–19–02; 2:40 pm]

BILLING CODE 8230–30–M

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: 2002 Economic Census Covering the Construction Sector.

Form Number(s): CC–23601, CC–23701, CC–23702, CC–23703, CC–23801, CC–23802, CC–23803, CC–23804, CC–23805, CC–23806, CC–23807, CC–23808, CC–23809.

Agency Approval Number: None.

Type of Request: New collection.

Burden: 325,000 hours in FY 2003.

Number of Respondents: 130,000.

Avg Hours Per Response: 2.5 hours.

Needs and Uses: The 2002 Economic Census Covering the Construction Sector will use a mail canvass, supplemented by data from Federal administrative records, to measure the economic activity of approximately 700,000 construction establishments classified in the North American Industry Classification System (NAICS). The construction sector of the economic census comprises establishments primarily engaged in the construction of buildings and other structures , additions, alterations, reconstruction, installation, and maintenance and repairs. The economic census will produce basic statistics by industry for number of establishments, value of construction work, payroll, employment, selected costs, depreciable assets, inventories and capital expenditures. It also will yield a variety of subject statistics, including estimates of type of construction work done, kind of business activity and other industry-specific measures. Industry statistics will be summarized for the United States and states.

Affected Public: Business or other for-profit.

Frequency: One time.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Sections 131 and 224.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at *mclayton@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4117 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: 2001 Panel of the Survey of Income and Program Participation, Wave 5 Topical Modules.

Form Number(s): SIPP 21505(L) Director's Letter; SIPP/CAPI Automated Instrument; SIPP 21003 Reminder Card.

Agency Approval Number: 0607–0875.

Type of Request: Revision of a currently approved collection.

Burden: 121,478 hours.

Number of Respondents: 78,750.

Avg Hours Per Response: 30 minutes.

Needs and Uses: The U.S. Census Bureau requests authorization from the Office of Management and Budget (OMB) to conduct the Wave 5 Topical Module interview for the 2001 Panel of the Survey of Income and Program Participation (SIPP). We also request approval for a few replacement questions in the reinterview instrument. The core SIPP instrument, and reinterview instrument were cleared previously. The reinterview instrument will be used for quality control purposes. We are also seeking continued clearance for the SIPP Methods Panel instrument field testing to be conducted in October and November 2001 and July and August 2002. The test targets SIPP Wave 1 items and sections that require thorough and rigorous testing in order to improve the quality of core data. The experiment is conducted under the

direction of the Methods Panel Team, which is committed to delivering an improved and less burdensome instrument for use in the 2004 SIPP Panel.

The SIPP is designed as a continuing series of national panels of interviewed households that are introduced every few years, with each panel having durations of 3 to 4 years. The 2001 SIPP Panel is scheduled for three years and will include nine waves beginning February 1, 2001.

The survey is molded around a central ''core'' of labor force and income questions that remain fixed throughout the life of a panel. The core is supplemented with questions designed to answer specific needs. These supplemental questions are included with the core and are referred to as ''topical modules.'' The topical modules for the 2001 Panel Wave 5 are School Enrollment and Financing, Child Support Agreements, Support for Nonhousehold Members, Functional Limitations and Disability for Adults and Children, and Employer Provided Health Benefits. Wave 5 interviews will be conducted from June through September 2002.

Data provided by the SIPP are being used by economic policymakers, the Congress, state and local governments, and Federal agencies that administer social welfare or transfer payment programs, such as the Department of Health and Human Services and the Department of Agriculture. The SIPP represents a source of information for a wide variety of topics and allows information for separate topics to be integrated to form a single and unified database so that the interaction between tax, transfer, and other government and private policies can be examined. Government domestic policy formulators depend heavily upon the SIPP information concerning the distribution of income received directly as money or indirectly as in-kind benefits and the effect of tax and transfer programs on this distribution. They also need improved and expanded data on the income and general economic and financial situation of the U.S. population. The SIPP has provided these kinds of data on a continuing basis since 1983, permitting levels of economic well-being and changes in these levels to be measured over time.

Affected Public: Individuals or households.

Frequency: Every 4 months.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C., Section 182.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at *mclayton@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4118 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Data Collection for Compliance With Government Performance and Results Act of 1993

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce as part of its continuing effort to reduce paperwork and respondent burden invites the general public and other Federal agencies to take this opportunity to comment on proposed or continuing information collections, as required by the Paperwork Reduction Act of 1994, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instruments and instructions should be directed to Patricia Flynn, Director, Operations Review and Analysis Division, Economic Development Administration, Room 7015, Washington, DC 20230, telephone 202–482–5353.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Economic Development Administration (EDA) helps our partners across the nation (states, regions, and communities) create wealth and minimize poverty by promoting a favorable business environment to attract private capital investment and jobs through world-class capacity building, planning, infrastructure, research grants, and strategic initiatives.

EDA's strategic investments in public infrastructure and local capital markets provide lasting benefits for economically disadvantaged areas. Acting as catalysts to mobilize public and private investments, EDA's investments address problems of high unemployment, low per capita income, and other forms of severe economic distress in local communities. EDA also provides special economic adjustment assistance to help communities and businesses respond to major layoffs, plant shutdowns, trade impacts, natural disasters, military facility closures, and other severe economic dislocations.

EDA must comply with the Government Performance and Results Act of 1993, which requires Federal agencies to develop performance measures, and report to Congress and stakeholders the results of the agency's performance. EDA must collect specific data from grant recipients to report on its performance in meeting its stated goals and objectives.

II. Method of Collection

EDA has developed four short data collection forms; one for each type of respondent. Respondents will submit the form to the appropriate EDA regional office for compilation and transmission to EDA headquarters.

III. Data

OMB Number(s): 0610–.

Form Number: Not applicable.

Burden: 21,009.

Type of Review: New Collection.

Affected Public: EDA-funded grantees: State, local and tribal governments; community organizations; not-for-profit organizations.

Estimated Number of Respondents: 2,469.

Estimated Time per Response: (1) 10 burden hours for the Public Works and Economic Adjustment Infrastructure and Revolving Loan Funds Reporting Form; (2) 10 hours for the Economic Development District and Indian Tribe Reporting Form; (3) 7 hours for the University Center Form; and (4) 6 hours for the Trade Adjustment Assistance Form.

Estimated Total Annual Burden Hours: 21,009.

Estimate Total Annual Cost: $705,000 to respondents.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the equality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of Chief Information Officer.

[FR Doc. 02–4115 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

International Trade Administration

Commercial News USA; Proposed Collection; Comment Request

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burdens, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, Room 6086, 14th & Constitution Avenue, NW, Washington, DC 20230 or via Internet at *MClayton@doc.gov.*

FOR FURTHER INFORMATION CONTACT: Request for additional information or copies of the information collection instrument and instructions should be directed to Joseph English, telephone 202–482–3334, fax 202–482–5398, e-mail: *Joseph.English@ita.doc.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Commercial News USA (CNUSA), published twelve times a year by a private sector firm, is the U.S. Department of Commerce's export catalog-magazine. The product information in CNUSA reaches more than 145,000 distributors, government officials, and potential buyers overseas through direct distribution from U.S. embassies and consulates. Firms use the form to request that their product information be published in CNUSA, a service for which the firms pay a minimum fee of $695.

This information collection item allows the U.S. Department of Commerce to promote U.S. products and services available for export as part of the USDOC's trade promotion activities. CNUSA is a unique export promotion service for U.S. manufacturers and service firms; nothing similar is available to them through the private sector. The product promotions in CNUSA differ from paid advertisements in that they must meet program criteria. Because U.S. embassies and consulates handle distribution, the product information reaches a vast, screened readership not only through direct dissemination but also via counseling by commercial officers and through walk-in visits to commercial libraries where CNUSA is displayed. Further, American Chambers of Commerce, local business editors, and other trade entities that reprint information from CNUSA or display or disseminate the entire magazine provide a multiplier effect.

II. Method of Data Collection

The requests are sent to the private sector publisher.

III. Data

OMB Number: 0625–0061.
Form Number: ITA–4063P.
Type of Review: Regular submission.
Affected Public: Companies interested in placing their product information available for export in Commercial News USA.
Estimated Number of Respondents: 2,200.
Estimated Time Per Response: 20 minutes.
Estimated Total Annual Burden Hours: 733.
Estimated Total Annual Costs: $25,674.00.

IV. Request for Comments

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4119 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–FP–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People's Republic of China: Notice of Extension of Time Limit for the Final Results of Antidumping Duty New Shipper Review and the Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limit for the final results of antidumping duty new shipper review and the final results of antidumping duty administrative review.

SUMMARY: The Department of Commerce is extending the time limit for the final results of the new shipper and administrative reviews of the antidumping duty order on fresh garlic from the People's Republic of China. The new shipper review covers one exporter, Clipper Manufacturing Co. Ltd. The period of review is June 1, 2000, through November 30, 2000. The administrative review covers four manufacturers/exporters and the period November 1, 1999, through October 31, 2000. At the request of the petitioner, the two reviews have been aligned and are being conducted simultaneously.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Edythe Artman, AD/

CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–3477 or (202) 482–3931, respectively.

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 (the Act) by the Uruguay Round Agreements Act and all citations to the Department of Commerce's regulations are to 19 CFR Part 351 (2001).

Background

On February 9, 2001, the petitioner submitted a request for alignment of the new shipper and administrative reviews. Clipper Manufacturing Co. Ltd. responded to the Department that it did not object to the petitioner's request. See Memorandum to the File regarding alignment of new shipper and administrative reviews (Feb. 19, 2001). Therefore, we are conducting these two reviews simultaneously.

On August 24, 2001, the Department published the preliminary results of the new shipper and administrative reviews of the antidumping duty order on fresh garlic from the People's Republic of China. See Fresh Garlic from the People's Republic of China; Preliminary Results of Antidumping New Shipper Review, Preliminary Results of Antidumping Duty Administrative Review, and Partial Rescission of Administrative Review, 66 FR 44596 (August 24, 2001). We invited parties to comment on our preliminary results. With respect to the new shipper review, we received comments from the petitioner and the new shipper, Clipper Manufacturing Co. Ltd. We received comments from the petitioner and one of the respondents, Fook Huat Tong Kee Pte., Ltd., and Taian Fook Huat Tong Kee Foods Co., Ltd. (collectively FHTK), that pertained to the administrative review. The final results for these reviews are currently due no later than February 20, 2001. See Notice of Correction to the Extension of Time Limit for the Final Results of Antidumping New Shipper Review and the Final Results of Antidumping Administrative Review of the Antidumping Duty Order on Fresh Garlic from the People's Republic of China, 67 FR 4392 (January 30, 2002).

Extension of Time Limits for Final Results for New Shipper and Administrative Reviews

The comments we received concerning our preliminary results present a number of complex factual and legal questions pertaining to the bona fides of certain sales potentially subject to the antidumping duty order in this case. Therefore, it is not practicable to complete the reviews within the time limits mandated by section 751(a)(3)(A) of the Act. Consequently, we are extending the time limit for the final results of the reviews to March 6, 2002.

February 13, 2002

Richard W. Moreland,

Deputy Assistant Secretary for AD/CVD Enforcement I.

[FR Doc. 02–4185 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 021302A]

Atlantic Coastal Fisheries Cooperative Management Act; Meeting

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

ACTION: Meeting.

SUMMARY: NMFS and the U.S. Fish and Wildlife Service (USFWS) will hold a joint meeting to discuss coordination of activities that support Atlantic States Marine Fisheries Commission coastal fisheries management plans under the Atlantic Coastal Fisheries Cooperative Management Act and the Atlantic Striped Bass Conservation Act.

DATES: The meeting will convene on Wednesday, March 27, 2002, at 10 a.m. and will adjourn at approximately 3 p.m. The meeting is open to the public.

ADDRESSES: National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Anne Lange, State Federal Fisheries Staff, NMFS; telephone: (301) 713–2334.

SUPPLEMENTARY INFORMATION: NMFS-USFWS hold annual coordination meetings established under a Memorandum of Understanding to develop and implement a program to support interstate fishery management efforts associated with the Atlantic Coastal Fisheries Cooperative Management Act. The main agenda items are: the 2002-2003 Workplan, distribution of FY2002 Atlantic Coastal Act funds, and ASMFC Fishery Management Plan work for 2002.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Lange (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days prior to the meeting date.

Dated: February 14, 2002.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, national Marine Fisheries Service.

[FR Doc. 02–4176 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–22–S

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY CONTACT: Gary Martinaitis, Division of Economic Analysis, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, (202) 418–5209; FAX: (202) 418–5527; email: gmartinaitis@cftc.gov and refer to OMB Control No. 3038–0013.

SUPPLEMENTARY INFORMATION:

Title: Exemptions from Speculative Limits (OMB Control No. 3038–0013). This is a request for extension of a currently approved information collection.

Abstract: Commission Rules 1.47, 1.48, and 150.3(b) requirement limited information from trades whose futures positions exceed federal speculative limits. The rules are designed to assist in the monitoring of compliance with speculative limits adopted by the Commission. These rules are promulgated pursuant to the Commission's rulemaking authority contained in Sections 4a(a), 4i, and

8a(5) of the Commodity Exchange Act, 7 USC 6a(1), 6i, and 12a(5).

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. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The Federal Register notice with a 60-day comment period soliciting comments on this collection of information was published on October 5, 2001 (66 FR 51025).

Burden statement. The respondent burden for this collection is estimated to average three hours per response. These estimates include 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; and transmit or otherwise disclose the information.

Respondents/Affected Entities: 5.

Estimated number of responses: 5.

Estimated total annual burden on respondents: 15 hours.

Frequency of collection: On occasion.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038–0013 in any correspondence.

Gary Martinaitis, Division of Economic Analysis, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581 and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: February 14, 2002.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4103 Filed 2–20–02; 8:45 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 1, 2002.

PLACE: 1155 21st St., N.W., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4236 Filed 2–19–02; 10:36 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 8, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4237 Filed 2–19–02; 10:36 am]

BILLING CODE 6391–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11 a.m., Friday, March 15, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4238 Filed 2–19–02; 8:45 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 22, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4239 Filed 2–19–02; 10:36 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

AGENCY HOLDING THE MEETING: Commodity Futures Trading Commission.

TIME AND DATE: 11:00 a.m., Friday, March 29, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4240 Filed 2–19–02; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Proposed collection; comment request

AGENCY: Office of the Under Secretary of Defense (Personnel and Readiness), DoD.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Under Secretary of Defense (Personnel and Readiness) announces the following proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 22, 2002.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to the Office of the Under Secretary of Defense (Personnel and Readiness), Office of the Deputy Under Secretary of Defense (Program Integration)/Defense Human Resources Activity, ATTN: Ms.

Sheila Ford, 4040 Fairfax Boulevard, Suite 200, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call at (703) 696–0404.

Title, Associated Form, and OMB Number: Application for Uniformed Services Identification Card—DEERS Enrollment, DD Form 1172, OMB Number 0704–0020.

Needs and Uses: This information collection requirement is necessary to authorize members of the Uniformed Services, their spouses and dependents, and other authorized individuals certain benefits and privileges. These privileges include health care, use of commissary, base exchange, and morale, welfare, and recreation facilities. This information collection is needed to obtain the necessary data to determine eligibility, to provide eligible individuals with an authorization card (identification card) for benefits and privileges administered by the Uniformed Services, and maintain a centralized database of eligible individuals. This information collection may also be used by the military departments and the Defense agencies to issue their non-benefit identification cards.

Affected Public: Individuals or households.

Annual Burden Hours: 281,092.

Number of Respondents: 1,623,246.

Responses Per Respondent: 1.

Average Burden Per Response: 10 minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

This information collection identifies those individuals eligible for the benefits and privileges authorized in Sections 1061–1065, 1072–1074c, 1076, 1076a, 1077, 1074a, 1175, and 1408 of Title 10 and issuance of the appropriate Uniformed Services identification cards.

The Uniformed Services identification card is the key to authorized usage of military health care, commissary, exchange privileges, and morale, welfare, and recreation facilities. In order to obtain this identification card, an applicant is required to go to an identification card issuing site and update a DD Form 1172, ''Application for Uniformed Services Identification Card—DEERS Enrollment.'' The sponsor, or person authorized to sign the DD Form 1172 in accordance with the criteria established in DoD Instruction 1000.13, provides appropriate dependent information and verification, i.e., birth certificate, marriage license, etc. The information is entered into an automated system by the identification card issuing official and reviewed by the applicant. Once the applicant has reviewed the information for correctness, the sponsor, or person authorized to sign the form, will sign the system-printed DD Form 1172. The DD Form 1172 must be signed by both the sponsor (or person authorized to sign the form) and the verifying official. The person authorized to sign the form must sign it in the presence of the verifying official. On those rare occasions where the sponsor (or personnel authorized to sign the form) is unable to accompany his/her dependent to the identification card issuing site, the signature must be notarized in accordance with the criteria set forth in DoD Instruction 1000.13 prior to verification by the verifying official. This does not happen very often and does not create a significant increase in burden to the public. Once the DD Form 1172 has been properly signed, the form is taken to the identification care issuing site for issuance of the ID card. The data are transmitted to the Defense Manpower Data Center to be entered into the Defense Enrollment Eligibility Reporting System (DEERS) database. The applicant is required to update the information once every four years or as changes occur, i.e., reservist entering active duty or being released from active duty.

This information collection may also be used to identify employees and certain contractors of the military departments and Defense agencies for the purpose of issuance of a non-benefit identification card. This group may include civilians and contractors who regularly require official identification in connection with their official business.

Respondents will be: active duty, reserve, and retired personnel of the Uniformed Services (Army, Navy, Air Force, Marine Corps, Coast Guard, US Public Health Service, and NOAA) and their dependents; surviving dependents of deceased active duty and deceased retired personnel; certain Federal employees; certain contract employees; certain State Department employees employed in a foreign country and their dependents; any other individuals entitled to care under the Uniformed Services health care program; individuals entitled to Uniformed Services benefits and privileges and a Uniformed Services identification card; any eligible individual who submits a health care claim; and individuals eligible for certain civilian non-benefit identification cards.

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02–4094 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for a new collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by March 25, 2002.

Title and OMB Number: 2001 Biennial Review of Defense Agencies and DoD Field Activities; OMB Number 0704-[To Be Determined].

Type of Request: New Collection.

Number of Respondents: 1,335.

Responses Per Respondent: 1.

Annual Responses: 1,335.

Average Burden Per Response: 15 minutes.

Annual Burden Hours: 334.

Needs and Uses: Section 192(c) of Title 10, U.S.C., requires that the Secretary of Defense review the services and supplies provided by each Defense Agency and Department of Defense (DoD) Field Activity. The purposes of the Biennial Review are to ensure the continuing need for each Agency and Field Activity and to ensure that the services and supplies provided by each entity is accomplished in a more effective, economical, or efficient manner than by the Military Departments. A standard organizational-customer survey process serves as the principal data-gathering methodology in the Biennial Review. As such, it provides valuable information to senior officials in the Department regarding the levels of satisfaction held by the organizational customers of approximately 20 Defense Agencies and DoD Field Activities covered by the Biennial Review. Respondents covered by this notice are private-sector customers of these business lines, such as for the Federal Voting Assistance Program and Defense Finance and Accounting Service.

Affected Public: Individuals or households; business or other for-profit;

not-for-profit institutions; State, Local or Tribal Government.

Frequency: On occasion.

Respondents' Obligation: Voluntary.

OMB Desk Officer: Ms. Jacke Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202–4302.

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02–4095 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Armament Retooling and Manufacturing Support Initiative Implementation

AGENCY: Department of the Army, DoD.

ACTION: Notice of meeting.

SUMMARY: Reference notice of open meeting, Armament Retooling and Manufacturing Support Initiative Implementation, published in the **Federal Register**, January 23, 2002 (67 FR 3167). This notice supersedes the reference and provides information about the rescheduled meeting, as follows: Pursuant to Public Law 92–463, notice is hereby given of the next meeting of the Armament Retooling and Manufacturing Support (ARMS) Executive Advisory Committee (EAC). The EAC encourages the development of new and innovative methods to optimize the asset value of the Government-Owned, Contractor-Operated ammunition industrial base for peacetime and national emergency requirements, while promoting economical and efficient processes at minimal operating costs, retention of critical skills, community economic benefits, and a potential model for defense conversion. The U.S. Army, Operations Support Command, will host this meeting. The purpose of the meeting is to update the EAC and public on the status of ongoing actions, new items of interest, and suggested future direction/actions. Topics for this meeting will include—Security Requirements and ARMS Contractors; Industrial Base Strategy and Industrial Commercialization; Policy on Ownership of Property; ARMS Revenue Projects; and Arsenal Support Program Initiative Update. This meeting is open to the public.

Date of Meeting: March 27–28, 2002.

Place of Meeting: Embassy Suites Hotel, 8978 International Drive, Orlando, FL 32819.

Time of Meeting: 8:30 a.m.—5:00 p.m. on March 27 and 7:30 a.m.—12:00 p.m. on March 28.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Perez, U.S. Army Operations Support Command, ATTN: AMSOS–COM–E, Rock Island Arsenal, IL 61299, phone (309) 782–3360.

SUPPLEMENTARY INFORMATION: A block of rooms has been reserved at the Embassy Suites Hotel for the nights of 26–28 March 2002. The Embassy Suites Hotel is located at 8978 International Drive, Orlando, FL 32819, local Phone (407) 352–1400. Please make your reservations by calling 800–362–2779. Be sure to mention the guest code ARMS PPTF. Reserve your room prior to March 1st to get the Government Rate of $95.00 a night. Also notify this office of your attendance by notifying Mike Perez, *perezm@osc.army.mil,* 309–782–3360 (DSN 793–3360). To insure adequate arrangements (transportation, conference facilities, etc.) for all attendees, we request your attendance notification with this office by March 8, 2002. Corporate casual is meeting attire.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4178 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Army Education Advisory Committee

AGENCY: Department of the Army, DoD.

ACTION: Notice of meeting.

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), announcement is made of the following Committee meeting:

Name of Committee: U.S. Army War College Subcommittee of the Army Education Advisory Committee.

Dates of Meeting: April 3, 4, and 5, 2002.

Place: Root Hall, U.S. Army War College, Carlisle Barracks, Pennsylvania.

Time: 8:30 a.m.—5:00 p.m.

Proposed Agenda: Receive information briefings; conduct discussions with the Commandant and staff and faculty; table and examine online College issues and fund raising strategies and models; assess resident and distance education programs, institutional and campus transformation, and plans for the Process for Accreditation of Joint Education (PAJE) 2003; assemble into small working groups for a concentrated review of institutional policies and committee membership and charter issues; propose strategies and recommendations that will continue the momentum of federal accreditation success and guarantee compliance with regional accreditation standards.

FOR FURTHER INFORMATION CONTACT: To request advance approval or obtain further information, contact Colonel Robert E. Smith, Box 545, U.S. Army War College, Carlisle Barrack, PA 17013 or telephone (717) 245–3907.

SUPPLEMENTARY INFORMATION: This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee after receiving advance approval for participation.

To request advance approval or obtain further information, contact Colonel Robert E. Smith at the above address or phone number.

Robert E. Smith,

Colonel, U.S. Army, Designated Federal Official.

[FR Doc. 02–4184 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Encapsulated High-Concentration Lipid A Composition as Immunogenic Agents to Produce Human Antibodies to Prevent or Treat Gram Negative Bacterial Infections

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,888,519 entitled ''Encapsulated High-Concentration Lipid A Composition as Immunogenic Agents to Produce Human Antibodies to Prevent of Treat Gram Negative Bacterial Infections'' issued March 30, 1999. The United States Government as

represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664. Both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: This invention is directed to the production of antibodies against lipid A by using encapsulating slow-releasing delivery materials or devices containing concentrations of lipid A that are greater than could be given safely to humans in the absence of said materials or devices. The antibodies to lipid A can be used for binding the antibodies to the lipid A that are present in the lipopolysaccharide that coats the surface of the Gram-negative bacteria.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4179 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Fiber Optic Periodontal Endoscope

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,919,129 entitled ''Fiber Optic Periodontal Endoscope'' issued July 6, 1999. The United States Government as represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office, of Research & Technology Assessment, (301) 619–6664, both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: A fiber optic periodontal endoscope includes a lens and light housing assembly attached to a handle end tip containing fiber optic bundles transmitting light from the source to illuminate the probe tip. The returning image traveling back through the handle along the fiber optic bundle is reflected off a mirror toward the magnification lens housed in a portion of the assembly which is at right angles to the light housing portion. The probe has two rotating joints, one between the tip and handle and the other between the assembly and handle to enable rotation of the lens for ease of viewing and additional rotation of the probe tip to allow for illumination and visualization at the side of the tin.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4181 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Hantavirus Vaccine

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,614,193 entitled ''Hantavirus Vaccine'' issued March 25, 1997. The United States government as represented by the Secretary of the Amy has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664. Both at telefax (301) 61–5034.

SUPPLEMENTARY INFORMATION: Vaccine formulations for inducing protective immune response to Hantaviruses in humans are disclosed. These formulations include an attenuated vaccine virus vector containing cDNA's encoding Hantavirus nucleocapsid N protein, G1 and G2 glycoproteins. Methods for the use of these formulations also are disclosed.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4180 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Application Concerning Temperature-Regulated Cell Perfusion Chamber

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent Application No. 09/571, 1406 entitled ''Temperature-Regulated Cell Perfusion Chamber'' filed May 15, 2000. The United States Government as represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Material Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664, both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: A cell perfusion chamber structure capable of continuously monitoring processes during polymerase change reaction includes a cell chamber body having a support surface with an aperture defined through the support surface and wall structure extending upwardly from the support surface to define an interior. The wall structure includes passages therein. A gasket is disposed on the support surface so as not to cover the aperture. A first transparent cover is disposed on the gasket so as to cover the aperture. A water bath body is provided and has a first portion and a second portion extending from the first portion. The first portion defines a second support surface. The second portion is received in the interior of the cell chamber body and is in interference fit arrangement with the wall structure. The water bath body has an interior support surface with an aperture there through. The aperture extends through

the first and second portions. The first portion has first pots therein which communicate with the aperture of the water bath body. The second portion includes second ports therein which communicate with the aperture of the water bath body and with associated passages in the cell chamber body. A second transparent cover is disposed on the interior support surface of the water bath body so as to divide the aperture of the water bath body into first and second portions. The second transparent cover covers the second portion of the aperture to define a sealed cell chamber enclosed by the second transparent cover, the first transparent cover and surfaces of the cell chamber body. A transparent window is disposed on the second support surface to cover the first portion of the aperture to define a water bath chamber enclosed by the transparent window, the second cover and surfaces of the water bath body. Whereby fluid may enter and exit the water bath chamber via first ports and perfusion fluid may enter and exit the cell chamber via the second ports.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4182 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Privacy Act of 1974; Systems of Records

AGENCY: Defense Logistics Agency, DoD.

ACTION: Notice to alter a system of records.

SUMMARY: The Defense Logistics Agency proposes to alter a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

DATES: This action will be effective without further notice on March 22, 2002 unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to the Privacy Act Officer, Headquarters, Defense Logistics Agency, Attn: DSS–C, 8725 John J. Kingman Road, Suite 2533, Fort Belvior, VA 22060–6221.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Salus at (703) 767–6183.

SUPPLEMENTARY INFORMATION: The Defense Logistics Agency notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on February 7, 2002, to the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

S330.50 CAH

SYSTEM NAME:

Official Personnel Files for Non-Appropriated Fund Employees (August 3, 1999, 64 FR 42101).

CHANGES:

* * * * *

SYSTEM IDENTIFIER:

Delete S330.50 CAH and replace with ''S400.05''.

* * * * *

SYSTEM LOCATION:

Delete entry and replace with ''Records are located at the NAF Personnel Office, Headquarters Defense Logistics Agency,'' (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NAF PERSONNEL OFFICES OF THE FOLLOWING DLA FIELD ACTIVITIES:

Defense Distribution Depot Susquehanna, ATTN: DDSP–HM, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070–5002;

Defense Supply Center Richmond, ATTN: DSCR–H, 8000 Jefferson Davis Highway, Richmond, VA 23297–5131;

Defense Supply Center Columbus, ATTN: DSCC–WLQ, 3990 East Broad Street, Columbus, OH 43216–5000;

Defense Logistics Information Service, ATTN: DLIS–RB, 74 N. Washington Avenue, Battle Creek, MI 49017–3084; and

Defense Distribution Depot San Joaquin, ATTN: DDJC–X, 25600 S. Chrisman Road, Building 100, Room 28, Tracy, CA 95376. Some of the information contained in this system may be duplicated for maintenance at a location closer to the employee's work site (e.g., in an administrative office or supervisor's work folder) and still be covered by this system notice.''

* * * * *

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''Individuals who have accepted employment as a DLA Non-Appropriated Fund employee.''

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''The system constitutes a history of employment with DLA and contains name, physical and electronic addresses, telephone numbers, date and place of birth, citizenship, Social Security number, prior employment or work history, and employment application forms. In addition, the system includes grade; series; duties; duty location; promotions; work schedule; health and life insurance election documents; pay data; direct deposit forms; savings bond authorizations; state and local taxation forms; emergency notification data; performance objectives and evaluations; awards; notices of disciplinary or adverse action and employee response; training records; certification and licensing records; medical and fitness for duty evaluations; secondary employment documents; the fact of and level of security clearance; social security or other retirement benefit data; and similar employment-related material.''

* * * * *

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with '5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1143d, Employment assistance; 10 U.S.C. 1588, Voluntary services; 10 U.S.C. 1784, Employment opportunities; 42 U.S.C. 300e–9, Employees Health Benefit Plans; 42 U.S.C. Chapter 7, Subchapter II, Social Security Benefits; and E.O. 9397 (SSN).'

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Add three new routine uses 'To public health agencies in cases where employees have contracted or been exposed to a health hazard while employed with DLA.

To the Department of the Treasury to process savings bond authorization forms.

To the Social Security Administration and pension fund administration

entities for retirement and pension benefit administration, oversight, and audit purposes.'

* * * * *

SAFEGUARDS:

Add to entry 'Records are secured in locked or guarded buildings, locked offices, locked cabinets or powered down computer terminals during non-duty hours. Output and storage media products are labeled ''For Official Use Only'' and handled in accordance with DLA regulations for the safeguarding of such information. Data relayed through the Internet is encrypted during transmission by means that comply with DoD polices and technical specifications for communications, operations, and web security.'

* * * * *

RETENTION AND DISPOSAL:

Add a new second paragraph 'Some records within the file are retained at the agency for various lengths of time in accordance with the National Archives and Records Administration records schedules.

a. Documents relating to the administration of group life, health, and accident insurance programs, and retirement plans for NAF employees. Included are requests for group insurance, agreements, waivers, requests for discontinuance, applications for insurance, beneficiary designations, notices of employment termination, statements of contributions, similar documents, and related papers are destroyed after termination of involvement by the NAF activity.

b. Documents reflecting basic data on individual employees such as veteran preference, service computation date, performance ratings, positions held, and similar information are destroyed 15 years after transfer or separation of employee.

c. Documents related to submitting, evaluating, and approving or disapproving suggestions, service awards, and commendations of non-appropriated fund employees are destroyed 5 years after final action.

d. Documents used to record supervisory counseling interviews and separation interviews are destroyed 6 months after transfer or separation of employee.

e. Training documents are destroyed after 5 years.'

* * * * *

S400.05

System name:

Official Personnel Files for Non-Appropriated Fund Employees.

SYSTEM LOCATION:

Records are located at the NAF Personnel Office at Headquarters, Defense Logistics Agency, (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NAF PERSONNEL OFFICES OF THE FOLLOWING DLA FIELD ACTIVITIES:

Defense Distribution Depot Susquehanna, Attn: DDSP–HM, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070–5002;

Defense Supply Center Richmond, ATTN: DSCR–H, 8000 Jefferson Davis Highway, Richmond, VA 23297–5131;

Defense Supply Center Columbus, ATTN: DSCC–WLQ, 3990 East Broad Street, Columbus, OH 43216–5000;

Defense Logistics Information Service, ATTN: DLIS–RB, 74 N. Washington Avenue, Battle Creek, MI 49017–3084; and

Defense Distribution Depot San Joaquin, Attn: DDJC–X, 25600 S. Chrisman Road, Building 100, Room 28, Tracy, CA 95376. Some of the information contained in this system may be duplicated for maintenance at a location closer to the employee's work site (e.g., in an administrative office or supervisor's work folder) and still be covered by this system notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have accepted employment as a DLA Non-Appropriated Fund employee.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system constitutes a history of employment with DLA and contains name, physical and electronic addresses, telephone numbers, date and place of birth, citizenship, Social Security Number, prior employment or work history, and employment application forms. In addition, the system includes grade; series; duties; duty location; promotions; work schedule; health and life insurance election documents; pay data; direct deposit forms; savings bond authorizations; state and local taxation forms; emergency notification data; performance objectives and evaluations; awards; notices of disciplinary or adverse action and employee response; training records; certification and licensing records; medical and fitness for duty evaluations; secondary employment documents; the fact of and level of security clearance; social security or other retirement benefit data; and similar employment-related material.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1143d, Employment assistance; 10 U.S.C. 1588, Voluntary services; 10 U.S.C. 1784, Employment opportunities; 42 U.S.C. 300e–9, Employees Health Benefit Plans; 42 U.S.C. Chapter 7, Subchapter II, Social Security Benefits; and E.O. 9397 (SSN).

PURPOSE(S):

The files provide the basic source of factual data about a person's NAF employment. The information is collected and maintained to provide personnel services to the employee and to provide personnel and supervisory officials with information on which to base decisions on employee rights, benefits, eligibility and status.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The information may be disclosed to government and private vendor training facilities and educational institutions in support of training requirements; to health and life insurance carriers for enrollment or claim processing purposes; and to Federal, state, local, and professional licensing boards concerning the issuance, retention, or revocation of licenses or certificates.

To Federal, State, or local agencies that verify eligibility for, administer, audit, or adjudicate claims pertaining to retirement, insurance, unemployment, health benefits, occupational injury, and similar entitlement programs.

To public and private organizations for nominating, considering, or selecting employees for awards and honors or to publicize employee recognition programs.

To the Equal Employment Opportunity Commission (EEOC) for investigating alleged or possible discrimination practices or to fulfill other functions vested in the EEOC.

To the Federal Labor Relations Authority (FLRA) for investigating and resolving allegations of unfair labor practices, or to fulfill other functions vested in the FLRA.

To public health agencies in cases where employees have contracted or been exposed to a health hazard while employed with DLA.

To the Department of the Treasury to process savings bond authorization forms.

To the Social Security Administration and pension fund administration entities for retirement and pension benefit administration, oversight, and audit purposes.

The DoD 'Blanket Routine Uses' set forth at the beginning of DLA's compilation of systems of records notices apply to this system.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are stored in paper and computerized form.

RETRIEVABILITY:

Records are retrieved by name or Social Security Number.

SAFEGUARDS:

Records are maintained in areas accessible only to DLA personnel who must have access to perform their duties. The computer files are password protected with access restricted to authorized users. Records are secured in locked or guarded buildings, locked offices, locked cabinets or powered down computer terminals during non-duty hours. Output and storage media products are labeled ''For Official Use Only'' and handled in accordance with DLA regulations for the safeguarding of such information. Data relayed through the Internet is encrypted during transmission by means that comply with DoD polices and technical specifications for communications, operations, and web security.

RETENTION AND DISPOSAL:

Folders are maintained for the duration of the employee's employment. They are retired to the National Personnel Records Center (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118, 30 days after separation except that files on off-duty military personnel are destroyed 2 years after termination of employment and files on non-U.S. citizens residing outside of CONUS, Alaska, Hawaii, but working within CONUS, Alaska, and Hawaii are destroyed 3 years after separation.

Some records within the file are retained at the agency for various lengths of time in accordance with the National Archives and Records Administration records schedules.

a. Documents relating to the administration of group life, health, and accident insurance programs, and retirement plans for NAF employees. Included are requests for group insurance, agreements, waivers, requests for discontinuance, applications for insurance, beneficiary designations, notices of employment termination, statements of contributions, similar documents, and related papers are destroyed after termination of involvement by the NAF activity.

b. Documents reflecting basic data on individual employees such as veteran preference, service computation date, performance ratings, positions held, and similar information are destroyed 15 years after transfer or separation of employee.

c. Documents related to submitting, evaluating, and approving or disapproving suggestions, service awards, and commendations of non-appropriated fund employees are destroyed 5 years after final action.

d. Documents used to record supervisory counseling interviews and separation interviews are destroyed 6 months after transfer or separation of employee.

e. Training documents are destroyed after 5 years.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, NAF Personnel and Policy Office, Headquarters, Defense Logistics Agency (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system of records should address inquiries to the Privacy Act Officer, Headquarters, Defense Logistics Agency, (Attn: DSS–CF), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221, or to the Privacy Act Officer of the DLA field activity where employed. Mailing addresses are listed under ''System location'' entry. Written inquiries to DDJC–X must be addressed to DDJC–X, P.O. Box 960001, Stockton, CA 95296–0200; the Chrisman Road address may be used for personal visits.

Inquiry must contain requester's full name, Social Security Number, and name and physical location of organization where employed.

RECORD ACCESS PROCEDURES:

Individuals seeking access to information about themselves contained in this system of records should address inquiries to the to the Privacy Act Officer, Headquarters, Defense Logistics Agency, (Attn: DSS–CF), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221, or to the Privacy Act Officer of the DLA field activity where employed. Mailing addresses are listed under ''System location'' entry. Written inquiries to DDJC–X must be addressed to DDJC–X, P.O. Box 960001, Stockton, CA 95296–0200; the Chrisman Road address may be used for personal visits.

Inquiry must contain requester's full name, Social Security Number, name and physical location of organization where employed, and a notarized or self-sworn statement attesting to identity.

For personal visits employee must be able to provide some acceptable identification such as driver's license or employee identification badge.

CONTESTING RECORD PROCEDURES:

The DLA rules for accessing records, for contesting contents and appealing initial agency determinations are contained in DLA Regulation 5400.21, 32 CFR part 323, or may be obtained from the Privacy Act Officer, Headquarters, Defense Logistics Agency, ATTN: DSS–C, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

RECORD SOURCE CATEGORIES:

Information contained in the folder is obtained from the record subject, the employee's previous employer, educational institutions, trade associations, references and others who would have knowledge of the employee's skills or employment characteristics and papers originating with the activity during the employee's work history.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 02–4096 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–P

DEPARTMENT OF EDUCATION

[CFDA No. 84.358]

Small, Rural School Achievement Program and Rural and Low-Income School Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice announcing acceptability of Alternative Average Daily Attendance (ADA) data and establishing state deadline for submission of ADA and other eligibility and allocation data.

SUMMARY: Part B of Title VI of the Elementary and Secondary Education Act (ESEA) authorizes the Secretary of Education to award funds under two grant programs that are designed to address the unique needs of rural school

districts—the Small, Rural School Achievement Program (section 6212) and the Rural and Low-Income School Program (section 6221). Under the Small, Rural School Achievement Program, the Secretary awards grants directly to eligible local educational agencies (LEAs) on a formula basis. Under the Rural and Low-Income School Program, the Secretary awards formula grants to State educational agencies (SEAs), which in turn award subgrants to eligible LEAs either competitively or by formula. If a State chooses not to participate in the Rural and Low-Income School Program, the Secretary awards grants directly to eligible LEAs in that State.

The Department has prepared an Excel spreadsheet and instructions for SEAs to use in submitting the data needed to determine an LEA's eligibility for an award and allocations under the programs. These documents are available on the Department's Web site at *http://www.ed.gov/offices/OESE/reap.html.*

In this notice, the Department (1) announces that, for the first year of funding under the Small, Rural School Achievement Program and the Rural and Low-Income Program, it will accept alternative average daily attendance data that are consistent with the definition in section 6231(a) of the ESEA; and (2) establishes a deadline by which States may submit LEA eligibility data and allocation data for the programs.

Average Daily Attendance Data: An LEA's eligibility for funding under the Small, Rural School Achievement Program, as well as the amount of its grant award, is based, in part, on the number of students in average daily attendance (ADA) in the schools of the LEA. ADA data also affect an LEA's eligibility under the Rural and Low-Income Program because an LEA may not receive an award under that program if it is eligible for funding under the Small, Rural School Achievement Program. Furthermore, ADA data are used to determine the amount of each State's allocation under the Rural and Low-Income Program.

Section 6231(a) of the ESEA states that for purposes of the rural education programs, not later than December 1 of each year, an LEA must ''conduct a census to determine the number of students in average daily attendance in kindergarten through grade 12 at the schools served by the agency.'' This provision further requires that the ADA data be submitted no later than March 1 of each year. Thus, an ADA submission for the first year of the rural education programs should be based on a census conducted by December 1, 2001. The Secretary recognizes that not all SEAs or LEAs determine ADA on the basis of a census. Given that the legislation authorizing the rural education programs was enacted on January 8, 2002, a date after the period in which the initial census should have been conducted, for the purposes of determining FY 2002 eligibility and allocations under these programs the Department will accept alternative ADA data that are consistent with the statutorily required data (*e.g.,* ADA data that are based on a percentage of enrollment).

Deadline for State Submission of ADA and Other Data: The legislation requires LEAs desiring a grant under either rural education program to submit ADA data to the Department by March 1 of each year (ESEA section 6231(a)(2)). A State must submit ''such information as the Secretary may reasonably require'' before receiving its allocation under the Rural and Low-Income Program (ESEA section 6223(a)). The Department is requesting that SEAs submit ADA data on behalf of their LEAs as well as other data needed to determine eligibility and to make allocations under the Small, Rural School Achievement Program and the Rural and Low-Income Program in order to (1) ensure maximum LEA participation in all States in both programs; (2) assist LEAs in demonstrating eligibility for funding and in providing data necessary to determine LEA and SEA allocations under the programs; (3) facilitate the process by which the Department makes awards; and (4) ensure that SEAs and LEAs receive their funds on a timely basis. SEAs should submit the data electronically on the Excel spreadsheet referenced above.

Although the legislation states that ADA data are to be submitted by March 1, given that this is the first year of the program and that the period of time between the date of enactment of the legislation and the ADA submission date is so short, the Department is extending the deadline for submission of ADA data for this year. The Department will permit States to submit, through April 1, 2002, ADA and other data that the Department needs to determine eligibility and allocations under the rural education programs. All of the relevant data are specified on the Excel spreadsheet and accompanying instructions. To avail itself of this extension, an SEA must notify the Department by March 1, 2002, that it cannot submit the applicable data by March 1, but that it will provide this information by April 1, 2002 or an earlier specified date.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Lovett, Group Leader. Telephone: (202) 401–0039 or via Internet: charles.lovett@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this notice in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed above.

Electronic Access To This Document: You may view this document, as well as other Department of Education documents published in the **Federal Register** in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *www.ed.gov/legislation/FedRegister/.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll-free, at 1–888–293–6498; or in the Washington DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official version of the **Federal Register** and the Code of Federal Regulations is available on GPO access at: *http://www.access.gpo.gov/nara/index.html.*

Program Authority: Sections 6201 through 6234 of the ESEA, as amended by the No Child Left Behind Act of 2001 (Pub. L. 107–110).

Dated: February 15, 2002.

Susan B. Neuman,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 02–4234 Filed 2–20–02; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER02–602–000, ER02–371–001, ER01–2658–000, ER01–2977–000 and ER01–2980–000]

American Electric Power Service Corporation; Notice of Initiation of Proceeding and Refund Effective Date

February 15, 2002.

Take notice that on February 14, 2002, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. ER02–371–001 under section 206 of the Federal Power Act.

The refund effective date in Docket No. ER02–371–001 will be 60 days after

publication of this notice in the **Federal Register**.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4165 Filed 2–20–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–919–001, et al.]

Engage Energy America LLC, et al.; Electric Rate and Corporate Regulation Filings

February 13, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Engage Energy America LLC

[Docket No. ER01–919–001]

Take notice that on February 8, 2002, Engage Energy America LLC (Engage America) filed a notice of change of status and a Code of Conduct respecting Engage America's pending affiliation with Duke Energy Corporation.

Comment Date: March 1, 2002.

2. Cinergy Services, Inc.

[Docket No. ER01–3022–002]

Take notice that on February 8, 2002, Cinergy Services, Inc. (Cinergy) tendered for filing a Substitute First Revised page 3 and a Substitute First Revised Attachment A of an unexecuted Interconnection Agreement filed January 25, 2002 in this docket. The Substitute First Revised page 3 and Substitute First Revised Attachment A corrects a corporate name mistakenly referenced in the originally filed version.

Consistent with the Commission's October 26, 2001 Order in this Docket, Cinergy requests an effective date of September 8, 2001 for the Substitute First Revised page 3 and Substitute First Revised Attachment A.

Cinergy states that it has served a copy of its filing upon the Indiana Utility Regulatory Commission and Sugar Creek Energy, LLC.

Comment Date: March 1, 2002.

3. Duquesne Light Company

[Docket No.ER02–995–000]

Take notice that on February 11, 2002 Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

4. Duquesne Light Company

[Docket No. ER02–996–000]

Take notice that on February 11, 2002, Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

5. Southern Indiana Gas & Electric Company

[Docket No. ER02–997–000]

Take notice that on February 11, 2002, Southern Indiana Gas & Electric Company (SIGECO), tendered for filing an unexecuted Service Agreement for Generator-Related Ancillary Services between SIGECO and Midwest Independent Transmission System Operator, Inc. (Midwest ISO) under SIGECO's FERC Electric Tariff, Second Revised Volume No. 3.

SIGECO respectfully requests that the Service Agreement become effective on February 1, 2002, the date service commenced. Copies of the filing were served upon the above-mentioned company and the Indiana Utility Regulatory Commission.

Comment Date: March 4, 2002.

6. Central Power and Light Company Public Service Company of Oklahoma Southwestern Electric Power Company West Texas Utilities Company

[Docket Nos. OA97–24–007, ER97–881–004, ER98–4609–004 and ER98–4611–005]

Take notice that on February 8, 2002, Central Power and Light Company, Public Service Company of Oklahoma, Southwestern Electric Power Company and West Texas Utilities Company (collectively, the Companies) submitted for filing with the Federal Energy Regulatory Commission (Commission) revised pages to their open access transmission service tariff in compliance with the Commission's November 8, 2001 order in the above-captioned proceedings.

The Companies state that a copy of the filing has been served on all parties to this proceeding, all customers under the tariff and the Public Utility Commission of Texas, the Louisiana Public Service Commission, the Arkansas Public Service Commission and the Oklahoma Corporation Commission.

Comment Date: March 1, 2002.

Standard Paragraph:

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 this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket#'' and follow the instructions (call 202–208–2222 for assistance). Comments, protests and interventions 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 under the ''e-Filing'' link.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4164 Filed 2–20–02; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. II–2000–01, 02, 03; FRL–7148–6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permits for the Albert Einstein College of Medicine at Yeshiva University; Action Packaging Corporation; and Kings Plaza Total Energy Plant

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final orders on petitions to object to three State operating permits.

SUMMARY: This document announces that the EPA Administrator has responded to several citizen petitions asking EPA to object to operating permits issued to three facilities by the

New York State Department of Environmental Conservation (NYSDEC). Specifically, the Administrator has denied a petition submitted by the New York Public Interest Research Group (NYPIRG) to object to the State operating permit issued to the Albert Einstein College of Medicine at Yeshiva University (Yeshiva), in Bronx, NY. The Administrator has partially granted and partially denied a petition submitted by NYPIRG to object to the State operating permit issued to Action Packaging Corporation (Action Packaging), in Brooklyn, NY. The Administrator has also partially granted and partially denied a petition submitted by NYPIRG to object to the State operating permit issued to Kings Plaza Total Energy Plant (Kings Plaza), in Brooklyn, NY.

Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of those portions of the petitions which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

ADDRESSES: You may review copies of the final orders, the petitions, and other supporting information at the EPA, Region 2, 290 Broadway, New York, New York 10007–1866. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Each of the final orders is also available electronically at: *http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2000.htm.*

FOR FURTHER INFORMATION CONTACT: Steven Riva, Chief, Permitting Section, Air Programs Branch, Division of Environmental Planning and Protection, EPA, Region 2, 290 Broadway, 25th Floor, New York, New York 10007–1866, telephone (212) 637–4074.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review, and object to as appropriate, operating permits proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this review period to object to State operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

I. Yeshiva

On March 15, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Yeshiva. The petition raises issues regarding the permit application, the permit issuance process, and the permit itself. NYPIRG asserts that (1) NYSDEC violated the public participation requirements of 40 CFR 70.7(h) by inappropriately denying NYPIRG's request for a public hearing; (2) the permit is based on an incomplete permit application in violation of 40 CFR 70.5(c); (3) the permit entirely lacks a statement of basis as required by 40 CFR 70.7(a)(5); (4) the permit repeatedly violates the 40 CFR 70.6(a)(3)(iii)(A) requirement that the permittee submit reports of any required monitoring at least every six months; (5) the permit distorts the annual compliance certification requirement of CAA section 114(a)(3) and 40 CFR 70.6(c)(5); (6) the permit does not assure compliance with all applicable requirements as mandated by 40 CFR 70.1(b) and 70.6(a)(1) because it illegally sanctions the systematic violations of applicable requirements during startup/shutdown, malfunction, maintenance, and upset conditions; (7) the permit does not require prompt reporting of all deviations from permit requirements as mandated by 40 CFR 70.6(a)(3)(iii)(B); and (8) the permit does not assure compliance with all applicable requirements as mandated by 40 CFR 70.1(b) and 70.6(a)(1) because many individual permit conditions lack adequate periodic monitoring and are not practically enforceable.

NYPIRG raises each of these issues in the petitions on Action Packaging and Kings Plaza, as well. In each of these petitions, the eighth issue is subdivided into several detailed points, some which are permit-specific and some which are shared among the other permits.

On January 16, 2002, the Administrator issued an order denying the petition on Yeshiva. The order explains the reasons behind EPA's conclusion that NYPIRG has failed to demonstrate that Yeshiva's permit does not assure compliance with the Act on the grounds raised.

II. Action Packaging

On April 7, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Action Packaging, on the grounds listed above. On January 16, 2002, the Administrator issued an order partially granting and partially denying the petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must reopen the permit to require adequate monitoring of the exhaust gas temperature from the facility's incinerator, and to properly address the applicable requirements of the Maximum Achievable Control Technology standard regulating air toxics from this industry. The order also explains the reasons for denying NYPIRG's remaining claims.

III. Kings Plaza

On May 5, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Kings Plaza on the grounds listed above. On January 16, 2002, the Administrator issued an order partially granting and partially denying the petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must reopen the permit to properly reference the facility's plan for complying with the Reasonably Available Control Technology requirements for nitrogen oxides (NO_X), and resolve discrepancies in the monitoring for NO_X. The order also explains the reasons for denying NYPIRG's remaining claims.

Dated: February 11, 2002.

Jane M. Kenny,

Regional Administrator, Region 2.

[FR Doc. 02–4258 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[CA071–NOA; FRL–7148–5]

Adequacy Status for Transportation Conformity Purposes of the Motor Vehicle Emissions Budgets in the San Francisco Bay Area Ozone Attainment Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy status.

SUMMARY: In this notice, EPA is notifying the public that it has found the motor vehicle emissions budgets in the submitted San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard (adopted October 24, 2001) are adequate for transportation conformity purposes.

DATES: The adequacy finding is effective March 8, 2002.

FOR FURTHER INFORMATION CONTACT: This notice, the findings letter and its enclosures (giving the basis for the adequacy finding and responses to public comments) are available on EPA's conformity web site: *http://www.epa.gov/otaq/traq,* (once there, click on the ''Conformity'' button, then

look for ''Adequacy Review of SIP Submissions for Conformity''). You may also contact Ginger Vagenas, U.S. EPA, Region IX, Air Division AIR–2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 972–3964 or *vagenas.ginger@epa.gov.*

SUPPLEMENTARY INFORMATION:

Note: In this document, ''we,'' ''us'' and ''our'' refer to EPA.

Today's notice is an announcement of a finding that we have already made. On February 14, 2002, EPA Region IX sent a letter to the California Air Resources Board (CARB), stating that motor vehicle emission budgets in the San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard (revised September 2001 and submitted by CARB on November 30, 2001) are adequate for transportation conformity purposes. These budgets are for the year 2006 and are 164.0 tons per day of volatile organic compounds (VOC) and 270.3 tons per day of nitrogen oxides (NO_X).

Transportation conformity is required by section 176(c) of the Clean Air Act (CAA). Our conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). An adequacy review is separate from the SIP completeness review required by CAA section 110(k)(1). In addition, it should not be used to prejudge our ultimate action on the SIP. Even when we find budgets in a SIP adequate for transportation conformity purposes, we may still later disapprove the SIP.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled ''Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision''). We followed this guidance in making our adequacy determination.

Dated: February 14, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4259 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7146–2]

Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of documents availability and request for public comments.

SUMMARY: The Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2000 is available for public review. Annual U.S. emissions for the period of time from 1990–2000 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFC), perflourocarbons (PFC), and sulfur hexaflouride (SF6) emissions. The inventory includes estimates of carbon sequestration in U.S. forests and, new this year, an updated assessment of emissions from the electric power industry. The technical approach used in this report to estimate emissions and sinks for greenhouse gases is consistent with the methodologies recommended by the Intergovernmental Panel on Climate Change (IPCC) and reported in a format consistent with the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines. The Inventory of U.S. Greenhouse Gas Emissions and Sinks is the latest in a series of annual U.S. submissions to the Secretariat of the UNFCCC.

DATES: Comments must be submitted on or before March 25, 2002.

ADDRESSES: Comments should be submitted to Mr. Michael Gillenwater at: Environmental Protection Agency, Clean Air Markets Division (6204N), 1200 Pennsylvania Ave., NW., Washington, DC 20460, Fax: (202) 565–6673. You are welcome and encouraged to send an email with your comments to *Gillenwater.Michael@epa.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Michael Gillenwater, Environmental Protection Agency, Office of Air and Radiation, Office of Atmospheric Programs, Clean Air Markets Division, (202) 564–4092, *Gillenwater.Michael@epa.gov.*

SUPPLEMENTARY INFORMATION: The draft reports can be obtained by visiting the U.S. EPA's global warming site at *http://www.epa.gov/globalwarming/publications/emissions/.*

Dated: February 11, 2002.

Robert Brenner,

Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 02–3772 Filed 2–15–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7148–1]

Notice of Proposed Administrative Cost Recovery Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (''CERCLA''), notice is hereby given of a proposed administrative cost recovery settlement under section 122(h)(1) of CERCLA concerning the Geneva City Dump site in Geneva, Ohio which was signed by the EPA Superfund Division Director, Region 5, on February 7, 2002. The settlement resolves an EPA claim under section 107(a) of CERCLA against the City of Geneva. The settlement requires the City of Geneva to pay to the Hazardous Substances Superfund $160,000 in two payments. The first 50% payment is due within 30 days of the effective date of the settlement. The second 50% payment is due within one year of the effective date of the settlement or before March 31, 2003, whichever is earlier.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois.

DATES: Comments must be submitted on or before March 25, 2002.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection at the Superfund

Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. A copy of the proposed settlement may be obtained from the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. Comments should reference the Geneva City Dump site and EPA Docket No. V–W–02–C–676 and should be addressed to Randa Bishlawi, Associate Regional Counsel, 77 West Jackson Boulevard (C–14J), Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Randa Bishlawi, Associate Regional Counsel, 77 West Jackson Boulevard (C–14J), Chicago, Illinois 60604.

Dated: February 7, 2002.

Thomas W. Mateer,

Acting Director, Superfund Division, Region 5.

[FR Doc. 02–4141 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

EXPORT IMPORT BANK OF THE UNITED STATES

Committee Management; Notice of Establishment

AGENCY: Export Import Bank of the United States.

ACTION: Notice of establishment of Advisory Committee.

SUMMARY: The President and Chairman of the Export-Import Bank of the United States (''Ex-Im Bank'') has determined that the establishment of the Advisory Committee on Renewable Energy Exports (''Committee'') is necessary and in the public interest in connection with the mission of the Ex-Im Bank, pursuant to sections 2(b)(1)(C) and 11(b) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635 (b)(1)(C) and 635i–5(b)). This determination follows consultation with the Committee Management Secretariat, General Services Administration.

The Committee will consist of twelve members who will provide advice and recommendations to Ex-Im Bank concerning non-nuclear renewable energy exports. Ex-Im Bank will achieve balanced membership on the Committee by inviting a broad cross-section of parties with an interest in renewable energy exports to serve on the Committee. The Committee will operate on a continuing basis.

ADDRESSES: Export Import Bank of the United States, 811 Vermont Ave., NW., Washington, DC 20571.

FOR FURTHER INFORMATION CONTACT: James Lambright, Export Import Bank of the United States at (202) 565–3515.

Dated: February 11, 2002.

James Lambright,

Committee Management Officer.

[FR Doc. 02–4136 Filed 2–20–02; 8:45 am]

BILLING CODE 6690–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that at 2:35 p.m. on Friday, February 15, 2002, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's resolution activities.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Director, Office of Thrift Supervision), seconded by Director John M. Reich (Appointive), and concurred in by Director John D. Hawke, Jr. (Comptroller of the Currency), and Chairman Donald E. Powell, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Board Room of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

Dated: February 19, 2002.

Federal Deposit Insurance Corporation.

James D. LaPierre,

Deputy Executive Secretary.

[FR Doc. 02–4282 Filed 2–19–02; 2:40 pm]

BILLING CODE 6714–01–M

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting Notice

DATE & TIME: *Tuesday, February 26, 2002 at 10:00 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 28, 2002, 10:00 A.M.*

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED: Correction and Approval of Minutes.

Final Rules and Explanation and Justification for Independent Expenditure Reporting.

Updated Regulations Priorities.

PERSON TO CONTACT FOR INFORMATION: Mr. Ron Harris, Press Officer, Telephone: (202) 694–1220.

Mary W. Dove,

Secretary of the Commission.

[FR Doc. 02–4317 Filed 2–19–02; 2:40 pm]

BILLING CODE 6715–01–M

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, NW., 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.: 011261–007.

Title: ACL/Wallenius Wilhelmsen Lines Agreement.

Parties: Atlantic Container Line AB, Wallenius Wilhelmsen Lines AS.

Synopsis: The amendment deletes several ports from its scope, makes a change in withdrawal conditions, and restates the agreement.

Dated: February 15, 2002.

By Order of the Federal Maritime Commission.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02–4189 Filed 2–20–02; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 6, 2002.

A. Federal Reserve Bank of Atlanta (Cynthia C. Goodwin, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309–4470:

1. Mr. Edward B. Middleton, Plaquemine, Louisiana; to acquire additional voting shares of Citizens Bancorporation, Inc., Plaquemine, Louisiana, and thereby indirectly acquire additional voting shares of Citizens Bank & Trust Company, Plaquemine, Louisiana.

Board of Governors of the Federal Reserve System, February 14, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4114 Filed 2–20–02; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 18, 2002.

A. Federal Reserve Bank of Minneapolis (Julie Stackhouse, Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. Marshall Bancorp, Inc., Minneapolis, Minnesota; to become a bank holding company by acquiring 100 percent of the voting shares of Norkitt Bancorp, Inc., Hallock, Minnesota, and thereby indirectly acquire Northwestern State Bank of Hallock, Hallock, Minnesota.

B. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. First Community Capital Corporation, Houston, Texas; to acquire 100 percent of the voting shares of The Express Bank, Houston, Texas.

Board of Governors of the Federal Reserve System, February 14, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4113 Filed 2–20–02; 8:45 am]

BILLING CODE 6210–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 02003]

Community-Based Participatory Prevention Research; Notice of Availability of Funds

A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2002 funds for a grant program for the Office of Extramural Prevention Research. This program addresses the ''Healthy People 2010'' focus area, Educational and Community-Based Programs. It is also related to the Department of Health and Human Services Strategic Plan Goal 6: ''Strengthen the nation's health sciences research enterprise and enhance its productivity through the Prevention Research Initiative.''

The purpose of the program is to stimulate investigator-initiated participatory research on community-based approaches to prevention. Findings from these projects should advance the practice of public health and policy in order to promote health and reduce disease, disability, and injury. Specifically, this announcement seeks to support multi-disciplinary, multi-level, participatory research that will enhance the capacity of communities and population groups to address health promotion and the prevention of disease, disability and injury.

Multi-level research involves interventions directed at two or more levels, such as individual, family, neighborhood, organizational, broader community (*e.g.,* city, county, state), environmental and/or policy or legislative levels. Community refers to populations that may be defined by geography, race, ethnicity, gender, sexual orientation, or disability or other health conditions, or to groups that have a common interest or cause, such as health or service agencies and organizations, practitioners, policy makers, or lay public groups with public health concerns.

Participatory research involves collaboration with the community being studied, at least in formulating the research questions and in interpreting and applying research findings, and, if the community so chooses, in selecting methods and analyzing data. This announcement is not limited to any particular model of participatory research.

While the direction of the research must be guided by the expressed needs and interests of the community engaged in the study, this program is especially targeted to supporting cross-cutting research (i.e., research that considers interventions or methods that would now or in the future be applicable to more than one health condition).

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, State and local governments or their bona fide agents, including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, federally recognized Indian tribal governments, Indian tribes, or Indian tribal organizations.

Note: Title 2 of the United States Code section 1611 states that an organization described in section 501(c)(4) of the Internal Revenue Code that engages in lobbying activities is not eligible to receive Federal funds constituting an award, grant, or loan.

Additional applicant requirements are:

1. A principal investigator who has conducted research, published the findings in peer-reviewed journals, and has specific authority and responsibility to carry out the proposed project.

2. Demonstrated experience (on the applicant's project team) in conducting, evaluating, and publishing prevention research in peer-reviewed journals.

3. Effective and well-defined working relationships within the performing organization and with partnering communities (including public health agencies) that will ensure implementation of the proposed activities.

4. The overall match between the applicant's proposed theme and research objectives, and the program's interests as described under the heading ''Programmatic Interests.''

C. Availability of Funds

Approximately $13,000,000 is available in FY 2002 to fund approximately 30 awards. It is expected that the average award will be $450,000, ranging from $400,000 to $500,000. It is expected that the awards will begin on or about September 30, 2002, and will be made for a 12-month budget period within a project period of up to three years. Funding estimates may change.

Continuation awards within an approved project period will be made on the basis of satisfactory progress as evidenced by required reports and the availability of funds.

D. Program Requirements

1. Recipient Requirements

In conducting activities to achieve the purpose of this program, the recipient will be responsible for the following activities:

Specifically, because these projects are participatory and community-based and embrace both research and its application, program applicants are expected to maximize opportunities for information exchange between institutional researchers and community members (even if the institutional researchers are also community members). Additionally, applicants are required to provide ''Measures of Effectiveness'' that will demonstrate the accomplishment of the various identified objectives of the grant. Measures must be objective/quantitative and must measure the intended outcome. These Measures of Effectiveness (1) shall be submitted with the application and shall be an element of evaluation, and (2) shall be a data requirement to be submitted with or incorporated into the periodic progress reports. As part of this program, applicants must generate, on at least an annual basis, reports for community members that describe progress, community input and involvement, research project implementation, and relevant findings. Such reports must use plain language and accessible formats (*e.g.,* print, Web, and readable from the Web by assistive technology, as specified by section 508 of the Workforce Rehabilitation Act), so as to be easily comprehended and critiqued by community members. Applicants must budget for production and broad dissemination of such reports.

2. Programmatic Interests

Prevention research can be divided into phases that extend from (a) basic and descriptive research, to (b) intervention development and testing for efficacy and effectiveness, through (c) research on dissemination, translation to other populations or health issues, and implementation of interventions found to be effective, to (d) research on development and maintenance of supportive policies and environments, to (e) research to develop and validate surveillance and evaluation methods and other mechanisms to monitor the health of the public and the quality and impact of public health programs, services, or other interventions. The main foci of this announcement are items (c), (d), and (e).

Applicants should use the Guide to Community Preventive Services[1] as documentation of the need to test effectiveness of a specific population-based public health intervention. Applicants should also consult guidelines on participatory research, such as those provided at *http://www.ihpr.ubc.ca/guidelines.html,* and the campus-community partnership principles at *http://futurehealth.ucsf.edu/ccph/principles.html#principles.*

Multi-disciplinary, multi-level, participatory research into prevention approaches that address complex health issues common to communities and population groups might include (but are not limited to) descriptive, methodological, experimental, or quasi-experimental studies such as:

a. Research on how to enhance working relationships between researchers and community organizations (representing practitioners, policy makers, or diverse lay public groups with public health concerns), to promote appropriate, tailored, and effective public health practice and/or the development or enforcement of sound public health law or policy. For example, a descriptive retrospective case study might examine the factors that appear to account for the successful or unsuccessful efforts of one or more communities in forming coalitions to bring about changes in local ordinances related to providing healthful food choices in cafeterias and vending machines in public schools. A quasi-experimental study might compare multiple community coalitions prospectively as they undertake such efforts with or without state or federal support. A methodological study might aim to identify and validate objective indicators of successful and unsuccessful community coalitions for use in survey instruments, surveillance, or evaluation.

b. Research on combining previously tested elements to produce multi-component, multi-level interventions that can improve health outcomes more efficiently; address social, environmental, and economic determinants of health; and/or reach more diverse populations.

c. Research on disseminating, translating (adapting), and applying effective, locally appropriate, and affordable interventions within or across communities defined by geography, interests, profession, race, ethnicity, gender, sexual orientation, or other health condition.

d. Research on developing new methods for enhancing surveillance, needs assessments, setting of priorities, program delivery, monitoring, evaluation, dissemination of information, translation of research, and/or distance learning including new uses of information technology.

e. Research on how to increase productive participation of practitioners, policy makers, citizens and/or lay leaders in defining the

[1] Task Force on Community Preventive Services. Introducing the Guide to Community Preventive Services: Methods, first recommendations, and expert commentary. American Journal of Preventive Medicine 2001;18(1S).

research questions, conducting and analyzing the research, and interpreting and applying the research findings.

f. Research on how to build the capacity of organizations to mobilize community resources to achieve disease and disability prevention and health promotion.

g. Research on how to strengthen public health systems and services, public health infrastructure, and the community's readiness to respond effectively to threats or occurrences of disaster.

h. Research on institutionalizing or sustaining programs and/or collaborative relationships beyond their demonstration funding.

E. Content

1. Letter of Intent (LOI)

A non-binding LOI is requested for this program. The narrative should be no more than one, double-spaced page, printed on one side, with one inch margins, and unreduced font. It should identify the announcement number, name of the proposed project director, name of the organization, descriptive title of the proposed research, and a brief description of the proposed project. Your letter of intent will be used to allow CDC to determine the level of interest in the announcement and to plan the review more efficiently.

2. Applications

Use the information in the Program Requirements, Other Requirements, and Evaluation Criteria sections of this announcement to develop the application content. 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 25 double-spaced pages, printed on one side, with one inch margins, and unreduced font.

The grant applications should include:

a. Justification of the research needs and explanation of the scientific basis for the research, the expected outcome, and the relevance of the findings to preventing disease, injury, and disability, and promoting health.

b. Specific, measurable, and explicitly scheduled objectives.

c. A detailed plan describing the methods by which the objectives will be achieved, including their sequence. A comprehensive evaluation plan is an essential component of the application.

d. A description of the roles and responsibilities of the principal investigator and all co-investigators.

e. A description of all project staff and their roles in the proposed research, regardless of their funding source. The description should include their titles, qualifications, experience, and responsibilities in the proposed research; percentage of time each will devote to the research; and the portion of their salaries to be paid by the grant.

f. A description of any activities related to, but not supported by, the grant.

g. A description of how the specified community groups, organizations, and other entities will be involved in the proposed research. The description should include a clear statement of their roles. Letters of support from each group, organization, and entity should be included in the Appendices.

h. A detailed first year's budget for the grant with projections for two additional years, if applicable.

The original application must include specific salary and fringe benefit amounts for individuals; however, applicant organizations have the option of omitting specific salary and fringe benefit amounts for individuals from the copies of the application that are made available to outside reviewing groups. To exercise this option: On the original and five copies of the application, the applicant must use asterisks to indicate those individuals for whom salaries and fringe benefits are not shown, but the subtotals must still be shown.

F. Submission and Deadline

Letter of Intent (LOI)

On or before March 20, 2002, submit the requested LOI to the Grants Management Specialist identified in the ''Where to Obtain Additional Information'' section of this announcement.

Application

Submit the original and five copies of PHS–398 (OMB Number 0925–0001) (adhere to the instructions on the Errata Instruction Sheet for PHS 398). Forms are available in the application kit and at the following Internet address: *www.cdc.gov/od/pgo/forminfo.htm.*

In addition to sending the original and five copies of the proposal, please also enclose a copy of the proposal on a 3.5 diskette in WordPerfect, Word, or ASCII format. If you have access to an electronic version of PHS–398 (OMB Number 0925–0001), please include electronic forms on the diskette. If you do not have access or capability to use an electronic version, please ensure that the following items in narrative format are included on your diskette: Abstract, Biographical Sketches, Research Plan (items A–I as required in PHS–398), and Other Support Pages. Label the diskette with your name, operating system, software, and proposal title (example: John Doe, DOS, WordPerfect 6, Engaging the Community in Securing Emergency Preparedness). If the title is too long, please truncate.

On or before April 30, 2002, 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:

1. Received on or before the deadline date; or

2. 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 which do not meet the criteria in 1.or 2. above will be returned to the applicant.

G. Evaluation Criteria

Application

Upon receipt, applications will be reviewed by CDC staff to assure that they are complete and comply with the section on Eligible Applicants. Incomplete applications and applications that are not in compliance will be returned to the applicant without further consideration. Applications that are complete and in compliance will be further evaluated by a dual peer review process.

The First Stage of the Peer Review Process

In the first stage of this process, applications will be evaluated by a Special Emphasis Panel (SEP) of researchers external to CDC who are known for their expertise in prevention research and participatory research.

Each application will be subjected initially to a streamlined review by the SEP to determine if the application is of sufficient technical and scientific merit to warrant further review. Applications judged to be noncompetitive will be withdrawn from further consideration and CDC will promptly notify the principal investigator/program director and the official signing for the applicant organization.

Competitive applications will undergo full review by the SEP and will be scored against the following criteria:

1. *Significance*—Does this study address an important problem related to

the research goals outlined in the Purpose and Programmatic Interests sections of this document? If the aims of the application are achieved, how would scientific knowledge be advanced? What would be the effect of this study on the concepts and methods that drive this field?

2. *Approach*—Are the conceptual framework, design (including composition of study population), methods, and analyses adequately developed, well-integrated, and appropriate to the aims of the project? Does the applicant acknowledge potential problem areas and consider alternative tactics?

3. *Innovation*—Does the project employ novel concepts, approaches, or methods? Are the aims original and innovative? Does the project challenge existing paradigms or develop new methodologies that can serve as models for future research?

4. *Investigator*—Is the investigator appropriately trained and well suited to carry out this work? Is the work proposed appropriate to the experience level of the principal investigator and other researchers, if any?

5. *Environment*—Does the scientific environment in which the work will be done contribute to the probability of success? Do the proposed experiments take advantage of unique features of the scientific environment or employ useful collaborative arrangements? Is there documentation of cooperation from necessary participants in the project, where applicable? Is there evidence of institutional support and availability of resources necessary to perform the project?

6. *Human Subjects*—If human subjects are involved, does the applicant adequately address the requirements of 45 CFR part 46 for the protection of human subjects? (Not scored; however, an application can be disapproved if the research risks are sufficiently serious and protection against risks is so inadequate as to make the entire application unacceptable.)

7. The degree to which the applicant has met the CDC Policy requirements regarding the inclusion of women, ethnic, and racial groups in the proposed research. This includes:

a. The proposed plan for the inclusion of both sexes and racial and ethnic minority populations for appropriate representation.

b. The proposed justification when representation is limited or absent.

c. A statement as to whether the design of the study to measure differences when warranted.

d. A statement as to whether the plans for recruitment and outreach for study participants include the process of establishing partnerships with community(ies) and recognition of mutual benefits.

8. In addition to the above criteria, all applications will be reviewed with respect to the following:

a. Extent of community sanction/liaison. Rationale for selection of the targeted community and documentation of health needs and risk factors. Evidence of access to, interaction with, and participation of the community in development and conduct of the project. Establishment of collaborative interactions among all project participants. Extent to which the design demonstrates sensitivity to cultural and socioeconomic factors in the community where the public health program or problem resides.

b. Demonstration of effective communication channels between researchers and the community.

c. Plans for useful and practical dissemination of project activities and findings within the affected program(s). Active involvement of at least one community partner is a minimal requirement for responsiveness to this program announcement.

d. Appropriateness of the proposed budget, including that of the community partner(s), and project duration in relation to the project's objectives.

e. Attempt to reduce health disparities by targeting various socioeconomic, racial, and ethnic groups.

The Second Stage of the Peer Review Process A second programmatic review will be conducted by a chartered committee or a panel of senior federal officials. Awards will made based on the priority score ranking determined by the peer review panel and the availability of funds.

H. Other Requirements

Technical Reporting Requirements

Provide CDC with original plus two copies of

1. Annual progress reports. These reports should be a maximum of five pages in length and should include a discussion, in plain language, of any changes made to the research plan from the funded proposal, progress to date, community input and involvement, project implementation, and relevant findings.

2. Annual ''Measures of Effectiveness'' reports for CDC. Annual reports that describe and evaluate progress toward objective/quantitative measures of effectiveness that demonstrate the accomplishment of the various identified objectives of the grant. These reports should be submitted to CDC with the annual progress reports.

3. Annual (or more frequent) reports for community members that describe progress, community input and involvement, project implementation, and relevant findings. Such reports must be in plain language and accessible formats, so as to be easily comprehended and critiqued by community members. These reports should be submitted to CDC with the annual progress reports.

4. Financial status report, no more than 90 days after the end of each budget period; and

5. Final financial and performance reports, no more than 90 days after the end of the project period.

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 of the announcement.

AR–1 Human Subjects Requirements
AR–2 Requirements for Inclusion of Women and Racial and Ethnic Minorities in Research
AR–4 HIV/AIDS Confidentiality Provisions
AR–5 HIV Program Review Panel Requirements
AR–7 Executive Order 12372 Review
AR–8 Public Health System Reporting Requirements
AR–10 Smoke-Free Workplace Requirements
AR–11 Healthy People 2010
AR–12 Lobbying Restrictions
AR–15 Proof of Non-Profit Status
AR–22 Research Integrity

I. Authority and Catalog of Federal Domestic Assistance Number

This program is authorized under section 301 of the Public Health Service Act, [42 U.S.C. 241], as amended. The Catalog of Federal Domestic Assistance number is 93.283.

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 770–488–2740. You will be asked to leave your name and address and will be instructed to identify the Program Announcement number of interest.

If you have questions after reviewing the contents of all the documents, business management technical assistance may be obtained from:

Juanita Crowder, Grants Management Specialist, Grants Management Branch, Procurement and Grants Office, Centers for Disease Control and Prevention, 2920 Brandywine Road, Room 3000, Atlanta, GA 30341, Telephone number 770–488–2734, E-mail address: *jcrowder@cdc.gov.*

For program technical assistance, contact: Cheryl A. Coble, Program Analyst, Office of Extramural Prevention Research, Public Health Practice Program Office, Centers for Disease Control and Prevention, 4770 Buford Highway, MS K–56, Atlanta, GA 30341, Telephone number 770–488–8027, E-mail address: *ccoble@cdc.gov.*

Dated: February 14, 2002.

Rebecca B. O'Kelley,

Chief, International Grants and Contracts Branch, Procurement and Grants Office, Centers for Disease Control and Prevention (CDC).

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Notice No. ACF/ACYF/RHYP 2002–02]

Notice of Availability of Financial Assistance and Request for Applications for the Runaway and Homeless Youth Programs

AGENCY: Family and Youth Services Bureau, Administration on Children, Youth and Families, ACF, HHS.

ACTION: This Notice announces the availability of financial assistance and request for applications for the FY 2002 Basic Center Program for Runaway and Homeless Youth (BCP), FY 2002 and 2003 Transitional Living Program (TLP) and FY 2002 Training and Technical Assistance (T&TA) Cooperative Agreements.

This Notice announces the availability of the full official Program Announcement for Fiscal Year 2002 Basic Center Program for Runaway and Homeless Youth (BCP), FY 2002 and 2003 Transitional Living Program (TLP) and FY 2002 Training and Technical (T&TA) Assistance Cooperative Agreements. The full official announcement must be used to apply for grant funding under the competitive grant areas and is available by calling or writing the ACYF Operations Center (address below) or by downloading the announcement from the FYSB website at *http://www.acf.dhhs.gov/programs/fysb.*

Legislative Authority: The Runaway and Homeless Youth Act (RHY Act) as amended by PL 106–71 authorizes grants for Runaway and Homeless Youth programs.

Deadlines: The deadline for RECEIPT of applications for a new grant under this announcement is:

CFDA#	Programs	Deadline dates	Deadline times
93.623	Basic Center Program	May 3, 2002	4:30 p.m. (EDT)
93.623	Training and Technical Assistance Cooperative Agreements	May 3, 2002	4:30 p.m. (EDT)
93.550	Transitional Living Program (Fiscal Year 2002 Funding)	May 10, 2002	4:30 p.m. (EDT)
93.550	Transitional Living Program (Fiscal Year 2003 Funding)	May 10, 2002	4:30 p.m. (EDT)

Mailing and Delivery Instructions: Applications must be in hard copy. Mailed applications and applications hand delivered (by applicants, applicant couriers, overnight/express mail couriers or any other method of hand delivery) shall be considered as meeting an announced deadline if they are received on or before the deadline, at the following address: ACYF Operations Center, 1815 North Fort Myer Drive, Suite 300, Arlington, VA 22209, Telephone: 1–800–351–2293, Email: FYSB@lcgnet.com.

Applications may be hand delivered to the above address between the hours of 8 a.m. and 4:30 p.m. (EDT), Monday through Friday (excluding Federal Holidays).

Applicants are responsible for mailing and delivering applications well in advance of deadlines to ensure that the applications are received on time. Applications received after 4:30 p.m. (EDT) on the deadline date will be classified as late. Postmarks and other similar documents do not establish receipt of an application.

ACF will not accept applications delivered by fax or e-mail regardless of date or time of submission and receipt.

Late Applications: Applications which do not meet the criteria stated above and are not received by the deadline date and time are considered late applications. The Administration for Children and Families (ACF) will notify each late applicant that its application will not be considered in the current competition.

Extension of Deadline. ACF may extend an application deadline for applicants affected by acts of God such as floods and hurricanes, or when there is widespread disruption of the mail service, or for other disruptions of services, such as a prolonged blackout, that affect the public at large. A determination to waive or extend deadline requirements rests with the Chief Grants Management Officer.

SUPPLEMENTARY INFORMATION: Grant awards for FY 2002 funds will be made by September 30, 2002 for the Basic Center Program and Training and Technical Assistance Cooperative Agreement and Transitional Living Program. Transitional Living Program Fiscal Year 2003 grant awards will be made after September 30, 2002.

The estimated funds available for new starts and the approximate number of new grants that may be awarded under this program announcement are as follows:

Competitive grant area	New start funds available	Estimated number of new grants
A. BCP	$9,700,000	100
*B. TLP	19,000,000 (FY 2002)	100
TLP	11,200,000 (FY 2003)	60

Competitive grant area	New start funds available	Estimated number of new grants
C. T&TA	2,000,000	10

* All information stated in the full official program announcement under Transitional Living Program, CFDA #93.550, Competitive Area B, is applicable to grant applications submitted for TLP Fiscal Year 2002 funds and TLP Fiscal Year 2003 funds.

In addition to the new start grants, the Administration for Children and Families has provided for noncompetitive continuation funds to current grantees in the following programs:

Grant areas	Noncompetitive continuation funds	Number of grants
A. BCP	$32,105,587	270
B. TLP	7,405,040	37

Part I. Competitive Grant Areas and Summaries of Evaluation Criteria

Applicants must refer to the specific evaluation criteria for each competitive area contained in the official Program Announcement in order to adequately prepare their applications.

A. Basic Center Program, CFDA#93.623 (Competitive Grant Area A)

Program Purpose, Goals and Objectives: The purpose of Part A of the RHY Act is to establish or strengthen locally-controlled, community-based programs that address the immediate needs of runaway and homeless youth and their families. Services must be delivered outside of the law enforcement, child welfare, mental health and juvenile justice systems. The program goals and objectives of the Basic Center Program of Part A of the RHY Act are to:

- Alleviate problems of runaway and homeless youth;
- Reunite youth with their families and encourage the resolution of intra-family problems through counseling and other services;
- Strengthen family relationships and encourage stable living conditions for youth; and
- Help youth decide upon constructive courses of action.

Background: The Runaway and Homeless Youth Act of 1974 was a response to widespread concern regarding the alarming number of youth who were leaving home without parental permission, crossing State lines and who, while away from home, were exposed to exploitation and other dangers of street life.

Each Basic Center program is required to provide outreach to runaway and homeless youth; temporary shelter for up to fifteen (15) days; food; clothing; individual, group and family counseling; aftercare and referrals, as appropriate. Basic Center programs provide services in residential settings for at least four (4) youth and no more than twenty (20). Some programs also provide some or all of their shelter services through host homes (usually private homes under contract to the centers), with counseling and referrals being provided from a central location. Basic Center programs shelter youth at risk of separation from the family who are less than 18 years of age and who have a history of running away from the family and runaway and homeless youth under the age of 18. Basic Centers must provide age-appropriate services or referrals for homeless youth ages 18–21.

The primary presenting problems of youth who receive shelter and non shelter services through FYSB-funded Basic Centers include: (1) Conflict with parents or other adults, including physical, sexual and emotional abuse; (2) other family crises such as divorce, death, or sudden loss of income; and (3) personal problems such as drug use, problems with peers, school attendance and truancy, bad grades, inability to get along with teachers and learning disabilities.

Eligible Applicants: Any State, unit of local government, (and combination of such units) are eligible to apply for Basic Center Program funding. Any private nonprofit agency, organization or institution is eligible to apply for these funds. Federally recognized Indian Tribes are eligible to apply for Basic Center grants. Indian Tribes that are not federally recognized and urban Indian organizations are also eligible to apply for grants as private, nonprofit agencies. Faith-based organizations and small community-based organizations are eligible to apply for Basic Center grants.

Current Basic Center grantees with project periods ending on or before September 30, 2002, and all other eligible applicants not currently receiving Basic Center funds may apply for a new competitive Basic Center grant under this announcement.

Current Basic Center Program grantees (including subgrantees) with one or two years remaining on their current grant and the expectation of continuation funding in FY 2002 may not apply for a new Basic Center grant for the community they currently serve. These grantees will receive instructions from their respective ACF Runaway and Homeless Youth Regional Office contacts on the procedures for applying for noncompetitive continuation grants. Current grantees, who have questions regarding their eligibility to apply for new funds, should consult with the appropriate Regional Office Youth Contact, listed in Part V, Appendix B of the full official program announcement, to determine if they are eligible to apply for a new grant award.

Funding: The Family and Youth Services Bureau expects to award approximately $9,700,000 for approximately 100 new competitive Basic Center Program grants. In accordance with the RHY Act, the funds will be divided among the States in proportion to their respective populations under the age of 18, according to the latest census data. A minimum of $100,000 will be awarded to each State, the District of Columbia and Puerto Rico. A minimum of $45,000 will be awarded to each of the four insular areas: Guam, American Samoa, the Commonwealth of the Northern Marianas and the Virgin Islands.

All applicants under this competitive grant area will compete with other eligible applicants in the State in which they propose to deliver services. In the event that there are insufficient numbers of applications approved for funding in any State or jurisdiction, the Commissioner of ACYF will reallocate the unused funds.

Federal Share of Project Costs: The maximum Federal share for a 3-year project period is $600,000.

Applicant Share of Project Costs: Basic Center grantees must provide a non-Federal share or match of *at least ten percent (10%)* of the Federal funds awarded. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a three-year project costing $600,000 in Federal funds (based on an award of $200,000 per 12-month budget period) must provide a match of at least $60,000 ($20,000 per budget period). Grantees will be held accountable for commitments of non-Federal resources even if over the amount of the required match. Failure to provide the amount will result in disallowance of Federal match.

Duration of Project: This announcement solicits applications for Basic Center programs of up to three years duration (36-month project periods). Initial grant awards, made on a competitive basis, will be for one-year (12-month) budget periods. Applications for noncompetitive continuation grants beyond the one-year budget periods, but within the 36-month project periods, will be entertained in

subsequent years, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

B. Transitional Living Program, CFDA#93.550 (Competitive Grant Area B)

Program Purpose, Goals and Objectives: The overall purpose of TLP for homeless youth is to establish and operate transitional living projects for homeless youth. This program is structured to help older, homeless youth achieve self-sufficiency and avoid long-term dependency on social services. Transitional living projects provide shelter, skills training, and support services to homeless youth ages 16 through 21 for a continuous period not exceeding 18 months. Transitional Living Program funds are to be used for the purpose of enhancing the capacities of youth-serving agencies in local communities to effectively address the service needs of homeless, older adolescents and young adults, including pregnant and parenting homeless youth. Goals, objectives and activities that may be maintained, improved and/or expanded through a TLP grant must include, but are not necessarily limited to:

- Providing stable, safe living accommodations while a homeless youth is a program participant;
- Providing the services necessary to assist homeless youth in developing both the skills and personal characteristics needed to enable them to live independently;
- Providing education, information and counseling aimed at preventing, treating and reducing substance abuse among homeless youth;
- Providing homeless youth with appropriate referrals and access to medical and mental health treatment;
- Providing the services and referrals necessary to assist youth in preparing for and obtaining employment; and
- Providing the services and referrals necessary to assist youth in preparing for and obtaining secondary, and where feasible, post-secondary education and/or vocational training.
- Providing the services and referrals necessary to assist pregnant and parenting homeless youth with the skills and knowledge necessary to become a more effective parent and lead productive and independent lives.

Background: It is estimated that about one-fourth of the youth served by all runaway and homeless youth programs are homeless. This means that the youth cannot return home or to another safe living arrangement with a relative. Other homeless youth have ''aged out'' of the child welfare system and are no longer eligible for foster care.

These young people are often homeless through no fault of their own. The families they can no longer live with are often physically and sexually abusive and involved in drug and alcohol abuse. They cannot meet the youth's basic human needs (shelter, food, clothing), let alone provide the supportive and safe environment needed for the healthy development of self-image and the skills and personal characteristics which would enable them to mature into a self-sufficient adult.

Homeless youth, lacking a stable family environment and without social and economic supports, are also at high risk of being involved in dangerous lifestyles and problematic or delinquent behaviors. More than two-thirds of homeless youth served by ACF-funded programs report using drugs or alcohol and many participate in survival sex and prostitution to meet their basic needs.

Homeless youth are in need of a support system that will assist them in making the transition to adulthood and independent living. While all adolescents are faced with adjustment issues as they approach adulthood, homeless youth experience more severe problems and are at greater risk in terms of their ability to successfully make the transition to self-sufficiency and to become a productive member of society.

Pregnant and parenting homeless youth are likely to face poverty, low levels of educational attainment, and long-term dependence on public assistance. Research indicates that children of teenage mothers are more likely to be born prematurely and to be of low birth weight than children born to women who are older. Compared to children born to older women, children of adolescent mothers, in general, do not do as well in school, have higher reported incidences of abuse and neglect, have higher rates of foster care placement, and are more apt to run away from home. As these children get older, the boys are 2.7 times more likely to be involved in criminal behavior, and the girls are 33 percent more likely to become teenage mothers themselves, increasing the likelihood that they will rely on public assistance.

The Transitional Living Program for Homeless Youth specifically targets services to homeless youth and affords youth service agencies with an opportunity to serve homeless youth in a manner which is comprehensive and geared towards ensuring a successful transition to self-sufficiency. The TLP also improves the availability of comprehensive, integrated services for homeless youth, which reduces the risks of exploitation and danger to which these youth are exposed while living on the streets without positive economic or social supports.

Eligible Applicants: Any State, unit of local government, (and combination of such units) are eligible to apply for Transitional Living Program funding. Any private nonprofit agency, organization or institution is eligible to apply for these funds. Federally recognized Indian Tribes are eligible to apply for Transitional Living Programs grants. Indian Tribes that are not federally recognized and urban Indian organizations are also eligible to apply for grants as private, nonprofit agencies. Faith-based organizations and small community-based organizations are eligible to apply for Transitional Living Program grants.

Current TLP grantees (including subgrantees) with project periods ending on or after September 30, 2002, are not eligible to apply for Transitional Living Program fiscal year 2002 program funding to serve the same area. All other eligible applicants not currently receiving TLP funds may apply for a new competitive TLP grant under this announcement for awards in FY 2002 and/or 2003.

(Note: An applicant applying for both FY 2002 and FY 2003 funding must submit a separate application for each fiscal year.)

Current TLP grantees (including subgrantees) with one or two years remaining on their current awards and the expectation of continuation funding in Fiscal year 2003 may not apply for a new TLP grant under this announcement. These grantees will receive instructions from their respective ACF Regional Offices on the procedures for applying for noncompetitive continuation grants. Current grantees, who have questions regarding their eligibility to apply for new funds, should consult with the appropriate Regional Office Runaway and Homeless Youth Contact, listed in Part V, Appendix B of the full official Program Announcement, to determine if they are eligible to apply for a new grant award.

Funding: The Family and Youth Services Bureau expects to award approximately $19,000,000 for approximately 100 new competitive Transitional Living Program grants for fiscal year 2002. The funding is to provide shelter, skill training and support services to assist homeless youth, including pregnant and parenting youth, in making a smooth transition to

self-sufficiency and to prevent long-term dependence on social services.

The Family and Youth Services Bureau expects to award approximately $11,200,000 for approximately 60 new competitive Transitional Living Program grants for fiscal year 2003. The funding is to provide shelter, skill training and support services to assist homeless youth, including pregnant and parenting youth, in making a smooth transition to self-sufficiency and to prevent long-term dependency on social services.

Federal Share of Project Costs: Applicants may apply for up to $200,000 per year, which equals a maximum of $1,000,000 for a 5-year project period.

Applicant Share of Project Cost: Transitional Living grantees must provide a non-Federal share or match of *at least ten percent (10%)* of the Federal funds awarded. (There are certain exceptions for Tribes with ''638'' funding pursuant to Public Law 93–638, under which certain Federal grant funds may qualify as matching funds for other Federal grant programs, e.g., those which contribute to the purposes for which grants under section 638 were made.) The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a five-year project costing $1,000,000 in Federal funds (based on an award of $200,000 per 12-month budget period) must include a match of at least $100,000 ($20,000 per budget period).

Duration of Project: This announcement solicits applications for Transitional Living projects of up to five years (60-month project periods). Initial grant awards, made on a competitive basis, will be for one-year (12-month) budget periods. Applications for non competing continuation grants beyond the one-year budget periods, but within the 60-month project periods, will be entertained in subsequent years, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

C. Training and Technical Assistance Cooperative Agreements, CFDA#93.550 (Competitive Grant Area C)

Program Purpose, Goals and Objectives: The Family Youth Services Bureau supports a national T&TA effort designed to enhance and promote the continuous quality improvement of the services available to runaway, homeless and street youth and their families. The Bureau expects to award approximately $2 million to fund up to ten (10) cooperative agreements to enhance the programmatic and administrative capacities of public and private agencies to provide services to the targeted populations. Applications to provide such assistance may cover one or more of the ten ACF Federal Regions and may include subcontracts to cover specific regional or multi-State areas. Applications must provide assurance that staff will be accessible to the Central and Regional offices. Applicants covering a region should coordinate with other RHY providers in the region. Applicants must show how they intend to provide service to all customers in their service area regardless of geographic location.

Core Elements

The successful applicants are expected to provide the following services and activities as core elements:

1. *Immediate Training and Technical Assistance:* Provide intensive, skill-based training and technical assistance to newly funded and inexperienced RHY grantees, when requested by the grantee and/or the Runaway and Homeless Youth Regional Contact as a direct outcome of on-site monitoring and/or analysis of Management Information System data.

Provide training and technical assistance to Transitional Living Program grantees on the programmatic modifications required to address the unique needs of pregnant and parenting youth and the various sources of funding available for residential services to this population.

2. *Consultation:* Provide program specific technical assistance through consultation. Consultation may be on-site, via telephone or any combination of strategies, which address and/or correct programmatic and administrative concerns. Technical assistance designed and/or provided to grantees for this purpose must be accessible and individualized, must provide concrete information and skill building and must include follow-up efforts. The TA delivered will be based upon the specific needs of the grantee(s) requesting the assistance. However, the TA must conform to the intent of the law.

3. *Staff Training:* Provide staff training focused on quality skill development that: (a) Provides opportunities for hands-on participation, direct observation, practices and expert feedback; (b) analyzes, integrates and transmits knowledge obtained from research findings, curricula, and models of greatest interest to grantees; and (c) recognizes new and emerging youth issues and provides intensive skills training in these areas.

4. *Reports Utilization:* Use monitoring reports, Management Information System data and corrective action reports for the purpose of providing technical assistance to address the grantees program specific needs. Delivery of T/A will be made in consultation with the Central and Regional Offices and approved by the Federal Project Officer.

5. *Information Sharing:* Provide a mechanism such as, but not limited to a newsletter, listserve and/or electronic bulletin board for sharing information for the purpose of improving and increasing resources and information available to RHY grantees and, for sharing new and emerging information concerning service provision issues and best practices obtained through interaction with grantees and other youth serving agencies through workshops, conferences and other activities associated with the provision of T&TA.

Cooperative Agreement Provisions

The award of these cooperative agreements (see definition section) will include a delineation of the responsibilities of the successful applicants and the Administration on Children, Youth and Families. The responsibilities contained in each cooperative agreement may be geared toward the unique needs of the RHY programs in the geographic area(s) to be served with a description of the uniqueness of the program, as well as incorporating the core elements, described above, consistent to all RHY programs regardless of geographic area.

Federal Officials Minimum Responsibilities

1. Promote cooperative relationships among training and technical assistance providers, the National Clearinghouse on Families and Youth , and other FYSB support contractors for the exchange of information regarding identified technical assistance and training needs, emerging youth issues, research findings, curricula and model programs.

2. Provide consultation in the development of workplans; review and approval of workplans; coordination and sharing of monitoring data, as appropriate; identification of technical assistance needs; and sponsorship of a national meeting of T&TA providers.

3. Evaluate the effectiveness of the services and activities provided by the T&TA providers to runaway and homeless youth grantees no later than the fourth year of the grants' project periods or year four.

Applicant Minimum Responsibilities

1. Provide the services and activities listed as core elements above under ''Program, Purpose, Goals and Objectives'' to runaway and homeless youth grantees.

2. Establishment of an advisory board with representation at a minimum from the regional office or HUB, a representative sample of each type of FYSB program in the regional area, the Executive Director of the organization funded under this competitive grant, the Project Director(s) of the State Collaboration Grantees (where applicable) and other State and local youth service providers.

3. Development and implementation of a work-plan (including TA capacity inventory forms, procedures, evaluation strategies/forms, site-visit plans, schedules, etc.), provision of training and technical assistance to grantees, and coordination with other grantee support efforts and T&TA providers.

Background: Since 1975, many State and local agencies and community-based programs have been established and/or strengthened to provide needed short and long-term services to runaway, homeless and street youth. These agencies are both public and private, profit making and nonprofit. Some focus on a single concern, such as crisis intervention or substance abuse prevention, while others are comprehensive or all-purpose agencies, with specific components that deal with the physical health, mental health, family reunification and functioning, employment, education and transitional living needs of these young people.

Notwithstanding the significant numbers of effective agencies and competent professional staff dedicated to assisting runaway, homeless and street youth across the country, services in some geographic areas are inadequate or non-existent. In other cases, existing programs lack staff resources with the full range of skills required to carry out the ever changing responsibilities with which the individual programs are charged. Also, many of the developed and tested curricula and models are little known or understood, even among programs and staff where they could be of the greatest use. Further, as a positive youth development approach has gradually emerged that focuses on a young person's competence, connection to community, altruism, control, autonomy and identity as an alternative to adolescent health and behavioral risks, there is a need to partner with states, local, government, foundations, and community based organizations to establish and support effective long range youth development strategies, funding and policy information. In addition, as new issues emerge, even experienced staff and agency leadership need to enhance their existing skills and develop new ones.

To address these issues, Section 342 of the Runaway and Homeless Youth Act, administered by the Youth and Family Services Bureau, authorizes support to nonprofit organizations for the purpose of providing training and technical assistance (T&TA) to runaway, homeless and street youth service providers.

To effectively provide such assistance, extensive interaction with grantees, integration and sharing of knowledge, coordination with other components supporting the runaway and homeless service system such as RHYMIS and program monitoring, and a cooperative relationship among training and technical assistance providers is needed.

FYSB is supporting a national T&TA effort designed to support the continuous improvement of all RHY grantees as they work to deliver high quality and effective services to youth, young adults and their families. Our T&TA system reflects a national commitment to quality improvement and capacity-building at the local and Regional Hub level.

Eligible Applicants: Nonprofit organizations and combinations of such organizations with demonstrated capacity to provide services to runaway and homeless youth service providers on a Statewide or regional basis. Colleges, universities and faith-based organizations are eligible to apply for the T&TA grants.

Funding: The anticipated Federal funding for the first 12-month budget period will range from $150,000–$250,000 per grant, contingent on the identified service area.

Federal Share of Project Costs: Applicants may apply for up to $250,000 per year, which equals a maximum of $1,250,000 for a 5-year project period.

Applicant Share of Project Costs: Training and Technical Assistance grantees must provide a non-Federal share or match of at least ten percent (10%) of the Federal funds awarded. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a five-year project costing $1,250,000 in Federal funds (based on an award of $250,000 per 12-month budget period) must include a match of at least $125,000 ($25,000 per budget period).

Duration of Project: This announcement solicits applications for Training and Technical Assistance grants up to five years (60 month project periods). Grant awards, made on a competitive basis, will be for a one year (12-month) budget period. Applications for continuation grants beyond the one-year budget period, but within the 60 month project period, will be considered in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

Summary of Evaluation Criteria for Competitive Areas A, B and C (BCP, TLP and T&TA)

Criterion 1: Objectives and Need for Assistance (15 points)

Applications will be judged on how clearly they identify the physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated. Applications will need to specify the goals and objectives of the project and how implementation will fulfill the purposes of the program. Applications should describe the conditions of youth and families in the area to be served; the incidence and characteristics of runaway, homeless or street youth and their families; the existing support systems for at-risk youth and families in the area, including other agencies providing services to runaway and homeless youth in the area.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 2: Results or Benefits Expected (20 points)

Applications will be judged on how clearly they identify the results and benefits to be derived, specify services to be provided, who will receive services, where and how these services will be provided, and how the services will benefit the youth families and the community to be served.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 3: Approach (35 points)

Applications will be judged on how clearly they outline a plan of action

which: describes the scope and detail of how the proposed work will be accomplished; accounts for all functions or activities identified in the application; cites factors which might accelerate or decelerate the work and reasons for taking the proposed approach rather than others. Applications are encouraged to describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Applicants must agree to cooperate with any research or evaluation efforts sponsored by the Administration for Children and Families and to submit the required Annual Report to the Secretary of HHS on program activities and accomplishments with statistical summaries and other required program and financial reports, as instructed by FYSB.

Applications will be judged on the extent to which they describe the program's youth development approach or philosophy and indicate how it underlies and integrates all proposed activities. Applicants will be expected to list organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution; describe formal service linkages and plans for coordination with other agencies; describe plans for conducting outreach and encouraging awareness of and sensitivity to the diverse needs of runaway and homeless youth who represent particular ethnic and racial backgrounds and sexual orientations. Applicants are encouraged to describe the type, capacity and staff supervision of the shelter that will be available for youth.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 4: Staff and Position Data (10 points)

Applicants will be judged on whether they provide a resume and biographical sketch for each key person appointed and a job description for each vacant key position. A biographical sketch will also be required for new key staff as appointed. Applicants will be expected to list organizations and consultants who will work on the program along with a short description of the nature of their effort or contribution.

Applicants will be expected to provide information on plans for training project staff as well as staff of cooperating organizations and individuals and state the expected or estimated ratio of staff to youth.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 5: Organizational Profile (10 points)

Applicants will be expected to provide information on the applicant organization(s) and cooperating partners such as organizational charts, financial statements, audit reports or statements from CPAs/Licensed Public Accountants. Any non-profit organization submitting an application must submit proof of its non-profit status in its application at the time of submission.

Applicants will be expected to provide a plan for project continuance beyond grant support, including a plan for securing resources and continuing project activities after Federal assistance has ceased and an annotated listing of applicant's funding sources. Such plans should include written agreements, if applicable, between grantees and subgrantees or subcontractors or other cooperating and letters of support and statements from community, public and commercial leaders that support the project proposed for funding.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 6: Budget and Budget Justification (10 points)

Applicants will be expected to provide a detailed line item budget and a narrative budget justification that describes how the categorical costs are derived. Applicants will be judged on how clearly they discuss the necessity, reasonableness, and allocability of the proposed costs and how clearly they describe the fiscal control and accounting procedures that will be used to ensure prudent use, proper disbursement and accurate accounting of funds received.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Part II. Required Notification of the Single Point of Contact

This program is covered under Executive Order (E.O.) 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR part 100, ''Intergovernmental Review of Department of Health and Human Services Programs and Activities.'' The Order was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs and designate an entity to perform this function. The official list of those entities can be found at *http://www.whitehouse.gov/omb/grants/spoc.html* or by calling the ACYF Operations Center at 1–800–351–2293.

Applicants must submit any required material to the SPOCs as early as possible so that the program office can obtain and review SPOC comments as part of the award process. The applicant must submit all required materials, if any, to the SPOC and indicate the date of this submittal (or date of contact if no submittal is required) on the Standard Form 424, item 16a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new awards. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCS are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the ''accommodate or explain'' rule. When comments are submitted directly to ACYF, they must be addressed to: Department of Health and Human Services, Administration on Children, Youth and Families, 330 C Street, SW, Washington, DC 20447, Attention: Grants Officer.

Dated: February 14, 2002.

Joan E. Ohl,

Commissioner, Administration on Children, Youth and Families.

[FR Doc. 02–4122 Filed 2–20–02; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 02N–0063]

Agency Emergency Processing Request Under OMB Review; Consumer Surveys on Food and Dietary Supplement Labeling Issues

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995 (the PRA). The proposed collection of information would consist of surveys to study consumers' understanding of labeling on conventional foods and dietary supplements as well as consumer practices, knowledge levels, and attitudes related to such labeling.

DATES: Submit written or electronic comments on the collection of information by March 25, 2002.

ADDRESSES: Submit electronic comments on the collection of information to http://www.accessdata.fda.gov/scripts/oc/dockets/edockethome.cfm. Submit written comments on the collection of information to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Peggy Schlosburg, Office of Information Resources Management (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–1223.

SUPPLEMENTARY INFORMATION: FDA is requesting emergency processing of this proposed collection of information under section 3507(j) of the PRA (44 U.S.C. 3507(j) and 5 CFR 1320.13). The information is critical to the agency's mission of regulating food labeling and is needed prior to the expiration of the normal time periods for OMB clearance under the PRA regulations (5 CFR part 1320). The U.S. Constitution's first amendment impact on regulatory decisions on labeling necessitate prompt agency action to ensure that the constitutional rights of regulated entities are preserved. For this reason, the use of normal clearance procedures would be likely to prevent or disrupt this collection of information. Under section 903(d)(2)(C) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 393(d)(2)(C)), FDA is authorized to conduct research related to food labeling.

FDA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Consumer Surveys on Food and Dietary Supplement Labeling Issues

FDA is requesting OMB approval of consumer surveys to help FDA's Center for Food Safety and Applied Nutrition formulate decisions and policies affecting the labeling of conventional foods and dietary supplements. Determining how consumers are likely to interpret various kinds of claims, disclaimers, warnings, caution statements, and notice statements that might appear in labeling is critical to agency decisionmaking under the act and the first amendment. It is often necessary to test actual or proposed labeling statements in realistic situations with typical consumers to determine what these label statements are communicating to consumers.

FDA or its contractor will collect and use information gathered from telephone, mail, shopping mall intercept, and Internet surveys to evaluate how consumers understand and respond to existing label statements, label statements proposed by industry or consumers, and other label statements that are under consideration as part of FDA's policy development process. Potential respondents to the surveys will be individual consumers either randomly chosen to represent specified populations or randomly assigned to experimental treatment conditions to control for the effects of individual differences in the population on the interpretation of label statements. In all instances, FDA will strive to collect a representative sample of individuals from the overall population or from relevant population groups, as appropriate. FDA's general selection method will use stratification, with random sampling within the strata, to achieve representativeness for both overall populations and sensitive subpopulations, such as at-risk individuals or user segments. In the rare cases where geography is a limiting factor, FDA will use population-based cluster sampling to limit government expense while preserving the statistical properties of the sample.

Respondents will provide background information and respond to package labels that contain the variations of label statements to be tested. Measures will include both self-reported comprehension and acceptance as well as direct behavioral measures of consumer use and understanding of the package labeling.

FDA will use the information from the surveys in evaluating regulatory and policy options with respect to labeling. The agency often lacks empirical data about how consumers understand and respond to statements they might see in product labeling. The information gathered from such surveys can be used to test consumer comprehension and behavioral impact of various label statements and formats, and to identify the existing distribution of behavior, knowledge, and attitudes in the population that provides the context for understanding such statements. The surveys will help FDA assess consumer reactions to existing and proposed label statements.

FDA estimates the burden of this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]

Type of Survey	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
Mail questionnaire	1,000	1	1,000	1	1,000
Telephone survey	2,000	1	2,000	.5	1,000
Internet or cable survey	4,000	1	4,000	.5	2,000

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]—Continued

Type of Survey	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
Total					4,000

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

These estimates are based on the expected number of respondents necessary to obtain a statistically significant representation of important consumer segments (e.g., users of relevant regulated products, at-risk population groups), and the number of labeling options that may need to be tested.

Dated: February 15, 2002.

Margaret M. Dotzel,

Associate Commissioner for Policy.

[FR Doc. 02–4210 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 02D–0028]

Medical Devices; Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.'' Elsewhere in this issue of the **Federal Register**, FDA is issuing a proposed rule to reclassify cyclosporine and tacrolimus assays from class III to class II when used as an aid in the management of transplant patients. If these devices are reclassified, this draft guidance will serve as the special control for the reclassified devices. This draft guidance is neither final nor in effect at this time.

DATES: Submit written or electronic comments concerning this guidance by April 22, 2002.

ADDRESSES: Submit written requests for single copies on a 3.5″ diskette of the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ–220), Center for Devices and Radiological Health (CDRH), Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850. Send two self-addressed adhesive labels to assist that office in processing your request, or fax your request to 301–443–8818. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the draft guidance. Submit written comments concerning this draft guidance to the Dockets Management Branch (HFZ–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to http://www.fda.gov/dockets/ecomments. Comments are to be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jean M. Cooper, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301–594–1243.

SUPPLEMENTARY INFORMATION:

I. Background

This draft guidance was developed as a special controls guidance to support the proposed reclassification of cyclosporine and tacrolimus assays from class III to class II. When final, this guidance will replace the document ''Guidance Criteria for Cyclosporine PMAs'' dated January 24, 1992. That document was intended to cover the basic science, clinical experience, and issues identified through the review of premarket approval applications (PMAs) for cyclosporine. The agency has updated that guidance. The revised guidance has been retitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.'' On its own initiative, the agency has included tacrolimus assays in addition to cyclosporine assays in the revised guidance because the tacrolimus assay has the same intended use as an aid in the management of transplant patients. The agency believes it is taking a least burdensome approach by including tacrolimus assays in the revised guidance and will include tacrolimus assays in the proposed reclassification.

II. Significance of the Guidance

The draft guidance, when finalized, will represent the agency's current thinking on cyclosporine and tacrolimus assays. 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 applicable statute and regulations.

The agency has adopted good guidance practices (GGPs), and published the final rule, which set forth the agency's regulations for the development, issuance, and use of guidance documents (21 CFR 10.115). This draft guidance document is issued as a level 1 guidance in accordance with the GGP regulations.

III. Electronic Access

In order to receive ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' via your fax machine, call the CDRH Facts-On-Demand system at 800–899–0381 or 301–827–0111 from a touch-tone telephone. Press 1 to enter the system. At the second voice prompt press 1 to order a document. Enter the document number 1380 followed by the pound sign (#). Follow the remaining voice prompts to complete your request.

Persons interested in obtaining a copy of the draft guidance may also do so using the Internet. CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a personal computer with access to the Internet. Updated on a regular basis, the CDRH home page includes the civil money penalty guidance documents package, device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturers' assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH home page may be accessed at http://www.fda.gov/cdrh. ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' will be available at http://www.fda.gov/cdrh/ode/guidance/1380.pdf.

IV. Comments

Interested persons may submit to Dockets Management Branch (address above) written or electronic comments regarding this draft guidance by April 22, 2002. Submit two copies of any comments, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. The draft guidance and received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 11, 2002.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 02–4209 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a list of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (301) 443–7978.

Emergency Response Grants Regulations—42 CFR part 51—(OMB No. 0930–0229, Extension)—This rule implements section 501(m) of the Public Health Service Act (42 U.S.C 290aa), which authorizes the Secretary to make noncompetitive grants, contracts or cooperative agreements to public entities to enable such entities to address emergency substance abuse or mental health needs in local communities. The rule establishes criteria for determining that a substance abuse or mental health emergency exists, the minimum content for an application, and reporting requirements for recipients of such funding.

SAMHSA will use the information in the applications to make a determination that the requisite need exists; that the mental health and/or substance abuse needs are a direct result of the precipitating event; that no other local, state, tribal or Federal funding sources available to address the need; that there is an adequate plan of services; that the applicant has appropriate organizational capability; and, that the budget provides sufficient justification and is consistent with the documentation of need and the plan of services.

Eligible applicants may apply to the Secretary for either of two types of substance abuse and mental health emergency response grants: Immediate awards and Intermediate awards. The former are designed to be funded up to $50,000, or such greater amount as determined by the Secretary on a case-by-case basis, and are to be used over the initial 90-day period commencing as soon as possible after the precipitating event; the latter awards require more documentation, including a needs assessment, other data and related budgetary detail. The Intermediate awards have no predefined budget limit. Typically, Intermediate awards would be used to meet systemic mental health and/or substance abuse needs during the recovery period following the Immediate award period. Such awards may be used for up to one year, with a possible second year supplement based on submission of additional required information and data.

This program is an approved user of the PHS–5161 application form, approved by OMB under control number 0920–0428. The quarterly financial status reports in 51d.10(a)(2) and (b)(2) are as permitted by 45 CFR 92.41(b); the final program report, financial status report and final voucher in 51d.10(a)(3) and in 51d.10(b)(3–4) are in accordance with 45 CFR 92.50(b). Information collection requirements of 45 CFR part 92 are approved by OMB under control number 0990–0169. The following table presents annual burden estimates for the information collection requirements of this regulation.

42 CFR citation	No. of respondents	Responses/respondent	Burden/response (hrs.)	Total burden (hrs.)
Immediate award application:				
51d.4(a) and 51d.6(a)(2)	3	1	3	*(9)
51d.4(b) and 51d.6(a)(2)—Intermediate Awards	3	1	10	*(30)
51d.10(a)(1)—Immediate awards—mid-program report if applicable	3	1	2	*(6)
Final report content for both types of award:				
51d.10(c)	6	1	3	18
Total	6	—	—	18

*This burden is carried under OMB control number 0920–0428.

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Lauren Wittenberg, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: February 14, 2002.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 02–4111 Filed 2–20–02; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4734–N–05]

Notice of Submission of Proposed Information Collection to OMB:

AAF Rent Increase Requirement Pursuant to the Housing Appropriations Act of 1994

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments Due Date:* March 25, 2002.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval number (2502–0507) should be

sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Wayne Eddins, Reports Management Officer, Q, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410; e-mail *Wayne_Eddins@HUD.gov;* telephone (202) 708–2374. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Eddins.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the OMB approval number, if applicable; (4) the description of the need for the information and its proposed use; (5) the agency form number, if applicable; (6) what members of the public will be affected by the proposal; (7) how frequently information submissions will be required; (8) an estimate of the total number of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (9) whether the proposal is new, an extension, reinstatement, or revision of an information collection requirement; and (10) the name and telephone number of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

This Notice also lists the following information:

Title of Proposal: AAF Rent Increase Requirement Pursuant to the Housing Appropriations Act of 1994.

OMB Approval Number: 2502–0507.

Form Numbers: HUD–92273–S8.

Description of the Need for the Information and its Proposed Use: The mechanism in the Section 8 Housing Assistance Payment contract language permits an analysis on the reasonableness of the Annual Adjustment Factor formula as its applied to each project unit type. To receive a rent increase where rent levels for a specific unit type, in a Substantial Rehabilitation or New Construction contract, exceed the existing fair market rents for that specific unit type, the owner must submit form HUD–92273–S8.

Respondents: Business or other for-profit.

Frequency of Submission: When calculating rent increases.

Reporting Burden:

Number of Respondents: 6,000.

Frequency of response: 1.

Hours per response: 1.5.

Burden hours: 9,000.

Total Estimated Burden Hours: 9,000.

Status: Reinstatement, with change.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: February 13, 2002.

Wayne Eddins,

Departmental Reports Management Officer, Office of the Chief Information Center.

[FR Doc. 02–4097 Filed 2–20–02; 8:45 am]

BILLING CODE 4210–72–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK–962–1410–HY–P; F–14857–A, DOA–5]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of decision approving lands for conveyance.

SUMMARY: As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to Gwitchyaazhee Corporation for lands in Tps. 20 N., Rs. 11 and 12 E., Fairbanks Meridian, located in the vicinity of Fort Yukon, Alaska, containing approximately 105 acres. Notice of the decision will also be published four times in the *Fairbanks Daily News-Miner.*

DATES: The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until March 25, 2002, to file an appeal.

2. Parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

ADDRESSES: A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513–7599.

FOR FURTHER INFORMATION CONTACT: Barbara Opp Waldal, (907) 271–5669.

Barbara Opp Waldal,

Land Law Examiner, Branch of ANCSA Adjudication.

[FR Doc. 02–4163 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–020–1320–EL]

Notice of Intent To Prepare a Land Use Analysis/Environmental Assessment

AGENCY: Bureau of Land Management; Interior.

ACTION: Notice of Intent to Prepare a Land Use Analysis/Environmental Assessment.

SUMMARY: A Land Use Analysis/Environmental Assessment (LUA/EA) is being prepared to consider leasing Federal coal in response to lease application KYES–50213. The 315.13-acre application area in Clay County, Kentucky is managed by the Daniel Boone National Forest. The LUA/EA will be a cooperative effort among the Bureau of Land Management, the Forest Service and the Office of Surface Mining. This notice is issued pursuant to 40 CFR 1501.7 and 43 CFR 1610.2(c).

The planning effort will follow the procedures set forth in 43 CFR part 1600. As provided at 43 CFR 3420, information and data pertaining to the coal deposits or other resources, which potentially may be affected by development of the coal, are requested. Additionally, the public is invited to participate in this planning process, beginning with the identification of planning issues and criteria.

DATES: Input will be accepted for 30 days from the date of this publication. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by the law. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

ADDRESSES: Comments should be sent to the Bureau of Land Management, Jackson Field Office, 411 Briarwood

Drive, Suite 404, Jackson, MS 39206–3039.

FOR FURTHER INFORMATION CONTACT: John A. Lewis, Lead for LUA/EA, Jackson Field Office at 601–977–5400.

SUPPLEMENTARY INFORMATION: The coal lease application was filed by southfork Coal Company to supplement their existing private and other federal reserves currently under lease. The reserves would be mined by underground methods from a portal area on private surface and mineral estates. A permit (No. 875–5008) has been issued by the State of Kentucky for this 14.47-acre portal area located 0.8 miles from the intersection of County Highway 92 and the Whitney/McCreary County line.

The BLM has responsibility to address coal lease applications on federal mineral estate. The Forest Service has the responsibility to consider consenting to lease Federal coal underlying Forest Service managed surface lands. The Office of Surface Mining provides recommendations the Secretary of Interior regarding approval of mining plans. An interdisciplinary team from these three agencies will be used in the preparation of the LUA/EA. Preliminary issues, subject to change as a result of public input, are (1) potential impacts of coal exploration and development on the surface and subsurface resources and (2) consideration of restrictions on lease rights to protect surface resources and uses by the Forest Service.

Due to the limited scope of this LUA/EA process, a public meeting is not scheduled during this scoping stage; however, a public hearing will be conducted, in accordance with 43 CFR 3420 and 1600, upon the completion of the LUA/EA.

Bruce E. Dawson,

Field Manager, Jackson Field Office.

[FR Doc. 02–4147 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–020–1320–EL]

Notice of Intent To Prepare a Land Use Analysis/Environmental Assessment

AGENCY: Bureau of Land Management.

ACTION: Notice of Intent to Prepare a Land Use Analysis/Environmental Assessment.

SUMMARY: A Land Use Analysis/Environmental Assessment (LUA/EA) is being prepared to consider leasing Federal coal in response to lease application KYES–50213. The 315.13-acre application area in Clay County, Kentucky is managed by the Daniel Boone National Forest. The LUA/EA will be a cooperative effort among the Bureau of Land Management, the Forest Service and the Office of Surface Mining. This notice is issued pursuant to 40 CFR 1501.7 and 43 CFR 1610.2(c).

The planning effort will follow the procedures set forth in 43 CFR 1600. As provided at 43 CFR 3420, information and data pertaining to the coal deposits or other resources, which potentially may be affected by development of the coal, are requested. Additionally, the public is invited to participate in this planning process, beginning with the identification of planning issues and criteria.

DATES: Input will be accepted for thirty days from the date of this publication. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by the law. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

ADDRESSES: Comments should be sent to the Daniel Boone National Forest, U.S. Department of Agriculture, 1700 bypass Road, Winchester, KY 40391.

FOR FURTHER INFORMATION CONTACT: Corey Miller, Lead for LUA/EA, Daniel Boone National Forest at 859–745–3149.

SUPPLEMENTARY INFORMATION: The coal lease application was filed by Chas Coal, L.L.C. to supplement their existing private and other federal reserves currently under lease. The reserves would be mined by underground methods from a portal area on private surface and mineral estates. A permit (No. 826–5049) has been issued by the State of Kentucky for this 47.9-acre portal area located in Clay County, KY, 1.8 miles west of Gardner.

The BLM has responsibility to address coal lease applications on federal mineral estate. The Forest Service has the responsibility to consider consenting to lease Federal coal underlying Forest Service managed surface lands. The Office of Surface Mining provides recommendations to the Secretary of the Interior regarding approval of mining plans. An interdisciplinary team from these three agencies will be used in the preparation of the LUA/EA. Preliminary issues, subject to change as a result of public input, are (1) potential impacts of coal exploration and development on the surface and subsurface resources and (2) consideration of restrictions on lease rights to protect surface resources and uses by the Forest Service.

Due to the limited scope of this LUA/EA process, a public meeting is not scheduled during this scoping stage; however, a public hearing will be conducted, in accordance with 43 CFR 3420 and 1600, upon the completion of the LUA/EA.

Bruce E. Dawson,

Field Manager, Jackson Field Office.

[FR Doc. 02–4150 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ID–070–02–2824–DS–FF10]

Notice of Intent To Prepare a Fire, Fuels and Related Vegetation Management Direction Plan

AGENCY: Upper Snake River District, Bureau of Land Management (BLM),

ACTION: Notice of Intent to prepare a Fire, Fuels and Related Vegetation Management Direction Plan Amendment and Environmental Impact Statement (EIS) for 12 Land Use Plans within the Upper Snake River District in central and eastern Idaho.

SUMMARY: This document provides notice that the BLM intends to prepare a Fire, Fuels, and Related Vegetation Management Direction Plan Amendment with an associated EIS for the Upper Snake River District. This plan amendment will amend 12 existing Land Use Plans in four Field Offices: Burley, Shoshone, Idaho Falls and Pocatello. These 12 Land Use Plans consist of Management Framework Plans (MFP) and Resource Management Plans (RMP).

This planning activity encompasses approximately 5.3 million acres of public land within the Upper Snake River District. The planning process will comply with the Federal Land Policy and Management Act of 1976 (FLPMA) and the National Environmental Policy Act of 1969 (NEPA). The BLM will work closely with interested parties to identify the management decisions that are best suited to the needs of the public. This collaborative process will take into account local, regional, and

national needs and concerns. This notice initiates the public scoping process to identify specific issues and develop planning criteria. The scoping process will include an evaluation of the needs and interests of the public.

DATES: The scoping comment period will commence with the publication of this notice. Formal scoping will end 60 days after publication of this notice. Comments regarding issues and planning criteria should be received on or before the end of the scoping period at the address listed below.

Public meetings will be held throughout the plan scoping and preparation period. In order to ensure local community participation and input, public meetings will most likely be held in Burley, Shoshone, Idaho Falls, and Pocatello. Specific dates and locations for public participation will be published in local papers and broadcast on local community calendars at a later date. The public will be given opportunities to participate through workshops and open house meetings throughout the planning process to work collaboratively with BLM in identifying the full range of issues to be addressed in the plan amendment and EIS and developing alternatives to be analyzed in the EIS.

ADDRESSES: Comments regarding the Fire, Fuels and Related Vegetation Management Direction Plan Amendment should be sent to: Project Manager, Bureau of Land Management, Pocatello Field Office, 1111 N. 8th Avenue, Pocatello Idaho 83201. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the EIS. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: Terry Smith, Project Manager, Pocatello Field Office, 1111 N. 8th Avenue, Pocatello Idaho 83201, (208) 478–6340.

SUPPLEMENTARY INFORMATION: The proposed plan amendments would: (1) Establish resource area-wide objectives for fire, fuels, and related vegetation management direction, (2) delineate fire management areas, (3) identify broad vegetation treatments, and (4) identify general restrictions on fire management practices. Anticipated issues for the plan amendments include: protection of human life, protection of property, protection of natural/cultural resources, integration of fire and resource management, air quality, and wildlife habitat. The planning process for this Fire Management Direction Plan Amendment will utilize a collaborative approach. This will allow the public, Tribes, State and Federal agencies, local elected officials, and BLM subject matter specialists to participate in scoping and the development and analysis of alternatives. Public scoping to identify specific issues to be addressed in the plan will be an early opportunity for the public to provide input. Subsequent opportunities for public involvement will occur at specific stages in the planning process.

Agency representatives and interested persons are invited to visit with Upper Snake River District officials at any time during the EIS process. In addition, two specific time periods are identified for the receipt of formal comments. The two comment periods are, (1) during the scoping process (60 days following publication of this Notice in the **Federal Register**) and, (2) during the formal review period of the Draft EIS.

Dated: January 7, 2002.

James E. May,

Upper Snake River District Manager.

[FR Doc. 02–4153 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–350–1220–AA]

Notice of Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Northeast California Resource Advisory Council, Susanville, California.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committees Act (Pub. L. 92–463) and the Federal Land Policy and Management Act (Pub. L. 94–579), the U.S. Bureau of Land Management's Northeast California Resource Advisory Council will hold a business meeting and field tour, Friday and Saturday, April 19 and 20, 2002.

SUPPLEMENTARY INFORMATION: The meeting begins Friday, April 19, at 10 a.m. in the Conference Room of the Eagle Lake Field Office, 2950 Riverside Dr., Susanville, CA. Agenda items include juniper management, sage grouse conservation planning, BLM's vegetative management environmental impact statement, and a status report on planning for the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area. Members of the public can also comment on these or other public lands management issues during the public comment period set for 1 p.m. Depending on the number of persons wishing to speak, a time limit may be established.

On Saturday, April 20, the council will convene at 8 a.m. in the Eagle Lake Conference Room, then depart for a field tour of public land areas managed by the Eagle Lake Field Office, including the Fort Sage Off Highway Vehicle Area in southern Lassen County. Members of the public are welcome on the tour, but they must provide their own lunch and transportation in a high clearance vehicle.

FOR FURTHER INFORMATION: Contact BLM Assistant Eagle Lake Field Manager Don Holmstrom, or Public Affairs Officer Joseph J. Fontana at (530) 257–5381.

Joseph J. Fontana,

Public Affairs Officer.

[FR Doc. 02–4161 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–923–1310–FI; N–62709]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Pursuant to the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease N–62709 for lands in Nye County, Nevada, was timely filed and was accompanied by all the required rentals accruing from July 1, 2001, the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of $5.00 per acre, or fraction thereof, per year and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee and $158 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C.

188), and the Bureau of Land Management is proposing to reinstate lease N–62709 effective July 1, 2001, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Thomas V. Leshendok,

Deputy State Director, Minerals Management.

[FR Doc. 02–4151 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–923–1310–FI; N–61784]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Pursuant to the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease N–61784 for lands in Nye County, Nevada, was timely filed and was accompanied by all the required rentals accruing from July 1, 2001, the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of $5.00 per acre, or fraction thereof, per year and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee and $158 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease N–61784 effective July 1, 2001, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Thomas V. Leshendok,

Deputy State Director, Minerals Management.

[FR Doc. 02–4152 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–921–1430–ET; WYW 149140]

Public Land Order No. 7513; Withdrawal of National Forest System Land for the Tie Hack Campground; Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws 20.90 acres of National Forest System land from mining for a period of 20 years for the Forest Service to protect the Tie Hack Campground. The land has been and will remain open to such forms of disposition as may by law be made of National Forest System land and to mineral leasing.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Janet Booth, BLM Wyoming State Office (WY921), 5353 N. Yellowstone Road, P.O. Box 1828, Cheyenne, Wyoming 82003, 307–775–6124.

SUPPLEMENTARY INFORMATION: By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1994)), but not from the general land laws or mineral leasing laws, to protect the Tie Hack Campground facility:

Bighorn National Forest

Sixth Principal Meridian

T. 50 N., R. 84 W.,

From the point of beginning, the corner of secs. 22, 23, 26 and 27 bears N. 53°19′ E., 1,042.9 feet;

Thence,

S. 51°02′ W., 250.7 feet;
S. 16°14′ W., 225.4 feet;
S. 32°23′ W., 231.6 feet;
S. 14°08′ W., 99.2 feet;
S. 02°55′ E., 223.8 feet;
S. 08°03′ E., 359.7 feet;
S. 60°21′ E., 237.5 feet;
N. 85°49′ E., 177.1 feet;
N. 64°10′ E., 155.1 feet;
N. 19°51′ E., 86.4 feet;
N. 01°13′ E., 131.7 feet;
N. 29°06′ W., 247.0 feet;
N. 54°04′ E, 144.5 feet;
N. 87°58′ E., 137.7 feet;
N. 68°14′ E., 59.9 feet;
N. 41°42′ E., 208.5 feet;
N. 15°01′ E., 306.1 feet;
N. 22°04′ W., 169.6 feet;
N. 51°26′ W., 121.1 feet;
N. 77°19′ W., 179.3 feet;
N. 86°19′ W., 285.7 feet, more or less, to the point of beginning.

The area described contains 20.90 acres in Johnson County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1994), the Secretary determines that the withdrawal shall be extended.

Dated: February 12, 2002.

J. Steven Griles,

Deputy Secretary.

[FR Doc. 02–4160 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–921–2002–1320–EM]

Establishment of Category 5 Royalty Rate at 2.4 Percent in Fort Union Federal Coal Production Region

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice.

SUMMARY: This notice is issued for the purpose of announcing the determination of Category 5 Royalty Rate at 2.4 percent within the Fort Union Federal Coal Production Region in the Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Randy D. Heuscher, Chief, Branch of Solid Minerals, telephone (406) 896–5118, Montana State Office, Bureau of Land Management, P.O. Box 36800, Billings, Montana 59107–6800.

SUPPLEMENTARY INFORMATION: The ''Fort Union Region Category 5 Royalty Reduction Study'' requested by the State Director, Montana State Office, Bureau of Land Management, was completed by the Northwest Regional Evaluation Team of the Bureau of Land Management of the Department of the Interior in 1991. The geographic area qualification and establishment of the competitive royalty rate under Category 5 of the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals'' have been reviewed, and are the basis for the following determinations:

A. *Geographic Area Qualification*—The Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana, continue to meet the established five criteria to qualify under Category 5 for royalty rate differentials

as follows: (1) The Federal Government is not market dominant in this area; (2) Federal royalty rates are above the current market royalty rate for non-Federal rates in the area; (3) Based on a mine-by-mine examination, it is apparent that there are instances where Federal coal can be expected to be bypassed in the near future due to the royalty rate differential between Federal and non-Federal coal; (4) All three previous criteria considerations have been found to exist throughout the region; and (5) A plant-by-plant analysis, based on actual shipments, indicates that Fort Union coal is competitive in the area. However, it has also been shown that a reduction in the Federal royalty rate would not have a significant impact on this competitiveness.

B. *Establishment of Competitive Royalty Rates*—The competitive royalty rate of 2.4 percent is established to promote development of Federal coal reserves situated in the Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana, that may otherwise be bypassed in favor of non-Federal coal having a lower royalty rate.

C. *Category 5 Reduction in Royalty Applications*—Federal lease-specific applications for Category 5 Reduction in Royalty for Coal deposits within the Counties in North Dakota and Montana named above will be accepted by the Montana State Office, Bureau of Land Management, P.O. Box 36800, Billings, Montana 59107–6800 effective upon publication of this Notice. Applications will be processed pursuant to the regulations at 43 CFR part 3485 as established by the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals''.

The geographic area qualification and the establishment of the competitive royalty rate under Category 5 of the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals'' will be reviewed again and updated 2 years from the effective date hereof.

Dated: January 11, 2002.

Randy D. Heuscher,

Chief, Branch of Solid Minerals.

[FR Doc. 02–4156 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ–956–09–1420–00]

Arizona State Office, 222 North Central Avenue, Phoenix, Arizona 85004, Arizona; Notice of Filing of Plats of Survey

January 9, 2002.

1. The plats of survey of the following described land were officially filed in the Arizona State Office, Phoenix, Arizona, on the dates indicated:

A plat representing the dependent resurvey of a portion of the south and east boundaries and a portion of the subdivisional lines and the subdivision of sections 25 and 36, Township 22 North, Range 5 East, of the Gila and Salt River Meridian, Arizona, accepted November 26, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the United States Forest Service.

A plat representing the dependent resurvey of a portion of the south boundary and a portion of the subdivisional lines and the subdivision of sections 30 and 31, Township 22 North, Range 6 East, of the Gila and Salt River Meridian, Arizona, accepted November 26, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the Unites States Forest Service.

A plat representing the dependent resurvey of a portion of the subdivisional lines and a metes-and-bounds survey in section 19, Township 16 North, Range 9 East, of the Gila and Salt River Meridian, Arizona, accepted November 30, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the United States Forest Service.

A plat representing the dependent resurvey of a portion of the north boundary and a portion of the subdivisional lines and the subdivision of sections 3 and 9, Township 23 South, Range 20 East, of the Gila and Salt River Meridian, Arizona, accepted November 30, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the Bureau of Land Management, Arizona State Office.

These plats will immediately become the basic records for describing the land for all authorized purposes. These plats have been placed in the open files and are available to the public for information only.

2. All inquiries relating to these lands should be sent to the Arizona State Office, Bureau of Land Management, 222 N. Central Avenue, P.O. Box 1552, Phoenix, Arizona 85001–1552.

Kenny D. Ravnikar,

Chief Cadastral Surveyor of Arizona.

[FR Doc. 02–4154 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–32–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–960–1910–BJ–4041] ES–51416, Group 103, Arkansas

Notice of Filing of Plat of Survey; Arkansas

The dependent resurvey of the north boundary, a portion of the east boundary, a portion of the subdivisional lines, the survey of the subdivision of certain sections, and the survey of a portion of National Park Service Tract 06–130 in section 1, Township 15 North, Range 17 West, Fifth Principal Meridian, Arkansas, will be officially filed in Eastern States, Springfield, Virginia at 7:30 a.m., on March 25, 2002.

The survey was made at the request of the National Park Service.

All inquiries or protests concerning the technical aspects of the survey must be sent to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to 7:30 a.m., March 25, 2002.

Copies of the plat will be made available upon request and prepayment of the appropriate fee.

Dated: January 28, 2002.

Stephen D. Douglas,

Chief Cadastral Surveyor.

[FR Doc. 02–4157 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–032–00–1430–BK ES–51284, Group 103, Michigan

Notice of Filing of Plat of Survey; Michigan

The plat of the survey of the Grand Traverse Light Station, in lot no. 3, of section 6, Township 32 North, Range 10 West, Michigan Meridian, Michigan, will be officially filed in Eastern States, Springfield, Virginia at 7:30 a.m., on March 18, 2002.

The survey was made at the request of the Bureau of Land Management, Milwaukee Field Office.

All inquiries or protests concerning the technical aspects of the survey must

be sent to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to 7:30 a.m., March 18, 2002.

Copies of the plat will be made available upon request and prepayment of the appropriate fee.

Dated: January 22, 2002.

Stephen D. Douglas,

Chief Cadastral Surveyor.

[FR Doc. 02–4158 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZA 31895]

Notice of Proposed Withdrawal; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The United States Forest Service proposes to withdraw 30 acres of National Forest System land to protect the archeological and historical values of the Le Barron Ruin. This notice segregates the land for up to 2 years from location and entry under the United States mining laws. The land will remain open to all other uses which may by law be made of National Forest System land.

DATES: Comments should be received on or before May 22, 2002.

ADDRESSES: Comments should be sent to the Forest Supervisor, Coconino National Forest, 2323 E. Greenlaw Lane, Flagstaff, Arizona 86004.

FOR FURTHER INFORMATION CONTACT: Pete Mourtsen, Coconino National Forest, 928–527–3414.

SUPPLEMENTARY INFORMATION: The Forest Service proposes to withdraw the following described National Forest System land from location and entry under the United States mining laws, subject to valid existing rights:

Coconino National Forest

Gila and Salt River Meridian
T. 22 N., R. 10 E.,
Sec. 33, N½SW¼NE¼, and
S½S½NW¼NE¼.

The area described contains 30 acres in Coconino County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Forest Supervisor of the Coconino National Forest.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request, by the date specified above, to the Forest Supervisor, Coconino National Forest. Upon determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the land will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date.

Dated: November 27, 2001.

Daniel H. Nowell,

Acting Deputy State Director, Resources Division.

[FR Doc. 02–4155 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZA 31893]

Notice of Proposed Withdrawal; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The United States Forest Service proposes to withdraw 597.50 acres of National Forest System land to protect the archeological and historical values of the Ridge Ruin Archeological District. This notice segregates the land for up to 2 years from location and entry under the United States mining laws. The land will remain open to all other uses which may by law be made of National Forest System land.

DATES: Comments should be received on or before May 22, 2002.

ADDRESSES: Comments should be sent to the Forest Supervisor, Coconino National Forest, 2323 E. Greenlaw Lane, Flagstaff, Arizona 86004.

FOR FURTHER INFORMATION CONTACT: Pete Mourtsen, Coconino National Forest, 928–527–3414.

SUPPLEMENTARY INFORMATION: The Forest Service proposes to withdraw the following described National Forest System land from location and entry under the United States mining laws, subject to valid existing rights:

Coconino National Forest

Gila and Salt River Meridian

T. 21 N., R. 10 E.,
Sec. 7, lots 6, 7, and 12, and SE¼;
Sec. 8, S½SW¼SW¼NW¼, and
W½W½SW¼;
Sec. 17, W½NW¼NW¼,
NW¼SW¼NW¼, and
N½N½SW¼SW¼NW¼;
Sec. 18, N½NE¼, N½S½NE¼,
N½N½S½NE¼, and lots 1 and 6.

The area described contains 597.50 acres in Coconino County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Forest Supervisor of the Coconino National Forest.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request, by the date specified above, to the Forest Supervisor, Coconino National Forest. Upon determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the land will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date.

Dated: November 27, 2001.

Daniel H. Nowell,

Acting Deputy State Director, Resources Division.

[FR Doc. 02–4162 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO–935; COC–39308]

Notice of Proposed Withdrawal; Opportunity for Public Meeting; Colorado

January 31, 2002.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Department of Agriculture, Forest Service, proposes to withdraw approximately 4,380 acres of National Forest System lands for a 10-year period to provide administrative alternatives. This notice closes the lands to location and entry under the mining laws for up to two years. The lands remain open to mineral leasing.

DATES: Comments on this proposed withdrawal must be received on or before May 22, 2002.

ADDRESSES: Comments and meeting requests should be sent to the Colorado State Director, 2850 Youngfield Street, Lakewood, Colorado 80215–7093.

FOR FURTHER INFORMATION CONTACT: Doris E. Chelius at 303–239–3706.

SUPPLEMENTARY INFORMATION: On January 30, 2002, the Department of Agriculture, Forest Service, filed an application to withdraw the following described National Forest Service lands from location and entry under the U. S. mining laws (30 U.S.C. Ch. 2) subject to valid existing rights, for 10 years:

Sixth Principal Meridian

White River National Forest
T. 5 S., R. 76 W., sec. 20, lots 2, 3, 4, 15, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 43, 47, 48, 49, 50, and 5l;
Sec. 21, S½N½ and S½;
Sec. 22, SW¼;
Sec. 27, W½ and W½E½;
Sec. 28, all;
Sec. 29, E½ and E½E½W½;
Sec. 32, E½, E½NE¼NW¼, SE¼NW¼, and E½SW¼;
Sec. 33, all;
Sec. 34, NW¼.
T. 5 S., R. 77 W.,
Sec. 23, lots 11, 13, and 15;
Sec. 24, lot 11 and W½SW¼.
T. 6 S., R 76 W.,
Sec. 5, lots 1 thru 12, inclusive;
Sec. 6, lots 1, 8, and 9, and E½SE¼.

The areas described aggregate approximately 4,380 acres of National Forest System lands in Summit County. This order excludes any privately owned lands within the boundaries of the described areas.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, or to request a public meeting, may present their views in writing to the Colorado State Director at the address shown above.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with this proposed withdrawal. Any interested persons who desire a public meeting for the purpose of being heard on this proposed action should submit a written request to the Colorado State Director within 90 days from the date of publication of this notice. If the authorized officer determines that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days prior to the scheduled date of the meeting.

This withdrawal will be processed in accordance with the regulations set forth in 43 CFR part 2310.

Jenny L. Saunders,

Realty Officer.

[FR Doc. 02–4159 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–989 (Preliminary)]

Ball Bearings From China

AGENCY: International Trade Commission.

ACTION: Institution of antidumping investigation and scheduling of a preliminary phase investigation.

SUMMARY: The Commission hereby gives notice of the institution of an investigation and commencement of preliminary phase antidumping investigation No. 731–TA–989 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from China of ball bearings and parts thereof provided for in subheadings 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.25, 8482.99.35, 8482.99.65, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.50.90, 8483.90.20, 8483.90.30, and 8483.90.70; certain gaskets, seals or washers suitable for incorporation in ball bearings provided for in subheadings 3926.90.45, 4016.93.00, 4016.93.10, and 4016.93.50; ceramic bearings and other ceramic wares suitable for incorporation in ball bearings, provided for in subheadings 6909.19.50; certain parts of machines, the foregoing containing ball bearings, provided for in subheading 8431.20.00 and 8431.39.00; certain parts of motor vehicles, the foregoing containing ball bearings, provided for in subheadings 8708.50.50, 8708.60.50, 8708.60.80, 8708.70.60, 8708.93.30, 8708.93.60, 8708.93.75, 8708.99.06, 8708.99.31, 8708.99.40, 87.08.49, 8708.99.58, and 8708.99.80; and certain parts of aircraft, the foregoing containing ball bearings, provided for in subheadings 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 8803.90.90 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. Size or precision grade of a bearing does not influence whether the bearing is covered by the petition. With regard to finished parts, all such parts are covered by the petition. For unfinished parts, such parts are included if (1) they have been heat-treated prior to importation, or (2) heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by the petition are those that will be subject to heat treatment after importation. Unless the Department of Commerce extends the time for initiation pursuant to section 732(c)(1)(B) of the Act (19 U.S.C. 1673a(c)(1)(B)), the Commission must reach a preliminary determination in antidumping investigations in 45 days, or in this case by April 1, 2002. The Commission's views are due at Commerce within five business days thereafter, or by April 8.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's rules of practice and procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

EFFECTIVE DATE: February 13, 2002.

FOR FURTHER INFORMATION CONTACT: Fred Ruggles (202–205–3187), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by

accessing its internet server (http://www.usitc.gov). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at http://dockets.usitc.gov/eol/public.

SUPPLEMENTARY INFORMATION:

Background

This investigation is being instituted in response to a petition filed on February 13, 2002, by the American Bearing Manufacturers Association, Washington, DC.

Participation in the Investigation and Public Service List

Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register.** 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 investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this investigation available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigation under the APO issued in the investigation, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference

The Commission's Director of Operations has scheduled a conference in connection with this investigation for 9:30 a.m. on March 6, 2002, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Parties wishing to participate in the conference should contact Fred Ruggles (202–205–3187) not later than March 4, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

Written Submissions

As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before March 11, 2002, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: February 15, 2002.

By order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4187 Filed 2–20–02; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Office of Community Oriented Policing Services; Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day emergency notice of information collection under review: new collection, Mental Health and Community Safety Initiative Application Kit.

The Department of Justice, Office of Community Policing Services has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. This notice supersedes the previous notice published on February 6, 2002, in volume 67, on pages 5612–5613. OMB approval has been requested by February 28, 2002. The proposed information collection is published to obtain comments from the public and affected agencies. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395–6466, Washington, DC 20503.

During the first 60 days of this same review period, a regular review of this information collection is also being undertaken. Written comments and/or suggestions regarding additional information, including obtaining a copy of the proposed information collection instrument with instructions, should be directed to Gretchen DePasquale, 202–305–7780, Office of Community Oriented Policing Services, 1100 Vermont Avenue, NW., Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your written responses should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is 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 agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Mental Health and Community Safety Initiative Application Kit.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Agency Form Number:* None, Office of Community Oriented Policing Services, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a bride abstract: Primary:* Federally recognized tribal governments. *Other:* N/A. *Abstract:* The information collected will be used by the COPS Office to determine whether Federally Recognized Tribal governments are eligible for three year grants specifically targeted to meet the most serious needs to law enforcement in Indian communities. The grants are meant to enhance law enforcement infrastructures and community policing efforts in these communities.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 15 responses. The estimated amount of time required for the average respondent to respond is: 3.5 hours.

(6) *An estimate of the total public burden (in hours) associated with collection:* 67.5 hours annually.

If additional information is required contact: Mrs. Brenda Byer, Department Deputy Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, 601 D Street NW, Patrick Henry Building, Suite 1600, NW, Washington, DC 20530.

Dated: February 13, 2002.

Brenda E. Dyer,

Department Deputy Clearance Officer, Department of Justice.

[FR Doc. 02–4043 Filed 2–20–02; 8:45 am]

BILLING CODE 4410–AT–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

OSHA Training Institute Education Centers

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of competition and request for applications for the OSHA Training Institute Education Centers Program.

SUMMARY: The Occupational Safety and Health Administration (OSHA) conducts short-term technical training in occupational safety and health through the OSHA Training Institute in Des Plaines, Illinois. In recent years, the number of requests for training from private sector personnel and Federal personnel from agencies other than OSHA has increased beyond the capacity of the OSHA Training Institute to meet the demand. In October 1992 OSHA began the program of using other training and educational institutions to conduct OSHA Training Institute courses for private sector personnel and for Federal personnel from agencies other than OSHA.

This notice announces the opportunity for interested nonprofit organizations to submit applications to become an OSHA Training Education Center. Applications will be rated on a competitive basis and approximately ten organizations will be selected to participate in the program. Complete application instructions are contained in this notice. This notice also contains information on three proposal conferences designed to provide potential applicants with information about the OSHA Training Institute Education Centers Program.

Authority for this program may be found in section 21 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 670).

DATES: Applications must be received by 4:30 pm CST on May 24, 2002.

The proposal conference dates are:

1. March 19, 2002, from 1 pm to 3 pm PST, 71 Stevenson Street, Room 1010, San Francisco, California.

2. March 26, 2002, from 1 pm to 3 pm EST, Gateway Building, 3535 Market Street, Conference Rooms A & B, Suite 690 West, Philadelphia, Pennsylvania 19104.

3. April 4, 2002, from 1 pm to 3 pm CST, at the OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018.

ADDRESSES: Submit applications to the U.S. Department of Labor, Occupational Safety and Health Administration, Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Ronald Mouw, Deputy Director, or Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018, telephone (847) 297–4810.

SUPPLEMENTARY INFORMATION:

What Is the OSHA Training Institute?

The OSHA Training Institute in Des Plaines, Illinois, is the primary training provider of the Occupational Safety and Health Administration. It conducts more than 80 short-term courses and seminars covering OSHA standards, policies, and procedures for persons responsible for enforcing or directly supporting the OSH Act, for private sector employers and employees, and Federal personnel from agencies other than OSHA. The OSHA Training Institute's primary responsibility is to Federal and State compliance officers and State consultation program staff. Private sector personnel and Federal personnel from agencies other than OSHA receive training from the OSHA Training Institute on a space available basis.

Why Was the OSHA Training Institute Education Centers Program Established?

By the early 1990's, requests for training from Federal and State compliance officers, State consultation program staff, private sector personnel, and Federal personnel from agencies other than OSHA had increased beyond the capacity of the OSHA Training Institute to meet the demand. In addition, resources of the OSHA Training Institute had not increased at a rate that could keep up with the demand. As the number of students from Federal and State personnel engaged in enforcement or consultation increased, opportunities for training for private sector personnel and Federal personnel from agencies other than OSHA remained static or decreased.

In order to meet the increased demand for its courses, the OSHA Training Institute selected 12 nonprofit organizations to conduct OSHA Training Institute courses for private sector personnel and Federal personnel from agencies other than OSHA. These organizations were selected through nationwide or regional competitions.

Which Organizations Are Currently OSHA Training Institute Education Centers?

The current OSHA Training Institute Education Centers are: Keene State College, Manchester, New Hampshire; Niagara County Community College, Lockport, New York; Building and Construction Trades Department AFL–CIO/Center to Protect Workers' Rights/ The George Meany Center for Labor Studies/West Virginia Safety and Health Extension, Washington, DC; Georgia Technical Research Institute, Atlanta, Georgia; Eastern Michigan University/ United Auto Workers, Ypsilanti, Michigan; University of Minnesota/ Minnesota Safety Council/University of Cincinnati, Minneapolis, Minnesota; Northern Illinois University/ Construction Safety Council/National

Safety Council, DeKalb, Illinois; Texas Engineering Extension Service, Texas A&M University System, Mesquite, Texas; Metropolitan Community Colleges, Business & Technology Center, Kansas City, Missouri; Red Rocks Community College/Trinidad State Junior College, Lakewood, Colorado; University of California, San Diego, California; and the University of Washington, Seattle, Washington.

How Many OSHA Training Institute Education Centers Will Be Selected?

At least ten colleges, universities, or other nonprofit training organizations will be selected to conduct OSHA courses for private sector personnel and Federal personnel from agencies other than OSHA.

What Will Be the Geographic Distribution of the OSHA Training Institute Education Centers?

One OSHA Training Institute Education Center will be selected in each OSHA Region. However, OSHA may elect to select more than one OSHA Training Institute Education Center in some OSHA Regions. The Regions contain the following states.

1. *Region I:* Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
2. *Region II:* New Jersey, New York, Puerto Rico, and Virgin Islands.
3. *Region III:* Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.
4. *Region IV:* Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.
5. *Region V:* Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.
6. *Region VI:* Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.
7. *Region VII:* Iowa, Kansas, Missouri, and Nebraska.
8. *Region VIII:* Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.
9. *Region IX:* American Samoa, Arizona, California, Guam, Hawaii, Nevada, and Trust Territories of the Pacific.
10. *Region X:* Alaska, Idaho, Oregon, and Washington.

Do Current OSHA Training Institute Education Centers Have To Reapply?

Current OSHA Training Institute Education Centers must reapply for the opportunity to remain in the program.

Which OSHA Training Institute Courses Will I Be Required To Present?

If your organization is selected to participate as an OSHA Training Institute Education Center, you will be required to present the following seven courses: #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry, #501 Trainer Course in Occupational Safety and Health Standards for General Industry, #502 Update for Construction Industry Outreach Trainers, #503 Update for General Industry Outreach Trainers, #510 Occupational Safety and Health Standards for the Construction Industry, #511 Occupational Safety and Health Standards for General Industry, and #600 Collateral Duty Course for Other Federal Agencies.

In addition, you will be required to present at least five of the following courses: #201A Hazardous Materials; #204A Machinery and Machine Guarding Standards; #222A Respiratory Protection; #225 Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders; #226 Permit-Required Confined Space Entry; #309A Electrical Standards; #301 Excavation, Trenching and Soil Mechanics; #311 Fall Arrest Systems; and #521 OSHA Guide to Industrial Hygiene.

A brief description of each of the courses may be found in the attachment to this notice.

OSHA may increase or decrease the number of different courses available to be offered by the OSHA Training Institute Education Centers.

What Criteria Will Be Used To Select OSHA Training Institute Education Centers?

Applicants will be selected based upon their occupational safety and health experience, their nonacademic training background, the availability of classrooms, laboratories, and conference facilities, access to transportation and lodging at their resident location, and their capability to provide training throughout their Region.

Who Is Eligible To Apply?

Any nonprofit public or private college or university is eligible to apply. Any other nonprofit organization that can demonstrate that training or education is part of its mission and that more than 50 percent of its staff and dollar resources is devoted to training or education is also eligible.

Does OSHA Provide Funding to the OSHA Training Institute Education Centers?

OSHA provides no funding to the OSHA Training Institute Education Centers. The OSHA Training Institute Education Centers will be expected to support their OSHA training through their normal tuition and fee structures.

If Selected, How Long Would I Be an OSHA Training Institute Education Center?

Selected applicants will sign nonfinancial cooperative agreements with OSHA effective October 1, 2002 through September 30, 2007. With satisfactory performance, agreements may be renewed without competition for an additional five years.

What Geographic Criteria Must I Meet?

You must have a physical presence in the OSHA Region for which you are applying. For example, an eligible national organization based in San Francisco that has a training facility in Chicago would have a physical presence in Region V. On the other hand, a national organization based in New York City that rents hotel space to provide training at multiple sites around the country would be considered to have a physical presence only in Region II.

In addition, you must demonstrate the capability to locate satellite downlink sites for use by Federal and State employees and private sector employers and employees to receive satellite delivered training from the OSHA Training Institute. At a minimum, you should identify potential satellite downlink sites in all cities with a Federal or State compliance office or State Consultation office as well as other major population centers within your Region.

Is It Possible for Me To Join With Another Organization and for Us To Apply Together?

You may join with one or more other nonprofit organizations in your Region to apply as a consortium. A training or education institution may elect to apply for this program in partnership with a safety and health organization that is not primarily a training organization. For example, a university could enter into an agreement with a labor union that provides for the use of university classrooms and faculty supplemented by union safety and health professionals.

What Responsibilities Will I Have as an OSHA Training Institute Education Center?

An OSHA Training Institute Education Center you will be responsible for the following.

1. Ensuring that instructors are qualified in the subjects they will be teaching.

2. Arranging for course chairpersons to attend OSHA orientation for each OSHA Training Institute course for which they are the chair.

3. Scheduling courses. Courses are to be scheduled on a year-round basis with each course being offered at least once a year. Education Centers will be expected to schedule courses at various locations throughout their Region. In addition, OSHA Training Institute Education Centers will be expected to average conducting at least two courses per month and to train an average 75 students per month.

4. Publicizing the availability of courses.

5. Registering students.

6. Acquiring audiovisual materials for use in the courses.

7. Reproducing handouts for students.

8. Conducting courses in accordance with materials and instructions provided by OSHA.

9. Monitoring courses to ensure that OSHA course outlines are being followed.

10. Collecting course evaluation data from students in accordance with OSHA procedures and providing that data to OSHA.

11. Maintaining student registration and attendance records.

12. Issuing course completion certificates to students. These certificates, which certify that a student has completed training in a particular course, must be approved by OSHA.

13. Providing the OSHA Training Institute with registers of successful course completers.

14. Providing the OSHA Training Institute with an annual schedule showing the date, time, and location of every OSHA course to be offered.

15. Maintaining clearly identifiable records of tuition and fees collected from OSHA course students.

16. Arranging for the availability of appropriate accommodations for students.

17. Administering Outreach Training Program activities. This includes distributing student cards to active Outreach Training Program trainers and providing trainer and student information to the OSHA Training Institute on a regular basis.

What Is the Outreach Training Program?

The Outreach Training Program is a voluntary program through which OSHA authorizes trainers to conduct 10- and 30-hour training courses on occupational safety and health hazards and standards. Persons who successfully complete either OSHA Training Institute course #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry or #501 Trainer Course in Occupational Safety and Health Standards for General Industry are authorized to present 10- and 30-hour training courses, to submit training documentation to OSHA, and to present course completion cards signed by the OSHA Training Institute Director to their students.

Construction outreach trainers must attend #502 Update for Construction Industry Outreach Trainers once every four years to maintain their active status, while general industry outreach trainers must attend #503 Update for General Industry Outreach Trainers once every four years to maintain their active status.

What Are the OSHA Training Institute's responsibilities?

The OSHA Training Institute is responsible for the following.

1. Providing OSHA Training Institute Education Center course chairpersons with orientation on how the OSHA Training Institute teaches the course.

2. Providing a detailed course outline for each OSHA course to be presented by the OSHA Training Institute Education Centers.

3. Providing a master copy of the student handouts for each course to be presented.

4. Providing answers and technical assistance on questions of OSHA policy.

5. Monitoring the performance of OSHA Training Institute Education Centers through on-site visits including unannounced attendance at courses and examination of records.

6. Evaluating the effectiveness of the OSHA Training Institute Education Centers.

What Is the Purpose of the Proposal Conferences?

The proposal conferences are intended to provide potential applicants with information about the OSHA Training Institute, OSHA Training Institute courses and methods of instruction, and administrative and program requirements for OSHA Training Institute Education Centers. The OSHA Office of Training and Education will hold three proposal conferences.

When and Where Will the Proposal Conferences Be Held?

The proposal conferences are scheduled for:

March 19, 2002, from 1 pm to 3 pm PST, 71 Stevenson Street, Room 1010, San Francisco, California.

March 26, 2002, from 1 pm to 3 pm EST, Gateway Building, 3535 Market Street, Conference Rooms A & B, Suite 690 West, Philadelphia, Pennsylvania 19104.

April 4, 2002, from 1 pm to 3 pm CST, at the OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018.

If you are interested in attending one of these conferences, you may contact Ronald Mouw, Deputy Director, or Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018, telephone (847) 297–4810 for information about local accommodations and transportation. It is not necessary to register for the conferences.

What Must I Include in the Application?

You must address each of the following points in your application.

1. *Identifying Information.* Provide the name and address of your organization. If the mailing address is a post office box, also provide the street address. Provide the name, title, and telephone number of the contact person who can answer questions about the application.

2. *Authority to Apply.* Provide a copy of the resolution by the Board of Directors, Board of Regents, or other governing body of your organization approving the submittal of an application to OSHA to become an OSHA Training Institute Education Center.

3. *Nonprofit Status.* Include evidence of the nonprofit status of your organization and of each member organization if you are applying as a consortium. A letter from the Internal Revenue Service or a statement included in a recent audit report is preferred. In the absence of either of these, a copy of the articles of incorporation showing the nonprofit status will be accepted.

4. *Status as a Training Organization.* This section applies only to applicants that are not colleges or universities. Show that training or education is a principal activity of your organization. Through audit reports, annual reports, or other documentation, demonstrate that for the last two years more than 50 percent of your organization's funds has been used for training and education activities and that more than 50 percent of its staff resources has also been used for this purpose.

5. *Occupational Safety and Health Training Experience.* Describe your organization's relevant course offerings for the last two years. Include copies of catalogs and other recruitment materials that provide descriptive material about

courses. For each course, include the dates the course was offered and the number of students who completed the course. Also provide descriptive material including course descriptions and number of hours that is similar to the information contained in the appendix to this Notice.

6. *OSHA Training Institute Courses.* Provide a list of the OSHA Training Institute courses that your organization would offer.

7. *Staff Qualifications.* Describe the qualifications of staff teaching occupational safety and health courses. Indicate the professional qualifications of each, such as Certified Safety Professional (CSP), Professional Engineer (PE), or Certified Industrial Hygienist (CIH). Also describe staff knowledge of and experience with OSHA standards and their application to hazards and hazard abatement. Include resumes of current staff and position descriptions and minimum hiring qualifications for all positions, whether filled or vacant, that may be assigned to conduct OSHA classes.

8. *Classroom Facilities.* Describe classroom facilities available for presentation of the courses. Include number of students accommodated, desk arrangements, and availability of audiovisual equipment. Also describe appropriate laboratory facilities and other facilities available for hands-on exercises. Indicate provisions for accessibility for persons with disabilities.

9. *Distance Learning.* Describe plans for identifying satellite downlink sites in your Region for receiving OSHA Training Institute broadcasts. Identify the types of organizations that would be contacted and the information that would be made available to the OSHA Training Institute to ensure a successful broadcast.

10. *Outreach Training Program.* Provide a description of the systems that would be in place to administer the Outreach Training Program and to assure its integrity including maintaining records, ensuring that only authorized trainers receive student cards, reviewing requests for student cards, and distributing student cards.

11. *Tuition.* Provide a copy of your organization's tuition and fee schedule. Explain how tuition or fees will be computed for each course, referencing the schedule.

12. *Recruitment and Registration.* Explain procedures for recruiting students from the private sector and from Federal agencies other than OSHA. Describe registration procedures including provisions for cancellation, furnishing enrollees with hotel information, and tuition or fee collection.

13. *Location.* Describe the accessibility of the training facility for students. Include such items as distance from a major airport, number of airlines serving the airport, transportation from the airport to hotels, and distance from the interstate system.

14. *Accommodations.* Provide a representative listing of hotels available for student accommodation and give sample room rates. Explain how students will be transported between the hotels and classes. Describe the food service and restaurants available both in the area in which the classes will be held and in the area where the hotels are located.

15. *Off-site Courses.* Successful applicants will be expected to conduct courses at sites other than their own facilities, especially in other states in their Region. Describe your organization's plan to provide off-site training in your Region including procedures to assure that classroom facilities and accommodations are adequate.

16. *Nondiscrimination.* Provide copies of your organization's nondiscrimination policies covering staff and students. In the absence of a written policy, explain how you will ensure that staff and students are selected without regard to race, color, national origin, sex, age, or disability.

Where Should I Submit My Application?

Your application must be submitted to the OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018. The submission is to consist of one original and two copies of the application. Your application should not be bound or stapled and should only be printed on one side of the page.

When Must I Submit My Application?

Your application must be received no later than 4:30 pm CST on May 3, 2002.

How Will My Application Be Reviewed?

A panel of OSHA staff will review your application and will consider each of the factors listed below.

1. *Occupational Safety and Health Training Experience.* Evidence that occupational safety and health training or education has been an ongoing program of your organization. Reviewers will examine the number of different occupational safety and health courses offered by your organization, the number of students completing each course, and the number of times each course was offered. Successful applicants will also include samples of course announcements.

2. *Qualifications of Staff.* For personnel teaching occupational safety and health courses this includes academic training in occupational safety and health subjects, experience with the application of OSHA standards to hazards and hazard abatement, professional certification, practical experience in the field of occupational safety and health, and experience in training workers or managers in nonacademic situations.

3. *Outreach Training Program.* Plans for administering the Outreach Training Program and ensuring program integrity will be reviewed.

4. *Location.* A major airport with regular service to all parts of the Region should be within a reasonable driving time from the training location and the hotel. Interstate highways should also be within reasonable distance.

5. *Adequacy of Training Facilities.* Potential for accommodating classes of 25 to 40 students on a year-round basis in settings comparable to those of the OSHA Training Institute will be reviewed. Items considered will include classroom layout, availability of audiovisual equipment, reproduction facilities for handouts, and availability of appropriate laboratory and hands-on facilities. Accessibility for persons with disabilities will also be considered.

6. *Distance Learning.* Successful applicants will demonstrate the capability to identify satellite downlink sites in their Region for use by Federal and State employees and private sector employers and employees to receive satellite delivered training from the OSHA Training Institute. At a minimum, you should identify potential satellite downlink sites in all cities with a Federal or State compliance office or State Consultation office as well as other major population centers within your Region.

7. *Recruitment and Registration Procedures.* Reasonableness of your organization's procedures for recruiting and registering students including methods of reaching potential students, ease of registration, provisions for cancellations, and system for informing students of available accommodations are among the items that will be reviewed.

8. *Accommodations.* Accommodations, preferably national hotel/motel chains and restaurants, should be reasonably priced and should be within a few miles of the training facility.

9. *Tuition.* Conformance of proposed tuition or fees with the established

policies of the applicant and reasonableness of the charges will be considered.

10. *Off-site Courses.* Experience and the ability of your organization to conduct courses at sites other than its own facility will be considered.

11. *Nondiscrimination.* Adherence of your organization's policies with Federal requirements will be reviewed.

Who Will Select the OSHA Training Institute Education Centers?

The OSHA review panel will make recommendations to the Assistant Secretary, who will make the final decisions.

How Will I Be Notified If My Application Was Selected?

You will be notified by a representative of the Assistant Secretary if your organization is selected as an OSHA Training Institute Education Center. An organization may not conduct OSHA Training Institute Education Center activities until it has signed a nonfinancial cooperative agreement with OSHA.

How Will I Be Notified If My Application Is Not Selected?

You will be notified in writing if your organization is not selected to be an OSHA Training Institute Education Center.

Can I Appeal If I Am Not Selected?

There is no appeal procedure for unsuccessful applicants. You may request a copy of the documentation of the review of your application by writing to Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

Signed at Washington, DC, this 14th day of February.

John L. Henshaw,

Assistant Secretary of Labor.

Attachment

#*201A Hazardous Materials.* This course covers OSHA general industry standards and integrates materials from other consensus and proprietary standards that relate to hazardous materials. Included are flammable and combustible liquids, compressed gases, LP-gases, and cryogenic liquids. Related processes such as spraying and dipping are covered, as well as electrical equipment. (5 days)

#*204A Machinery and Machine Guarding Standards.* This course familiarizes the student with various types of common machinery and the related safety standards. Guidance is provided on the hazards associated with various kinds of machinery and the control of hazardous energy sources (lockout/tagout). The course presents an approach to machinery inspection that enables participants to recognize hazards and to provide options to achieve abatement. These hazards include mechanical motions and actions created by points of operation and other machinery processes. Also included is hands-on training in the laboratories. (5 days)

#*222A Respiratory Protection.* This course covers the requirements for the establishment, maintenance, and monitoring of a respirator program. Topics include terminology, OSHA standards, NIOSH certification, and medical evaluation recommendations. Course highlights include laboratories on respirator selection, qualitative fit testing, and the use of a large array of respiratory and support equipment for hands-on training. (4 days)

#*225 Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders.* This course covers the use of ergonomic principles to prevent Musculoskeletal disorders. Topics include work physiology, anthropometry, Musculoskeletal disorders, video display terminals, and risk factors such as vibration, temperature, material handling, repetition, and lifting and transfers in health care. Course features industrial case studies covering analysis and design of work stations and equipment, laboratory sessions in manual lifting, and coverage of current OSHA compliance policies. (4 days)

#*226 Permit-Required Confined Space Entry.* This course is designed to enable students to recognize, evaluate, control, and abate safety and health hazards associated with permit-required confined space entry. The course focuses on the specific requirements of 29 CFR 1910.146 (a) through (l). Each paragraph of the standard is discussed with references to the OSHA directive, letters of interpretation, and preamble rationale. Technical topics include the recognition of confined space hazards, basic information about instrumentation used to evaluate atmospheric hazards, and general permit space ventilation techniques. Course features workshops on confined space classification permits and program evaluation. (4 days)

#*301 Excavation, Trenching and Soil Mechanics.* This course focuses on OSHA standards and on the safety aspects of excavation and trenching. Students are introduced to practical soil mechanics and its relationship to the stability of shored and unshored slopes and walls of excavations. Various types of shoring (wood timbers and hydraulic) are covered. Testing methods are demonstrated and a one-half-day field exercise is conducted, allowing students to use instruments such as penetrometers, torvane shears, and engineering rods. (4 days)

#*309A Electrical Standards.* This course is designed to provide the student with a survey of OSHA's electrical standards and the hazards associated with electrical installations and equipment. Topics include single- and three-phase systems, cord- and plug-connected and fixed equipment, grounding, ground fault circuit interrupters, and safety-related work practices. Emphasis is placed on electrical hazard recognition and OSHA inspection procedures. Hands-on training is provided using various types of electrical test equipment. (5 days)

#*311 Fall Arrest Systems.* This course provides an overview of state-of-the-art technology for fall protection and current OSHA requirements. Topics covered include the principles of fall protection, the components of fall arrest systems, the limitations of fall arrest equipment, and OSHA policies regarding fall protection. Course features a one-day field exercise demonstrating fall protection equipment. (4 days)

#*500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry.* This course is designed for personnel in the private sector interested in teaching the 10- and 30-hour construction safety and health outreach program to their employees and other interested groups. Special emphasis is placed on those topics that are required in the 10- and 30-hour programs as well as on those that are the most hazardous, using OSHA standards as a guide. Course participants are briefed on effective instructional approaches and the effective use of visual aids and handouts. This course allows the student to become a trainer in the Outreach Program and to conduct both a 10- and 30-hour construction safety and health course and to issue cards to participants verifying course completion. (5 days)

#*501 Trainer Course in Occupational Safety and Health Standards for General Industry.* This course designed for private sector personnel presents detailed information on how the provisions of the OSH Act may be implemented in the workplace. Rights and responsibilities under the OSH Act, the appeals process, and recordkeeping are covered. The course also includes an introduction to OSHA's general industry standards and an overview of the

requirements of the more frequently referenced standards. This course allows the student to become a trainer in the Outreach Program and to conduct both a 10- and 30-hour general industry course and issue cards to participants verifying course completion. (5 days)

#*502 Update for Construction Industry Outreach Trainers.* This course is designed for personnel in the private sector who have completed #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry and who are active trainers in the outreach program. It provides an update on such topics as OSHA construction standards, policies, and regulations. (3 days)

#*503 Update for General Industry Outreach Trainers.* This course is designed for private sector personnel who have completed course #501 Trainer Course in Occupational Safety and Health Standards for General Industry and who are active trainers in the outreach program. It provides an update on OSHA general industry standards and OSHA policies. (3 days)

#*510 Occupational Safety and Health Standards for the Construction Industry.* This course for private sector personnel covers OSHA policies, procedures, and standards, as well as construction safety and health principles. Topics include scope and application of the OSHA construction standards. Special emphasis is placed on those areas that are the most hazardous, using OSHA standards as a guide. Upon successful course completion, the student will receive an OSHA construction safety and health 30-hour course completion card. (5 days)

#*511 Occupational Safety and Health Standards for General Industry.* This course for private sector personnel covers OSHA policies, procedures, and standards, as well as general industry safety and health principles. Topics include scope and application of the OSHA general industry standards. Special emphasis is placed on those areas that are the most hazardous, using OSHA standards as a guide. Upon successful course completion, the student will receive an OSHA general industry safety and health 30-hour course completion card. (5 days)

#*521 OSHA Guide to Industrial Hygiene.* This course for private sector personnel covers industrial hygiene practices and related OSHA regulations and procedures. Topics include permissible exposure limits, OSHA health standards, respiratory protection, engineering controls, hazard communication, OSHA sampling procedures and strategy, workplace health program elements, and other industrial hygiene topics. Course highlights include workshops in health hazard recognition, OSHA health standards, and a safety and health program workshop. (5 days)

#*600 Collateral Duty Course for Other Federal Agencies.* This course introduces Federal agency collateral duty (part-time) safety and health personnel to the OSH Act, Executive Order 12196, 29 CFR part 1960, and 29 CFR part 1910. It enables them to recognize basic safety and health hazards in their own workplaces and to effectively assist agency safety and health officers in their inspection and abatement efforts. The course features a mock inspection of a government facility. (5 days)

[FR Doc. 02–4173 Filed 2–20–02; 8:45 am]
BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

1. *The title of the information collection:* Registration Certificate—*in vitro* Testing with Byproduct Material Under General License.

2. *Current OMB approval number:* 3150–0038.

3. *How often the collection is required:* There is a one-time submittal of information to receive a validated copy of NRC Form 483 with an assigned registration number. In addition, any changes in the information reported on NRC Form 483 must be reported in writing to the Commission within 30 days after the effective date of such change.

4. *Who is required or asked to report:* Any physician, veterinarian in the practice of veterinary medicine, clinical laboratory or hospital which desires a general license to receive, acquire, possess, transfer, or use specified units of byproduct material in certain *in vitro* clinical or laboratory tests.

5. *The number of annual respondents:* 364 (104 NRC licensees and 260 Agreement State licensees).

6. *The number of hours needed annually to complete the requirement or request:* 42 hours.

7. *Abstract:* Section 31.11 of 10 CFR establishes a general license authorizing any physician, clinical laboratory, veterinarian in the practice of veterinary medicine, or hospital to possess certain small quantities of byproduct material for *in vitro* clinical or laboratory tests not involving the internal or external administration of the byproduct material or the radiation therefrom to human beings or animals. Possession of byproduct material under 10 CFR 31.11 is not authorized until the physician, clinical laboratory, veterinarian in the practice of veterinary medicine, or hospital has filed NRC Form 483 and received from the Commission a validated copy of NRC Form 483 with a registration number.

Submit, by April 22, 2002, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, MD. OMB clearance requests are available at the NRC worldwide web site *(http://www.nrc.gov/NRC/PUBLIC/OMB/index.html).* The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T–6 E 6, Washington, DC 20555–0001, by telephone at (301) 415–7233, or by Internet electronic mail at *INFOCOLLECTS@NRC.GOV.*

Dated at Rockville, Maryland, this 14th day of February 2002.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4191 Filed 2–20–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on March 7–9, 2002, in Conference Room T–2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, November 26, 2001 (66 FR 59034).

Thursday, March 7, 2002

8:30 A.M.—8:35 A.M.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.—10:30 A.M.: Clinton Nuclear Power Station Core Power Uprate (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the AmerGen Energy Company regarding the license amendment request to increase the core thermal power level for the Clinton Nuclear Power Station, Unit 1 and the associated NRC staff's Safety Evaluation Report (SER).

Note: A portion of this session may be closed to discuss GE Nuclear Energy proprietary information.

10:50 A.M.—12:15 P.M.: Proposed NEI 00–04, ''Option 2 Implementation Guideline,'' for Risk-Informing the Special Treatment Requirements of 10 CFR Part 50 (Open)—The Committee will hear presentations by and hold discussions with representatives of the Nuclear Energy Institute (NEI) and the NRC staff regarding proposed industry guidance in NEI 00–04 and related matters.

1:15 P.M.—3:15 P.M.: Arkansas Nuclear One, Unit 2 Core Power Uprate (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Entergy Operations, Inc. regarding the license amendment request to increase the core thermal power level for Arkansas Nuclear One, Unit 2 and the associated NRC staff's SER.

Note: A portion of this session may be closed to discuss Westinghouse proprietary information.

3:35 P.M.—7:00 P.M.: Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, March 8, 2002

8:30 A.M.—8:35 A.M.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.—10:30 A.M.: Phase 2 Pre-Application Review of the AP1000 Design (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Westinghouse regarding the results of the NRC staff's Phase 2 pre-application review of the AP1000 design.

Note: A portion of this session may be closed to discuss Westinghouse proprietary information.

10:45 A.M.—11:45 A.M.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.

11:45—12:00 Noon.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

1:00 P.M.—7:00 P.M.: Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports.

Saturday, March 9, 2002

8:30 A.M.—12:30 P.M.: Proposed ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

12:30 P.M.—1:00 P.M.: Miscellaneous (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 3, 2001 (66 FR 50462). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Dr. Sher Bahadur, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting Dr. Sher Bahadur prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Dr. Sher Bahadur if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) Public Law 92–463, I have determined that it is necessary to close portions of this meeting noted above to discuss proprietary information per 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting Dr. Sher Bahadur (telephone 301–415–0138), between 7:30 a.m. and 4:15 p.m., EST.

ACRS meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at *pdr@nrc.gov*, or by calling the PDR at 1–800–397–4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at *http://www.nrc.gov/NRC/ADAMS/index.html.*

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m., EST, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: February 14, 2002.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 02–4190 Filed 2–20–02; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 11Ab2–1 and Form SIP, SEC File No. 270–23, OMB Control No. 3235–0043.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities

and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 11Ab2–1 (Form of Application and Amendments) and Form SIP establish the procedures by which a Securities Information Processor (''SIP'') files and amends its SIP registration form. The information filed with the Commission pursuant to Rule 11Ab2–1 and Form SIP is designed to provide the Commission with the information necessary to make the required findings under the Securities Exchange Act of 1934 (''Act'') before granting the SIP's application for registration. In addition, the requirement that a SIP file an amendment to correct any inaccurate information is designed to assure that the Commission has current, accurate information with respect to the SIP. This information is also made available to members of the public.

Only exclusive SIPs are required to register with the Commission. An exclusive SIP is a SIP that engages on an exclusive basis on behalf of any national securities exchange or registered securities association, or any national securities exchange or registered securities association which engages on an exclusive basis on its own behalf, in collecting, processing, or preparing for distribution or publication, any information with respect to (i) transactions or quotations on or effective or made by means of any facility of such exchange or (ii) quotations distributed or published by means of any electronic quotation system operated by such association. The Federal securities laws require that before the commission may approve the registration of an exclusive SIP, it must make certain mandatory findings. It takes a SIP applicant approximately 400 hours to prepare documents which include sufficient information to enable the Commission to make those findings. Currently, there are only two exclusive SIPs registered with the Commission: The Securities Information Automation Corporation (''SIAC'') and The Nasdaq Stock Market, Inc. (''Nasdaq''). SIAC and Nasdaq are required to keep the information on file with the Commission current, which entails filing a form SIP annually to update information. Accordingly, the annual reporting and recordkeeping burden for Rule 11Ab2–1 and Form SIP is 400 hours. This annual reporting and recordkeeping burden does not include the burden hours or cost of amending a Form SIP because the Commission has already overstated the compliance burdens by assuming that the Commission will receive one initial registration pursuant to Rule 11Ab2–1 on Form SIP a year.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, N.W. Washington, DC 20549.

Dated: February 13, 2002.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4168 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45438; File No. SR–GSCC–2002–01]

Self-Regulatory Organizations; Government Securities Clearing Corporation; Notice of Filing of Proposed Rule Change to Establish a Cross-Margining Program With BrokerTec Clearing Company, L.L.C.

February 13, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on January 18, 2002, the Government Securities Clearing Corporation (''GSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by GSCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

[1] 15 U.S.C. 78s(b)(1).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

GSCC is seeking to establish a cross-margining program with BrokerTec Clearing Company, L.L.C. (''BCC'').

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, GSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. GSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On August 19, 1999, the Commission approved GSCC's proposed rule filing to establish a cross-margining program with other clearing organizations and to begin its program with the New York Clearing Corporation (''NYCC''). The GSCC-NYCC cross-margining program was implemented on February 25, 2000.[3] GSCC subsequently submitted a rule filing to the Commission to establish a similar cross-margining program with the Chicago Mercantile Exchange (''CME''). That program was approved on May 11, 2001.[4] On January 25, 2002, the Commission approved a cross-margining program between GSCC and the Board of Trade Clearing Corporation (''BOTCC'').[5] GSCC is now seeking to establish a similar cross-margining program with BCC.

BCC is the affiliated clearing organization for futures transactions

[2] The Commission has modified the text of the summaries prepared by GSCC.

[3] Securities Exchange Act Release No. 41766 (August 19, 1999), 64 FR 46737 (August 26, 1999) [File No. SR–GSCC–98–04]. The requisite rule changes necessary for GSCC to engage in cross-margining programs with other clearing organizations were made in the NYCC cross-margining rule filing.

[4] Securities Exchange Act Release No. 44301 (May 11, 2001), 66 FR 28207 (May 22, 2001) [File No. SR–GSCC–00–13]. In addition to approving GSCC's cross-margining program with the CME, the order granted approval to change GSCC Rule 22, Section 4, to clarify that before GSCC credits an insolvent member for any profit realized on the liquidation of the member's final net settlement positions, GSCC will fulfill its obligations with respect to that member under cross-margining agreements.

[5] Securities Exchange Act Release No. 45335 (January 25, 2002), 67 FR 4768 (January 31, 2001) [File No. SR–GSCC–2001–03].

executed on BrokerTec Futures Exchange, L.L.C. (''BTEX''). On June 18, 2001, the Commodities Futures Trading Commission approved the application of BTEX for contract market designation and approved registration of BCC as a derivatives clearing organization. BCC currently clears futures contracts on U.S. Treasury securities traded on BTEX.[6] It is expected that, in the future, BTEX intends to offer trading in other U.S. fixed-income futures contracts and options on futures contracts traded on BTEX. BCC will provide clearing services for these products.

A. GSCC's Cross-Margining Program

GSCC believes that the most efficient and appropriate approach for establishing cross-margining links for fixed-income and other interest rate products is to do so on a multilateral basis with GSCC as the ''hub.'' Each clearing organization that participates in a cross-margining program with GSCC (''Participating CO'') enters into a separate cross-margining agreement between itself and GSCC, as in the case of NYCC, CME, BOTCC, and now proposed for BCC. Each of the agreements do and will continue to have similar terms, and no preference will be given by GSCC to one Participating CO over another. Under GSCC's arrangement, cross-margining occurs between GSCC and each Participating CO and not between Participating COs.

Cross-margining is available to any GSCC netting member (with the exception of inter-dealer broker netting members) that is or that has an affiliate that is a member of a Participating CO. Any such member (or pair of affiliated members) may elect to have its margin requirements at both clearing organizations calculated based upon the net risk of its cash and repo positions at GSCC and its offsetting and correlated positions in certain futures contracts carried at the Participating CO. Cross-margining is intended to lower the cross-margining member's (or pair of affiliated members'') overall margin requirement, as inter-market hedges are taken into consideration in the margining process. The GSCC member (and its affiliate, if applicable) sign an agreement under which it (or they) agree to be bound by the cross-margining agreement between GSCC and the Participating CO and which allows GSCC or the Participating CO to apply the member's (or its affiliate's) margin collateral to satisfy any obligation of GSCC to the Participating CO or the Participating CO to GSCC that results from a default of the member (or its affiliate).

Margining based on the combined net risk of correlated positions is based on an arrangement under which GSCC and each Participating CO agree to accept the offsetting correlated positions in lieu of supporting collateral. Under this arrangement, each clearing organization holds and manages its own positions and collateral and independently determines the amount of margin that it will collect from its member and that it will make available for cross-margining. This available margin is referred to as the ''residual margin amount.'' [7]

GSCC computes the amount by which the cross-margining member's margin requirement can be reduced at each clearing organization by comparing the member's positions and the related margin requirements at GSCC against those submitted to GSCC by each Participating CO. This reduction amount is referred to as the ''cross margin reduction.'' GSCC offsets each cross-margining member's residual margin amount (based on related positions) at GSCC against the offsetting residual margin amounts of the member (or its affiliate) at each Participating CO. If, within a given pair of offset classes, the margin that GSCC has available for a participant is greater than the combined margin submitted by the Participating COs, GSCC will allocate a portion of its margin equal to the combined margin at the Participating COs. If, within a given pair of offset classes, the combined margin submitted by the Participating COs is greater than the margin that GSCC has available for that member, GSCC will first allocate its margin to the Participating CO with the most highly correlated position. If, within a given pair of offset classes, the positions are equally correlated, GSCC will allocate pro rata based upon the residual margin amount submitted by each Participating CO. GSCC and each Participating CO may then reduce the amount of collateral that they collect to reflect the offsets between the cross-margining member's positions at GSCC and its (or its affiliate's) positions at the Participating CO(s).[8] In the event of the default and liquidation of a cross-margining participant, the loss sharing between GSCC and each of the Participating COs will be based upon the foregoing allocations and the cross-margin reduction.

GSCC will guarantee the cross-margining member's (or its affiliate's) performance to each Participating CO up to a specified maximum amount based on the loss sharing formula contained in the Cross-Margining Agreement. Each Participating CO will provide the same guaranty to GSCC. The amount of the guarantee is the lowest of: (1) The cross-margin loss of the worse off party; (2) the higher of the cross-margin reduction or the cross-margin gain of the better off party; (3) the amount required to equalize the parties' cross-margin results; or (4) the amount by which the cross-margining reduction exceeds the better off party's cross-margin loss if both parties have cross-margin losses.

B. Information Specific to the Current Agreement Between GSCC and BCC

1. *Participation in the cross-margining program:* Any netting member of GSCC other than an inter-dealer broker will be eligible to participate.[9] Any clearing member of BCC will be eligible to participate.[10]

2. *Products subject to cross-margining:* The products that will be eligible for the GSCC–BCC cross-margining program are the Treasury and non-mortgage-backed Agency securities of certain remaining maturities that fall into GSCC's Offset Classes A through G and a through g as defined in the cross-margining agreement that are cleared by GSCC and the 2-year Note, 5-year Note, 10-year Note, and the 30-year Bond futures contracts cleared by BCC.[11] In addition, it is anticipated that the GSCC products specified above will be cross-margined with the 5-year and 10-year Agency futures and options on futures when these products are traded on the BTEX and cleared by BCC.[12] All eligible positions maintained by a cross-margining member in its account at GSCC and in its (or its affiliate's) proprietary account at BCC will be

[6] Currently, BTEX offers trading in futures contracts on the 5-year Note, 10-year Note, and 30-year Bond.

[7] The residual margin amount is the long margin amount or the short margin amount in each offset class that is available for cross-margining after all internal offsets are conducted within and between offset classes at a particular clearing organization.

[8] GSCC and each Participating CO unilaterally have the right not to reduce a member's margin requirement by the cross-margin reduction or to reduce it by less than the cross-margin reduction. However, the clearing organizations may not reduce a participant's margin requirement by more than the cross-margin reduction.

[9] Because inter-dealer brokers should not and generally do not have positions at GSCC at the end of the day, they should have no margin requirement to be reduced.

[10] The GSCC–BCC cross-margining agreement requires ownership of 50 percent or more of the common stock of an entity to be deemed ''control'' of that entity for purposes of the definition of ''affiliate.''

[11] GCF Repo products will not be included in the program.

[12] GSCC will notify the Commission when additional securities are added to the cross-margining program.

eligible for cross-margining.[13] An appropriate disallowance factor[14] based on correlation studies and a minimum margin factor[15] will be applied.[16]

3. *Margin Rates:* Margin reductions in the GSCC–BCC cross-margining program will always be computed based on the lower of GSCC's and BCC's margin rates. This methodology results in potentially less benefits to the members but ensures a more conservative result (*i.e.,* more collateral held at the clearing organization) for both GSCC and the Participating COs.

4. *Daily Procedures:* On each business day, it is expected that BCC will inform GSCC of the residual margin amounts it is making available for cross-margining by approximately 10:30 p.m. New York time. GSCC will inform BCC by approximately 12:30 a.m. New York time of how much of these residual margin amounts it will use (*i.e.,* the cross-margining reduction). The actual reductions which may be no greater than the cross-margining reduction, will be reflected in the daily clearing fund calculation.

C. Benefits of Cross-Margining

GSCC believes that its cross-margining program enhances the safety and soundness of the settlement process for the Government securities marketplace by: (1) Providing clearing organizations with more data concerning members' intermarket positions (which is especially valuable during stressed market conditions) to enable them to make more accurate decisions regarding the true risk of such positions to the clearing organizations; (2) allowing for enhanced sharing of collateral resources; and (3) encouraging coordinated liquidation processes for a joint member, or a member and its affiliate, in the event of an insolvency. GSCC further believes that cross-margining benefits participating clearing members by providing members with the opportunity to more efficiently use their collateral. More important from a regulatory perspective, however, is that cross-margining programs have long been recognized as enhancing the safety and soundness of the clearing system itself. Studies of the October 1987 market break gave support to the concept of cross-margining. For example, The Report of the President's Task Force on Market Mechanisms (January 1988) noted that the absence of a cross-margining system for futures and securities options markets contributed to payment strains in October 1987. The Interim Report of the President's Working Group on Financial Markets (May 1988) also recommended that the SEC and CFTC facilitate cross-margining programs among clearing organizations. This resulted in the first cross-margining arrangement between clearing organizations which was approved in 1988.[17]

GSCC believes that the proposed rule change is consistent with the requirements of Section 17A of the Act[18] and the rules and regulations thereunder applicable to GSCC because it will provide members with significant benefits such as greater liquidity and more efficient use of collateral in a prudent manner and will enhance GSCC's overall risk management process.

(B) Self-Regulatory Organization's Statement on Burden on Competition

GSCC does not believe that the proposed rule change will have any impact or impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not yet been solicited or received. GSCC will notify the Commission of any written comments received by GSCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of GSCC.

All submissions should refer to File No. SR–GSCC–2002–01 and should be submitted by March 8, 2002.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[19]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4170 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[13] The GSCC–BCC cross-margining program will be applicable, on the futures side, only to positions in a proprietary account of a cross-margining member (or its affiliate) at BCC. Positions in a customer account at BCC that would be subject to segregation requirements under the Commodity Exchange Act will not be included in the program. This is also the case with respect to the arrangements with NYCC, CME, and BOTCC.

[14] The disallowance factor is the haircut reflective of the correlation analysis done by GSCC for each offset class.

[15] The minimum margin factor is the contractually agreed upon cap on the amount of the margin reduction that the clearing organizations will allow. (In some of the documents submitted by GSCC, the minimum margin factor is referred to as the minimum disallowance factor.) Initially, the GSCC–BCC cross-margining program will employ a 25% minimum margin factor. Should GSCC decide to change the minimum margin factor, it will submit a proposed rule filing under Section 19(b) of the Act.

[16] GSCC will review the cross-margining parameters on a yearly basis unless market events dictate the need for more frequent reviews.

[17] Securities Exchange Act Release No. 26153 (October 3, 1988), 53 FR 39567 (October 7, 1988) [File No. SR–OCC–86–17] (order approving cross-margining program between OCC and The Intermarket Clearing Corporation).

[18] 15 U.S.C. 78q–1.

[19] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45444; File No. SR–NASD–2002–17]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Expand Program for Sharing Market Data Revenue With NASD Members, Reduce Charge for Automated Give-Up Trade Reports, and Delete Fee Schedule for the ReSource Service

February 14, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on February 5, 2002, the National Association of Securities Dealers, Inc. (''NASD'' or ''Association''), through its subsidiary, The Nasdaq Stock Market, Inc. (''Nasdaq''), filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

This is a proposed rule change to: (1) Expand Nasdaq's program for sharing market data revenue with NASD members; (2) reduce the charge for automated give-up (''AGU'') trade reports submitted to Nasdaq's Automated Confirmation Transaction Service (''ACT''); and (3) delete the fee schedule for the ReSource Service, a service that Nasdaq had proposed to assist NASD member market centers in meeting their reporting obligations under Rule 11Ac1–5,[1] but that Nasdaq has decided not to offer. Pursuant to Section 19(b)(3)(A)(ii) of the Act [2] and Rule 19b-4(f)(2) thereunder,[3] Nasdaq has designated this proposal as one establishing or changing a due, fee, or other charge imposed by a self-regulatory organization, and therefore the proposed rule change is effective upon filing as applied to NASD members. Nasdaq implemented the rule change as of February 11, 2002. The text of the proposed rule change is set forth below. Proposed new language is *italicized;* proposed deletions are in brackets.

* * * * *

7010. System Services

(a) (1) No change.

(2) Market Data Revenue Sharing

(A) For a pilot period [commencing on February 1, 2002 and] lasting until October 31, 2002, NASD members shall receive a market data revenue sharing credit. The total credit shall be calculated in accordance with the following formula:

Credit=(0.[6]*80*) × (Eligible Revenue) × (Member's Volume Percentage)

(B) Definitions. The following definitions shall apply to this Rule:

(i) ''Eligible Revenue'' shall mean:

a. the portion of the net distributable revenues that Nasdaq, through the NASD, is eligible to receive under the Nasdaq UTP Plan, that is attributed to the Nasdaq Level 1 Service for Eligible Securities, minus

b. the portion of the fee charged to Nasdaq by NASD Regulation, Inc. for regulatory services allocated to the Nasdaq Level 1 Service for Eligible Securities.

(ii) ''Eligible Securities'' shall mean all Nasdaq National Market securities and any other security that meets the definition of ''Eligible Security'' in the Nasdaq UTP Plan.

(iii) ''Member's Volume Percentage'' shall mean the average of:

a. the percentage derived from dividing the total number of trades in Eligible Securities [conducted on non-Nasdaq transaction systems] that the member reports in accordance with NASD trade reporting rules to the Automated Confirmation Transaction Service (''ACT'') by the total number of trades in Eligible Securities reported to ACT by NASD members, and

b. the percentage derived from dividing the total number of shares represented by trades in Eligible Securities [conducted on non-Nasdaq transaction systems] that the member reports in accordance with NASD trade reporting rules to ACT by the total number of shares represented by all trades in Eligible Securities reported to ACT by NASD members.

(iv) ''Nasdaq UTP Plan'' shall mean the Joint Self-Regulatory Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis.

(b)—(f) No change.

(g) Automated Confirmation Transaction Service.

The following charges shall be paid by the participant for use of the Automated Confirmation Transaction Service (ACT):

Transaction Related Charges:

Comparison—$0.0144/side per 100 shares (minimum 400 shares; maximum 7,500 shares)
Automated Give-Up—$[0.01]*0.029*/side [per 100 shares (minimum 400 shares; maximum 7,500 shares)]
Late Report—T+N—$0.288/side
Browse/query—$0.288/query *
Terminal fee—$57.00/month (ACT only terminals)
CTCI fee—$575.00/month
Nasdaq ACT—$300/month (full functionality) or $150/month (up to an average of twenty transactions per day each month) **
Trade reporting—$0.029/side (applicable only to reportable transaction not subject to trade comparison through ACT) ***
Risk Management Charges[:]—$0.035/side and $17.25/month per correspondent firm (maximum $10,000/month per correspondent firm)
Corrective Transaction[:]—$0.25/Cancel, Error, Inhibit, Kill, or ''No'' portion of
Charge—No/Was transaction, paid by reporting side; $0.25/Break, Decline transaction, paid by each party[;]

(h)—(p) No change.

[(q) Nasdaq ReSource SM Service]

[(1)(A) Subscribers to the Nasdaq ReSource SM Service shall be charged an Activation Fee and an Annual Subscription Fee, both of which generally will vary depending upon a subscriber's trading volume, as measured in accordance with paragraphs (B) through (D) below, and corresponding tier classification as follows:]

[Tier	Average monthly trade volume]
[1	500,000 or greater]
[2	100,000–499,999]
[3	10,000–99,999]
[4	5,000–9,999]
[5	1,000–4,999]
[6	500–999]
[7	0–499]

* Each ACT query incurs the $0.288 fee; however, the first accept or decline processed for a transaction is free, to insure that no more than $0.288 is charged per comparison. Subsequent queries for more data on the same security will also be processed free. Any subsequent query on a different security will incur the $0.288 query charge.

** For the purposes of this service only, a transaction is defined as an original trade entry, either on trade date or as-of transactions per month.

*** The trade reporting service charge is applicable to those trades input into ACT for reporting purposes only, such as NSCC Qualified Special Representative reports and reports of internalized transactions.

[1] 17 CFR 240.11Ac1–5.

[2] 15 U.S.C. 78s(b)(3)(A)(ii).

[3] 17 CFR 240.19b–4(f)(2).

[(B) During the first year of the Resource SM Service (i.e., August 2001 through July 2002) Nasdaq will assign subscribers to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, for the period from September 1, 2000, through February 28, 2001, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(C) Members that subscribe to the Resource SM Service other than at the beginning of a ''Subscription Year,'' as the term is defined below, will be assigned to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, during the six month period preceding the date of their subscription, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(D) Beginning in July of 2002, and on an annual basis thereafter, Nasdaq will review each subscriber's average monthly trading volume and assign the subscriber to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, during the preceding six month period, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(2)(A) Activation Fees and Annual Subscription Fees shall be as follows:]

[Tier	Activation Fee	Annual Subscription Fee]
[1	$3,000	$35,000]
[2	3,000	30,000]
[3	2,000	20,000]
[4	1,000	10,000]
[5	1,000	7,500]
[6	1,000	5,000]
[7	1,000	2,500]

[(B) The Activation Fee shall be billed after execution of the Addendum to Nasdaq Workstation II Subscriber Agreement for Nasdaq Resource SM (''Agreement'').]

[(C) The Annual Subscription Fee shall be charged after execution of the Agreement, and at the beginning of each Subscription Year thereafter. A ''Subscription Year'' shall mean a 12-month period from August 1st to July 31st. The Annual Subscription Fee will be pro-rated on a monthly basis for those firms that subscribe to the Service other than at the beginning of a Subscription Year. Nasdaq will offer no refunds of the Annual Subscription Fee.]

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of and basis for the proposed rule change and discussed comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth below in Sections A, B, and C, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On December 27, 2001, Nasdaq filed a proposed rule change to implement a mechanism for market data revenue sharing.[4] Nasdaq is now proposing amendments to these rules that will have the effect of providing additional market data revenue sharing. In addition, Nasdaq is proposing to lower the charge for AGU trade reports submitted to ACT. Finally, as a ''housekeeping'' matter, Nasdaq is deleting Rule 7010(q), which contains fees for a proposed service that Nasdaq has decided not to offer.

Market Data Revenue Sharing

Under its market data revenue sharing program, which went into effect on February 1, 2002, Nasdaq shares with NASD members a portion of the market data revenue that it receives, through the NASD, under the Joint Self-Regulatory Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis (the ''Nasdaq UTP Plan'' or the ''Plan''). Under the Plan, Nasdaq, through the NASD as a Plan participant, receives a share of market data revenues distributed by the Plan's securities information processor, based on reported trades attributable to Nasdaq under the Plan. Nasdaq, in turn, makes a portion of the revenue that it receives available to the members whose trade reporting activity generated the revenue. Under the revenue sharing program that went into effect on February 1, Nasdaq shares market data revenue solely on the basis of trades that were not effected through a Nasdaq transaction system, such as internalized trades, but that are reported to ACT. Nasdaq is now proposing to expand the credit to share a portion of the revenue associated with trades executed through Nasdaq transaction systems, such as SuperSOES and SelectNet.

Under the current program, a member's credit for non-Nasdaq transaction system trades was set at 60% of the net Level 1 revenue attributable to the member's reports of non-Nasdaq transaction system trades in securities covered by the Plan (''Eligible Securities''), with the pool of sharable revenue being comprised of Level 1 revenues distributable to Nasdaq under the Nasdaq UTP Plan minus an allocated portion of the NASDR regulation fee, and the member's non-Nasdaq transaction system trade report activity being measured by total number of trades and share volume. Nasdaq is now proposing to share on the basis of all trades that are reported to ACT and to increase the percentage of the pool of revenue shared to 80%.[5]

The original formula focused on the reporting of non-Nasdaq transaction system trades, such as internalized trades, because Nasdaq expects that members will have increasingly greater options to report such trades to UTP Exchanges in the future. In order to continue to provide an attractive environment for the reporting of these trades, Nasdaq concluded that it is appropriate to share a portion of the data revenue associated with these trades with members that report them to Nasdaq. Although all Nasdaq transaction system trades are automatically reported to Nasdaq through ACT, Nasdaq also faces competition for trade executions. Accordingly, Nasdaq believes that it is also appropriate to share a portion of the market data revenue associated with system trades, as a means of lowering the overall costs incurred by members to execute transactions through Nasdaq systems.

Automated Give-Up Fee

ACT is the Nasdaq system used by members to report and compare trades for clearance and settlement, and transmit trade reports for regulatory purposes and public dissemination. In a ''give-up'' arrangement, a member reports or accepts a trade in ACT on behalf of another member by identifying in the ACT screen give-up box the member on whose behalf the trade is being reported or accepted. The

[4] *See* Securities Exchange Act Release No. 45342 (Jan. 28, 2002), 67 FR 5109 (Feb. 1, 2002) (SR–NASD–2001–96).

[5] Nasdaq represents that it may file a proposed rule change with the Commission to increase this percentage further, as warranted by market conditions.

Automated Give-Up (''AGU'') feature allows a broker to enter and lock-in a trade when it is responsible for both sides of the trade. This occurs when two of its ''give-ups'' trade with each other or the broker trades with one of its own give-up firms. Without AGU, the broker would be required to submit an entry for one side and either accept the trade or submit an entry for the other side. By using AGU, the broker avoids the need to accept the trade or submit the second entry. Accordingly, use of AGU substantially reduces the use of Nasdaq system resources. The fee for AGU reports is currently $0.01 per side per 100 shares, with a minimum of 400 shares and a maximum of 7,500 shares (*i.e.,* $0.04 to $0.75 per side). In an effort to encourage greater use of ACT, Nasdaq is reducing the fee to a flat $0.029 per side, the same fee that is charged for ACT's basic trade report, and is eliminating the minimum and maximum restrictions.

Nasdaq ReSource *SM* Service

As a ''housekeeping'' matter, Nasdaq is deleting Rule 7010(q), which contains fees for the Nasdaq Resource SM Service, a service that Nasdaq had proposed to assist NASD member market centers in meeting their reporting obligations under SEC Rule 11Ac1–5,[6] but that Nasdaq has decided not to offer.

Nasdaq believes that the proposed rule change is consistent with the Act, including Section 15A(b)(5) of the Act,[7] which requires that the rules of the NASD provide for the equitable allocation of reasonable fees, dues, and other charges among members and issuers and other persons using any facility or system which the NASD operates or controls, and Section 15A(b)(6) of the Act,[8] which requires rules that are not designed to permit unfair discrimination between customers, issuers, brokers or dealers. Nasdaq believes that the fee reduction and revenue sharing credit increase implemented by this filing are allocated in an equitable fashion and will result in lower charges for members.

B. Self-Regulatory Organization's Statement on Burden on Competition

Nasdaq believes that the proposed rule change will not result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received on the proposed rule change contained in this filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [9] and subparagraph (f) of Rule 19b–4,[10] thereunder because it establishes or changes a due, fee or other charge imposed by the self-regulatory organization. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to file number SR–NASD–2002–17 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[11]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4172 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[6] 17 CFR 240.11Ac1–5.

[7] 15 U.S.C. 78*o*–3(b)(5).

[8] 15 U.S.C. 78*o*–3(b)(6).

[9] 15 U.S.C. 78s(b)(3)(A)(ii).

[10] 17 CFR 240.19b–4(f).

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45440; File No. SR–PHLX–2001–109]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Clarifying the Applicability of Phlx Rule 606 to Tethered Communication Devices

February 13, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1], and Rule 19b–4 thereunder,[2] notice is hereby given that on December 20, 2001, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Phlx. The Phlx submitted an amendment to the proposed rule change on February 7, 2002.[3] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx proposes to add new Supplementary Material .03 to Phlx Rule 606 (Wire and Other Connections, Communications and Equipment) to clarify that the rule and relevant policies apply to users of all communication and other electronic devices on the floors of the Exchange, including, but not limited to, tethered [4] as well as, wireless, wired, voice, and

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* letter from Jurij Trypupenko, Esquire, Phlx, to Sharon M. Lawson, Senior Special Counsel, Division of Market Regulation, Commission, dated February 6, 2002 (''Amendment No. 1''). Amendment No. 1 deletes the second sentence of proposed Supplementary Material .03 to Phlx Rule 606.

[4] A tether is a hardwire connection to an existing Exchange communication network. It augments the current wireless network on the options floor and allows users to connect their handheld devices to the existing Exchange communication network and thereby interface with member firm communication networks.

data devices. The proposed amendment to Phlx Rule 606 is proposed in conjunction with the Exchange's installation of tether connections and imposition of initial and monthly fees on the users of such tethers, namely registered options traders and floor brokers (but not specialists) on the options trading floor.[5]

The proposed rule change is set forth below. Additions are in italics.

Rule 606. Wire and Other Connections Rule Communications and Equipment

(a) No member or member organization shall establish or maintain any private wire connection, private radio, television or wireless system, between the Exchange Trading Floor and a non-member without application to and approval by the Committee.

* * * * *

Supplementary Material:

* * * * *

.03 This rule and any relevant Exchange policy are intended to apply to all communication and other electronic devices on the floor of the Exchange, including, but not limited to, wireless, wired, tethered, voice, and data.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Due to increases in bandwidth demands and the use of applications by traders, namely on the options floor, that are not designed to effectively operate on the Exchange's shared wireless network, the Exchange installed tether connections on its options floor. As a result, traders have a choice of how they access the Exchange's local area network (''LAN'') in order to receive and transmit non-trading data through hardwired tether connections or wireless connections. The Exchange believes that traders should be subject to consistent rules and disciplinary processes regardless of what type of access to the LAN or communication device they choose. Accordingly, the Exchange proposes to add new Supplementary Material .03 to its Rule 606 (Communications and Equipment) to clarify that the rule and relevant policies apply to users of all communication and other electronic devices on the floors of the Exchange, including, but not limited to, tethered as well as wireless, wired, voice, and data devices.

2. Statutory Basis

The Exchange believes that the proposed rule change, as amended, is consistent with Section 6(b) of the Act[6] in general, and furthers the objectives of Section 6(b)(5)[7] in particular, in that it is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and protect investors and the public interest by clarifying the applicability of the Exchange rules, and the disciplinary process thereunder, to member users of tethered communication devices on the options floor.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change, as amended, will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate,[8] provided that the Exchange has given the Commission written notice of its intention to file the proposed rule change at least five days prior to the date of filing, or such shorter time as designated by the Commission,[9] it has become effective pursuant to Section 19(b)(3)(A) of the Act[10] and Rule 19b–4(f)(6)[11] thereunder. At any time within 60 days of the filing of Amendment No. 1 to the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The Commission believes that it is consistent with the protection of investors and the public interest and therefore finds good cause to waive the 5 day pre-filing requirement and to designate the proposal to become immediately operative upon filing. Waiver of the 5 day requirement and acceleration of the operative date will further clarify without undue delay the applicability of Phlx Rule 606 to various types of communications devices, including those connected via tethers. For these reasons, the Commission finds good cause to waive the 5 day pre-filing requirement and to designate that the proposal become operative immediately upon filing.[12]

II. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference

[5] *See* Securities Exchange Act Release No. 44963 (October 19, 2001), 66 FR 64317 (October 26, 2001) (SR–Phlx–2001–84). Footnote 6 notes that the restrictions of Exchange Rule 606 and any other rules applicable to communications apply to all communications via tethers, and that the Exchange intends to propose a clarifying amendment to Rule 606.

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] The Exchange requested the Commission to waive the 30 day operative period.

[9] The Exchange requested, and the Commission agreed, to waive the five day pre-filing requirement

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19–4(f)(6).

[12] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx–2001–109 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[13]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4169 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45443; File No. SR–Phlx–2001–103]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change and Amendment Nos. 1 and 2 Thereto by the Philadelphia Stock Exchange, Inc., to Amend Phlx Rule 229 to Allow Specialists to Establish a Proprietary Specialized Quote Feed Connection to the PACE System

February 14, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4[2] thereunder, notice is hereby given that on December 21, 2001, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. On January 16, 2002, the Phlx amended the proposal.[3] The Phlx again amended the proposal on February 12, 2002.[4] The Phlx filed the proposal pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(5)[6] thereunder as a proposal effecting a change in an existing order-entry or trading system, rendering the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx proposes to amend Phlx Rule 229, Philadelphia Stock Exchange Automated Communication and Execution System (PACE),[7] by adopting Supplementary Material .22, to provide specialists with the ability to establish a special proprietary connection to the PACE workstation called a Specialized Quote Feed (''SQF''). The proprietary connection, which is voluntary, would provide specialists on the Exchange's Equity Floor with an electronic interface that would allow specialists to price equity securities with their own quoting models. The ability to use the SQF is subject to the Exchange's prior approval. The text of the proposed rule change is below. Additions are in italics.

Rule 229. Philadelphia Stock Exchange Automated Communication and Execution System (PACE)

* * * * *

.22. In addition to the quoting capability in the Exchange's PACE workstation, a specialist may establish a special connection to price equity securities, which is known as a Specialized Quote Feed.

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II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to provide specialists on the Exchange's Equity Floor with the ability to interface with PACE via a proprietary connection (an SQF) that would enable Exchange equity specialists to price equity securities with their own pricing models, subject to the Exchange's prior approval. Such approval would be required by the Exchange's Floor Procedure Committee, which has supervision over all connections or means of communication with the equity trading floor.[8]

The Exchange believes that the proposed rule change should enable Exchange specialists to provide their own stock quotations using their own proprietary systems. The Phlx believes that such proprietary systems should permit equity specialist units to price securities more precisely, and pursuant to their own business models. For instance, some specialist units may consider prices of related futures products when calculating a bid or offer for a security such as an Exchange Traded Fund (''ETF'') product.[9] The Exchange would continue to make available its quotation model on the PACE workstation, which only considers the price of the individual security in its quotation calculation. The Exchange believes that the SQF would make equity quotations disseminated by the Exchange more efficient.

2. Statutory Basis

The Phlx believes the proposed rule change is consistent with Section 6 of the Act[10] in general, and with Section 6(b)(5) of the Act[11] specifically, in that it is designed to perfect the mechanisms of a free and open market and the national market system, protect

[13] 7 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* January 15, 2002 letter from Richard S. Rudolph, Counsel, Phlx, to Joseph P. Morra, Special Counsel, Division of Market Regulation (''Division''), SEC (''Amendment No. 1''). In Amendment No. 1, the Phlx clarified the rationale behind offering specialists a voluntary alternative interface with the Philadelphia Stock Exchange Automated Communication and Execution System (PACE) that would allow them to deploy their own pricing models as an alternative to the PACE model.

[4] *See* February 11, 2002 letter from Richard S. Rudolph, Counsel, Phlx, to Nancy Sanow, Assistant Director, Division, SEC (''Amendment No. 2''). In Amendment No. 2, the Phlx deleted the phrase ''subject to Exchange approval'' from the proposed rule text, and clarified that the requirement of the Floor Procedure Committee approval set forth in Phlx Rule 444, Wire Connections Between Exchange and Members' Offices, applies to Specialized Quote Feed users on the Phlx's Equity Trading Floor. For purposes of calculating the 60-day abrogation period, the Commission considers the 60-day abrogation period to have commenced on February 12, 2002, the date on which the Phlx filed Amendment No. 2.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(5).

[7] PACE is the Exchange's automated order routing, delivery, execution and reporting system for the equity trading floor. PACE includes a system for the automatic execution of orders on the Exchange equity floor under predetermined conditions. Orders accepted under the system may be executed on a fully automated or manual basis in accordance with the provisions of Exchange Rule 229. Securities admitted to dealings on the equity floor are eligible for trading on the PACE System in which equity specialists and member organizations may choose to participate.

[8] *See* Exchange By-Law Article X, Section 10–16.

[9] The price of an ETF product is based on a number of factors. Although the Exchange offers its specialists a pricing system through PACE, specialists may wish to use their own proprietary pricing models that include their own calculations concerning the variables underlying the pricing of ETFs. For this reason, the Phlx has decided to provide specialists, on a voluntary basis, with an interface with PACE, or an SQF, that would allow them to deploy their own pricing models as an alternative to the PACE model. *See* Amendment No. 1.

[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(5).

investors and the public interest and promote just and equitable principles of trade by providing Exchange equity specialists with an electronic interface that will allow them to provide their own proprietary quotations.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change would impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is effective upon filing pursuant to Section 19(b)(3)(A) of the Act,[12] and Rule 19b–4(f)(5) [13] thereunder, in that it effects a change in an existing order-entry or trading system of a self-regulatory organization that does not: (1) Significantly affect the protection of investors or the public interest, (2) impose any significant burden on competition, or (3) have the effect of limiting the access to or availability of the system.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exhange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filings will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR–Phlx–2001–103 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[14]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4171 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(5).

[14] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3394]

State of Oklahoma

Amendment #1

In accordance with information received from the Federal Emergency Management Agency, dated February 11, 2002, the above numbered declaration is hereby amended to establish the incident period for this disaster as beginning on January 30, 2002, and continuing through February 11, 2002.

All other information remains the same, i.e., the deadline for filing applications for economic injury is November 1, 2002.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: February 13, 2002.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 02–4104 Filed 2–20–02; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice No. 3886]

Advisory Committee on Historical Diplomatic Documentation; Notice of Meeting

The Advisory Committee on Historical Diplomatic Documentation will meet in the Department of State, 2201 ''C'' Street NW, Washington, DC, March 4–5, 2002, in Conference Room 1105. Prior notification and a valid photo are mandatory for entrance into the building. One week before the meeting, members of the public planning to attend must notify Gloria Walker, Office of the Historian (202–663–1124) to provide relevant dates of birth, Social Security numbers, and telephone numbers.

The Committee will meet in open session from 1:30 p.m. through 3:00 p.m. on Monday, March 4, 2002, to discuss declassification and transfer of Department of State electronic records to the National Archives and Records Administration and the modernization of the *Foreign Relations* series. The remainder of the Committee's sessions from 3:15 p.m. until 4:30 p.m. on Monday, March 4, 2002, and 9:00 a.m. until 1:00 p.m. on Tuesday, March 5, 2002, will be closed in accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92–463). The agenda calls for discussions of agency declassification decisions concerning the *Foreign Relations* series. These are matters not subject to public disclosure under 5 U.S.C. 552b(c)(1) and the public interest requires that such activities be withheld from disclosure.

Questions concerning the meeting should be directed to Marc J. Susser, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC, 20520, telephone (202) 663–1123, (e-mail: *history@state.gov*).

Dated: February 11, 2002.

Marc J. Susser,

Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State.

[FR Doc. 02–4167 Filed 2–20–02; 8:45 am]

BILLING CODE 4710–11–P

DEPARTMENT OF STATE

[Public Notice 3882]

Overseas Security Advisory Council (OSAC); Meeting Notice: Closed Meeting

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on March 5 and 6, in Ponte Vedra Beach, Florida. Pursuant to section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b[c] [1] and [4], it has been determined the meeting will be closed to the public. Matters relative to classified national security information as well as privileged commercial information will be discussed. The agenda will include updated committee reports, a world threat overview and a round table discussion that calls for the discussion of classified and corporate proprietary/security information as well as private sector physical and

procedural security policies and protective programs at sensitive U.S. Government and private sector locations overseas.

For more information contact Marsha Thurman, Overseas Security Advisory Council, Department of State, Washington, DC 20522–1003, phone: 202–663–0533.

Dated: January 29, 2002.

Peter E. Bergin,

Director of the Diplomatic Security Service, Department of State.

[FR Doc. 02–4166 Filed 2–20–02; 8:45 am]

BILLING CODE 4710–24–P

UNITED STATES TRADE REPRESENTATIVE

Notice of Meeting of the Industry Sector Advisory Committee on Small and Minority Business (ISAC–14)

AGENCY: Office of the Untied States Trade Representative.

ACTION: Notice of an opened meeting.

SUMMARY: The Industry Sector Advisory Committee on Small and Minority Business (ISAC–14) will hold a meeting on March 6, 2002, from 2 p.m. to 4 p.m. The meeting will be opened to the public from 2 p.m. to 4 p.m.

DATES: The meeting is scheduled for March 6, 2002, unless otherwise notified.

ADDRESSES: The meeting will be held in Conference Room 2015B of the Department of Commerce, located at 14th Street and Constitution Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Pam Wilbur or Kelly Parsons (principal contacts), at (202) 482–4792, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230 or myself on (202) 395–6120.

SUPPLEMENTARY INFORMATION: During the meeting the agenda items to be addressed will be:

- A vote on Chairman Jon Weinstein's letter to Secretary Evans discussing TPA legislation;
- Report on the results of the June OECD meeting of the SME Working Party;
- Preparations for the upcoming APEC SME Ministerial in Mexico;
- Input for WTO negotiators; and
- Possible cooperation with Canadian advisory groups.

Christina Sevilla,

Acting Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Liaison.

[FR Doc. 02–4188 Filed 2–20–02; 8:45 am]

BILLING CODE 3190–01–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Procurement Thresholds for Implementation of Trade Agreements Act

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of procurement thresholds under the WTO Government Procurement Agreement and Chapter 10 of the North American Free Trade Agreement.

SUMMARY: Executive Order 12260 requires the U.S. Trade Representative to set the U.S. dollar thresholds for application of Title III of the Trade Agreements Act of 1979 (19 U.S.C. 2511 *et seq.*), which implements U.S. obligations under the World Trade Organization Government Procurement Agreement (GPA) and Chapter 10 of the North American Free Trade Agreement (NAFTA). These obligations apply to covered procurements valued at or above the specified U.S. dollar thresholds. The U.S. Trade Representative has determined that, for the calendar years 2002–2003, the thresholds are as follows:

I. WTO Government Procurement Agreement

A. Central Government Entities Listed in U.S. Annex 1

(1) Procurement of goods and services—$169,000.

B. Sub-Central Government Entities Listed in U.S. Annex 2

(1) Procurement of goods and services—$460,000.
(2) Procurement of construction services—$6,481,000.

C. Other Entities Listed in U.S. Annex 3

(1) Procurement of goods and services—$518,000.
(2) Procurement of construction services—$6,481,000.

II. Chapter 10 of the NAFTA

A. Federal Government Entities Listed in the U.S. Schedule to Annex 1001.1a–1

(1) Procurement of goods and services—$56,190.
(2) Procurement of construction services—$7,304,733.

B. Government Enterprises Listed in the U.S. Schedule to Annex 1001.1a–2

(1) Procurement of goods and services—$280,951.
(2) Procurement of construction services—$8,990,862.

FOR FURTHER INFORMATION CONTACT: Questions relating to the implementation of NAFTA Chapter 10 may be directed to Karissa Kovner, USTR Director for International Procurement Negotiations (202/395–3063), Office of the U.S. Trade Representative, 600 Seventeenth Street, NW, Washington, DC 20508.

Carmen Suro-Bredie,

Chairman, Trade Policy Staff Committee.

[FR Doc. 02–4120 Filed 2–20–02; 8:45 am]

BILLING CODE 3190–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Submission Deadline for International Slots For the Winter 2002/2003 Scheduling Season

AGENCY: Department of Transportation, FAA.

ACTION: Notice of submission deadline.

SUMMARY: On October 1, 1999, the FAA amended the regulations governing takeoff and landing slots and slot allocation procedures at certain High Density Traffic Airports as a result of the ''Open Transborder'' Agreement between the Government of the United States and the Government of Canada. One element of this final rule established that the deadline for submission of requests for international slots will be published in a Federal Register notice for each scheduling season. The purpose of the amendment is for the FAA deadline for international slot requests to coincide with the International Air Transport Association deadline for submission of international requests. For the Winter 2002/2003 Scheduling Season, the IATA submission deadline is May 12, 2002, which falls on a Sunday. Therefore, the FAA announces in this notice that the deadline for submitting requests for international slots for allocation under 14 CFR 93.217 is May 13, 2002.

DATES: Requests for international slots must be submitted no later than May 13, 2002.

ADDRESSES: Requests may be submitted by mail to Slot Administration Office, AGC–220, Office of the Chief Counsel, 800 Independence Ave., SW., Washington, DC 20591; facsimile: 202–267–7668; ARINC:DCAYAXD; e-mail address: 7–AWA–*slotadmin@faa.gov.*

FOR FURTHER INFORMATION CONTACT: Lorelei Peter, Operations and Air Traffic Law Branch, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW.,

Washington, DC 20591; telephone number: 202–267–3073.

Issued in Washington, DC on February 15, 2002,

David G. Leitch,

Chief Counsel.

[FR Doc. 02–4203 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 194: Air Traffic Management (ATM) Data Link Implementation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 194 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 194: Air Traffic Management (ATM) Data Link Implementation.

DATES: The meeting will be held March 4–6, 2002, starting at 1 pm on March 4 and at 9 am on March 5 and 6.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Washington, DC 20036; telephone (202) 833–9339; fax (202) 833–9434; Web site *http://www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 194 meeting. The agenda will include:

- March 4:
- Opening Plenary Session (Welcome and Introductory Remarks, Review Agenda, Review/Approve Minutes of Previous Meeting, Working Group Reports)
- Review and Update revised Controller-Pilot Data Link Communication (CPDLC) Program
- Determine need for proposed changes, if any, to SC–194 Terms of Reference
- Determine near and mid-term SC–194 activities
- Other Business
- March 5:
- Working Group 1, Data Link Ops Concepts and Implementation Plan
- Working Group 2, Flight Operations and Air Traffic Management (ATM) Integration
- Working Group 3, Human Factors
- Working Group 4, Service Provider Interface
- March 6:
- Working Group 1, Data Link Ops Concept & Implementation Plan
- Working Group 2, Flight Operations and ATM Integration
- Working Group 3, Human Factors
- Disposition of Final Review and Comments (FRAC) on DO–XXX Plans and Principles for the Implementation of Aeronautical Data Link System (ADLS) Build II (Spiral A)
- Closing Plenary Session (Review Agenda, Working Group Reports, Other Business, Date and Place of Next Meeting)

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 14, 2002.

Janice L. Peters,

FAA Special Assistant, RTCA Advisory Committee.

[FR Doc. 02–4200 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 197: Rechargeable and Starting Batteries

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 197 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 197: Rechargeable and Starting Batteries.

DATES: The meeting will be held March 12, 2002, starting at 9 a.m.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Washington, DC 20036; telephone (202) 833–9339; fax (202) 833–9434; Web site *http//www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 197 meeting. The agenda will include:

- March 12
- Opening Session (Welcome and Introductory Remarks, Review of Agenda)
- Review of RTCS and Federal Advisory Committee Procedures
- Review of FAA Aircraft Battery Requirements
- Review of SC–197 Terms of Reference
- Identify Goals; Develop Work Program; Examine Milestone
- Determine and Assign Tasks; Establish Interim Milestone
- Closing Session (Establish Agenda For Next Meeting, Date and Place of Next Meeting)

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 14, 2002.

Janice L. Peters,

FAA Special Assistant, RTCA Advisory Committee.

[FR Doc. 02–4201 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In December 2001, there were four applications approved. Additionally, eight approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals 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). This notice is published pursuant to paragraph d of § 158.29.

PFC Applications Approved

Public Agency: Fort Dodge Airport Commission, Fort Dodge, Iowa.

Application Number: 01–03–C–00–FOD.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved in this Decision: $284,903.

Earliest Charge Effective Date: January 1, 2002.

Estimated Charge Expiration Date: April 1, 2008.

Class of Air Carriers Not Required to Collect PFC's: Those air carriers operating under part 135 air taxi/commercial operators filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Fort Dodge Regional Airport.

Brief Description of Projects Approved for Collection and Use:

Reconstruct taxiways A and C.

Runway protection zone land, acquisition and relocation.

Decision Date: December 3, 2001.

FOR FURTHER INFORMATION CONTACT: Lorna Sandridge, Central Region Airports Division, (816) 329–2641.

Public Agency: Great Falls International Airport Authority, Great Falls, Montana.

Application Number: 01–03–C–00–GTF.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved in This Decision: $8,481,340.

Earliest Charge Effective Date: July 1, 2002.

Estimated Charge Expiration Date: September 1, 2018.

Class of Air Carriers Not Required to Collect PFC'S: On demand non-scheduled air taxi/commercial operators filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Great Falls International Airport.

Brief Description of Projects Approved for Collection and Use:

Pavement condition index survey and drainage study.

Snow removal equipment.

Planning studies.

Mobility impaired loading device.

Brief Description of Projects Partially Approved for Collection and Use:

Design and construct cargo apron.

Determination: Partially approved. The approved amount represents basic design costs only. The proposed development costs were not approved because this project is not shown on the currently approved *airport layout plan* an thus do not meet the requirements of § 158.25(c)(1)(ii)(A).

Airport drainage.

Determination: Partially approved. All work except the detention pond is approved. The detention ponds are not shown on the currently approved *airport layout plan* and thus do not meet the requirements of § 158.25(c)(1)(ii)(A).

Decision Date: December 20, 2001.

FOR FURTHER INFORMATION CONTACT: David P. Gabbert, Helena Airports District Office, (406) 449–5271.

Public Agency: Port of Pasco, Pasco, Washington.

Application Number: 01–04–C–00–PSC.

Application Type: Impose and use of PFC

PFC Level: $4.50.

Total PFC Revenue Approved in This Decision: $1,059,136.

Earliest Charge Effective Date: December 1, 2002.

Estimated Charge Expiration Date: April 1, 2004.

Class of Air Carriers Not Required to Collect PFC's: None.

Brief Description of Projects Approved for Collection and use:

Snow removal equipment.

Navigation aids.

Runway safety area improvements.

Security access control system.

Runway reconstruction.

Decision Date: December 20, 2001.

FOR FURTHER INFORMATION CONTACT: Suzanne Lee-Pang, Seattle Airports District Office, (425) 227–2654.

Public Agency: City of Cleveland, Ohio.

Application Number: 01–08–C–00–CLE.

Application Type: Impose and use of PFC.

PFC Level: $3.00.

Total PFC Revenue Approved in This Decision: $82,106,000.

Earliest Charge Effective Date: November 1, 2003.

Estimated Charge Expiration Date: December 1, 2007.

Class of Air Carriers Not Required to Collect PFC's: Air taxis.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less then 1 percent of the total annual enplanements at Cleveland Hopkins International Airport.

Brief Description of Projects Approved for Collection and use: Runway 6L/23R (formerly 5L/23R).

Decision Date: December 28, 2001.

FOR FURTHER INFORMATION CONTACT: Arlene B. Draper, Detroit Airports District Office, (734) 487–7282.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
98–03–C–02–TLH, Tallahassee, FL.	11/8/01	$6,012,047	$6,848,703	04/01/02	10/01/02
00–04–C–01–DLH, Duluth, MN.	12/03/01	577,702	651,295	02/01/02	04/01/02
*98–01–C–01–MHK, Manhattan, KS.	12/07/01	401,978	401,978	01/01/04	04/01/05
*99–01–C–01–HGR, Hagerstown, MD.	12/07/01	360,000	308,867	11/01/03	01/01/04
*99–06–C–02–CLE, Cleveland, OH.	12/13/01	100,101,915	100,101,915	10/01/04	11/01/03
*93–03–C–02–BPT, Beaumont, TX.	12/13/01	1,607,764	1,966,490	12/01/03	03/01/05
*00–02–C–02–SWF, Newburgh, NY.	12/20/01	6,308,000	6,308,000	02/01/05	08/01/05
*99–02–C–01–RST, Rochester, MN.	12/21/01	3,912,987	4,771,743	12/01/09	07/01/07

Note: The amendments denoted by an asterisk (*) include a change to the PCF level charged from $3.00 per enplaned passenger to $4.50 per enplaned passenger. For Manhattan, KS, Hagerstown, MD, Rochester, MN, Newburgh, NY, Cleveland, OH and Beaumont, TX, this change is effective on March 1, 2002.

Issued in Washington, DC, on January 30, 2002.

Barry Molar,

Manager, Airports Financial Assistance Division.

[FR Doc. 02–4202 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement Number PS–ACE100–2002–002]

Proposed Issuance of Policy Statement, Installation Approval of Multi-Function Displays Using the Approved Model List (AML) Supplemental Type Certification (STC) Process

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of policy statement; request for comments.

SUMMARY: This document proposes to encourage use of the Approved Model List (AML) Supplemental Type Certification (STC) Process for installation approval of multi-function displays (MFD's).

DATES: Comments sent must be received by April 22, 2002.

ADDRESSES: Send all comments on this proposed policy statement to the individual identified under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Barry Ballenger, Aerospace Engineer, FAA, Small Airplane Directorate, Standards Office, ACE–110, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4152; facsimile: (816) 329–4149; e-mail: <barry.ballenger@faa.gov>.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on the proposed policy?

We invite your comments on this proposed policy statement PS–ACE100–2002–002. You may send whatever written data, views, or arguments you choose. We will consider all comments received by the closing date. We may change proposed policy statement because of the comments received.

Please send comments to the individual identified under **FOR FURTHER INFORMATION CONTACT.** Comments sent using the Internet must contain ''Comments to Policy Statement Number PS–ACE100–2002–002'' in the subject line. Commenters should format in Microsoft Word 97 or ASCII any file attachments that are sent using the Internet.

Send comments using the following format:

—Organize comments issue-by-issue. For example, discuss a comment about the analysis and a comment about speed limits as two separate issues.

—For each issue, state what specific change you are requesting to the proposed policy memorandum.

—Include justification (for example, reasons or data) for each request.

If sending your comments using the Internet will cause you extreme hardship, you may send comments using the U.S. Mail, overnight delivery, or facsimile machine. You should mark your comments, ''Comments to Policy Statement PS-ACE100–2002–002'' and send two copies to the above address in the section **FOR FURTHER INFORMATION CONTACT.**

What would be the general effect of this proposed policy?

The FAA is presenting this information as a set of guidelines suitable for use. However, we do not intend for this proposed policy to become a binding norm; it does not form a new regulation, and the FAA would not apply or rely on it as a regulation.

The FAA Aircraft Certification Offices (ACO's) and Flight Standards District Offices (FSDO's) that certify changes in type design and approve alterations in normal, utility, and acrobatic category airplanes should try to follow this policy when appropriate. In addition, as with all advisory material, this statement of policy identifies one means, but not the only means, of compliance.

Because this proposed general statement of policy only announces what the FAA seeks to establish as policy to encourage use, the FAA considers it an issue for which public comment is appropriate. Therefore, the FAA requests comments on the following proposed general statement of policy relevant to use of the AML STC process for installation approval of MFD's.

Discussion

You may download a copy from the FAA web site at <http://www.faa.gov/certification/aircraft/small _airplane_ directorate_news_proposed.html>, or request a copy by contacting the person named above under **FOR FURTHER INFORMATION CONTACT.**

This proposed policy statement does not introduce new policy or regulation but provides a compilation of existing regulation, guidance and procedures in the application of the AML STC process for certification projects. This policy focuses on the use of the AML STC for installation of MFD's in Civil Air Regulations (CAR) 3 or of the Federal Aviation Regulations (14 CFR) part 23 airplanes or sailplanes, balloons, or airships operating under part 91, and/or part 135 rules. The AML STC process may be used whenever the ACO and applicant agree that it is appropriate. The AML STC process may also be effective for a certification project of an aircraft under another certification basis. The applicant should coordinate with the appropriate ACO for final determination.

Issued in Kansas City, Missouri, on February 11, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4197 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Supplemental Draft Environmental Impact Statement; Duval County, FL

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Supplemental Draft Environmental Impact Statement (SDEIS) will be prepared for a proposed highway project in Duval County, Florida concerning the Branan Field/Chaffee Road extension and realignment.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Williams, Transportation Engineer, Federal Highway Administration, 227 N Bronough Street, Room 2015, Tallahassee, Florida 32301–2015; Telephone: (850) 942–9650 extension 3038.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Florida Department of Transportation will prepare a SDEIS to improve Branan Field/Chaffee Road in Duval County. The proposed reconstruction would involve extending and realigning Branan Field/Chaffee Road from 103rd Street to Interstate 10, and the construction of a new interchange at I–10. The study corridor is 6.1 km (3.8 miles) long. The proposed improvements are considered necessary to provide for projected traffic demands.

Alternatives under consideration include: (1) taking no action; and (2) a new four lane alignment between 103rd Street and I–10 located west of Chaffee

Road, connecting to I–10 with a new interchange.

Coordination with appropriate Federal, State, and local agencies, and private organizations and citizens who have expressed interest in this proposal has been undertaken and will continue. A series of public meetings have been held and additional meetings are planned for the future in Duval County. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The Draft SEIS will be made available for public and agency review and comment. An interagency coordination meeting was held June 29, 2000. There are no plans to holding a formal scoping meeting.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the DSEIS should be directed to the FHWA at the above address.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: February 12, 2002.

J. Chris Richter,

Director of Engineering and Operations, Tallahassee, Florida.

[FR Doc. 02–4008 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioners arguments in favor of relief.

Little Kanawah River Rail

[Docket Number FRA–2001–9717]

The Little Kanawha River Rail (LKRR) located at 400 Buckeye Street, Parkersburg, West Virginia 26101, seeks a waiver of compliance for one locomotive, specifically, one 1955 SW–1200 GM Electro-Motive Division model, from certain provisions of the Safety Glazing Standards, 49 CFR 223.11 (Requirements for existing locomotives). The current glazing installed in the locomotive has no identifying marks. The LKRR states that they operate on 1¾ miles of level track at speeds not exceeding 10 miles per hour as a yard type system. The LKRR interchanges directly with CSXT and is a shortline operation which moves cars only for loading and unloading of CSX railcars.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number 2001–9717) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL–401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at *http://dms.dot.gov.*

Issued in Washington, DC, on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator, for Safety Standards and Program Development.

[FR Doc. 02–4195 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. App. 26, the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket No. FRA–2001–11370]

Applicant: Burlington Northern and Santa Fe Railway, Mr. William G. Peterson, Director Signal Engineering, 4515 Kansas Avenue, Kansas City, Kansas 66106.

Burlington Northern and Santa Fe Railway (BNSF) seeks approval of the proposed removal of Interlocking Signals over Crescent Bridge at Rock Island, Illinois, on the Illinois Division, Barstow Subdivision, LS 7, M.P. 253.89. The proposed changes consist of the following:

1. *Remove Interlocking at Crescent Bridge.*

The reason given for the proposed changes is that this bridge was acquired by the BNSF when it took over operation of this industry track from the DRI&NW. The bridge is very old and utilizes un-conventional bridge alignment detection circuitry that does not meet current requirements for bridge interlocking signals. BNSF does not believe that the level of train operation justifies the massive capital expenditures required to bring the bridge interlocking equipment to current standards.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the Protestant in the proceeding. The original and two copies of the protest shall be filed with the Associate Administrator for Safety, FRA, 400 Seventh Street, SW, Mail Stop 25, Washington, DC 20590 within 45 calendar days of the date of publication of this notice. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4193 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket Number FRA–2001–11368]

Applicants: Norfolk Southern Corporation, Mr. Brian L. Sykes, Chief Engineer C&S Engineering, 99 Spring Street, SW., Atlanta, Georgia 30303. National Railroad Passenger Corporation, Mr. Gary Reinoehl, Senior Director of Contract Management, 60 Massachusetts Avenue, NE., Washington, DC 20002.

Norfolk Southern Corporation (NS) and the National Railroad Passenger Corporation (Amtrak) jointly seek approval of the proposed discontinuance and removal of the power switches and restricting signals on the depot tracks in Toledo, Ohio, at CP–287; M.P. CD–287.9. The proposed changes consist of removal of Signals 4EA, 4EB, 4EC, 4ED, 4W and Power Switches 1, 2, and 3.

The reason given for the proposed changes is that the switches and signals proposed to be removed are primarily used to allow Amtrak to switch in the depot. By removing the power switches and signals, Amtrak would be able to make their switching moves without contacting the NS Dearborn dispatcher, thus reducing radio traffic as well.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at *http://dms.dot.gov.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4196 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket Number FRA–2001–11369]

Applicant: Union Pacific Railroad Company, Mr. Phil M. Abaray, Chief Engineer—Signals, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179–1000.

Union Pacific Railroad Company seeks approval of the proposed removal of two controlled signals; an approach ''D'' signal, two power-operated derails and interlocking signal circuitry at the Missouri River turntable bridge located at St. Joseph, Missouri, M.P. 0.30 on the St. Joseph Industrial Lead, on the Falls City Subdivision, Kansas City Area. The proposed changes consist of the following:

1. Two controlled signals, L8 and R4, an approach ''D'' signal, 8D, two power-operated derails, and interlocking signal circuitry will be retired.

2. Two power-operated rail locks will be converted to manual with hand-throw stands.

3. Signals will be replaced by stop signs placed braking distance from each end of the rotating span of the bridge and facing approaching train traffic.

4. Trains using the bridge will be governed by special instructions.

5. Electrical span turning mechanism and powered wedge locks with associated control panel will be left in place.

The reason given for the proposed changes is due to removal of a bridge, ending the line at M.P. 42.1, the former branch line no longer carries significant traffic. The bridge is presently used less than once every three months for a train moving cars to or from storage tracks at Elwood, M.P. 1.5 on the St. Joseph Industrial lead.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at *http://dms.dot.gov.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4194 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Customs Service

Notice of Cancellation of Customs Broker License

AGENCY: Customs Service, Department of the Treasury.

ACTION: General notice.

SUMMARY: Pursuant to section 641 of the Tariff Act of 1930, as amended, (19 USC 1641) and the Customs Regulations (19 CFR 111.51), the following Customs broker license is canceled without prejudice.

Name	License No.	Port name
Kamden International Shipping, Inc	11431	New York

Dated: February 14, 2002.

Bonni G. Tischler,

Assistant Commissioner, Office of Field Operations.

[FR Doc. 02–4124 Filed 2–13–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Customs Service

Notice of Availability of Draft Environmental Assessment for Public Review Concerning Proposed Construction of Advanced Training Center at Harpers Ferry, WV

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: The Customs Service is issuing this notice to announce the availability for public review and comment of a draft Environmental Assessment (EA) for the proposed construction of an advanced training center at Harpers Ferry, West Virginia. The training center will provide firearms and tactical training for Customs officers. The draft EA has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality Regulations for Implementing the NEPA, and Treasury Department requirements. Significant public comments will assist in the agency's evaluation of the proposed project and will be reflected in the final EA.

DATES: The draft Environmental Assessment will be available for public review from February 21, 2002, through March 25, 2002. Written comments must be received by March 25, 2002.

ADDRESSES: Written comments may be submitted to Mr. Lee Sullivan, Contracting Officer, c/o Harpers Ferry Project, U.S. Customs Service, 6026 Lakeside Blvd., Field Procurement Services Branch, Indianapolis, IN 46278. The draft Environmental Assessment will be available for public review at the following locations:

1. Bolivar-Harpers Ferry Library, 600 Polk St., Harpers Ferry, West Virginia 25425.

2. Old Charles Town Library, 200 East Washington St., Charles Town, West Virginia 25414.

3. U.S. Customs Service, National Place, Procurement Division, Room 1310, 1331 Pennsylvania Ave., NW., Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Mr. Lee Sullivan at 317/298–1180 (ext. 1119) or at *lee.a.sullivan@customs.treas.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Customs Service, pursuant to the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (40 CFR parts 1500–1508), and Department of the Treasury Directive 75–02 (Department of the Treasury Environmental Quality Program), has prepared a draft Environmental Assessment (EA) related to the proposed construction of an advanced training center for Customs officers at Harpers Ferry, West Virginia. The proposed training center will expand Customs training capability and provide firearms and tactical training tailored to the unique roles, requirements, and environments in which Customs officers perform their mission.

The draft EA addresses various project alternatives, their potential impacts on the environment, and proposed methods to mitigate impacts. The draft EA document will be available for public review between February 21 and March 25, 2002, at the following locations: (1) Bolivar-Harpers Ferry Library, 600 Polk St., Harpers Ferry, West Virginia 25425; (2) Old Charles Town Library, 200 East Washington St., Charles Town, West Virginia 25414; and (3) U.S. Customs Service, National Place, Procurement Division (Mr. Jim Lieberman), Room 1310, 1331 Pennsylvania Ave., NW., Washington, DC 20229.

Significant comments received from the public and agencies during the review and comment period will be addressed in the final EA and included in an Appendix to the final EA. Should Customs determine, based on comments received and the information presented in the draft EA, that the design, new construction, and operation of the facility will not have a significant impact on the environment, Customs will prepare a Finding of No Significant Impact (FONSI) for publication in the **Federal Register** and in a newspaper in general circulation at the project location. Should Customs determine that significant environmental impacts exist due to the project, Customs will proceed with preparation of an Environmental Impact Statement as required under the NEPA, the Council on Environmental Quality Regulations for Implementing the NEPA, and the Department of the Treasury's environmental policies and procedures.

Dated: February 15, 2002.

Jo Ellen Cohen,

Acting Assistant Commissioner, Office of Finance.

[FR Doc. 02–4123 Filed 2–20–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Customs Service

Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of Customs duties. For the calendar quarter beginning January 1, 2002, the interest rates for overpayments will be 5 percent for corporations and 6 percent for non-corporations, and the interest rate for underpayments will be 6 percent. This notice is published for the convenience of the importing public and Customs personnel.

EFFECTIVE DATE: January 1, 2002.

FOR FURTHER INFORMATION CONTACT: Ronald Wyman, Accounting Services Division, Accounts Receivable Group,

6026 Lakeside Boulevard, Indianapolis, Indiana 46278, (317) 298–1200, extension 1349.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85–93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of Customs duties shall be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 was amended (at paragraph (a)(1)(B) by the Internal Revenue Service Restructuring and Reform Act of 1998, Public Law 105–206, 112 Stat. 685) to provide different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2001–63 (*see*, 2001–52 IRB 1, dated December 24, 2001), the IRS determined the rates of interest for the calendar quarter beginning January 1, 2002, and ending March 31, 2002. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (3%) plus three percentage points (3%) for a total of six percent (6%). For corporate overpayments, the rate is the Federal short-term rate (3%) plus two percentage points (2%) for a total of five percent (5%). For overpayments made by non-corporations, the rate is the Federal short-term rate (3%) plus three percentage points (3%) for a total of six percent (6%). These interest rates are subject to change for the calendar quarter beginning April 1, 2002, and ending June 30, 2002.

For the convenience of the importing public and Customs personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of Customs duties, is published in summary format.

Beginning date prior to	Ending date	Underpayments (percent)	Overpayments (percent)	Corporate overpayments (Eff. 1–1–99) (percent)
070174	063075	6	6	
070175	013176	9	9	
020176	013178	7	7	
020178	013180	6	6	
020180	013182	12	12	
020182	123182	20	20	
010183	063083	16	16	
070183	123184	11	11	
010185	063085	13	13	
070185	123185	11	11	
010186	063086	10	10	
070186	123186	9	9	
010187	093087	9	8	
100187	123187	10	9	
010188	033188	11	10	
040188	093088	10	9	
100188	033189	11	10	
040189	093089	12	11	
100189	033191	11	10	
040191	123191	10	9	
010192	033192	9	8	
040192	093092	8	7	
100192	063094	7	6	
070194	093094	8	7	
100194	033195	9	8	
040195	063095	10	9	
070195	033196	9	8	
040196	063096	8	7	
070196	033198	9	8	
040198	123198	8	7	
010199	033199	7	7	6
040199	033100	8	8	7
040100	033101	9	9	8
040101	063001	8	8	7
070101	123101	7	7	6
010102	033102	6	6	5

Dated: February 15, 2002.

Robert C. Bonner,

Commissioner of Customs.

[FR Doc. 02–4125 Filed 2–20–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Revenue Procedure 2002–16

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Revenue Procedure 2002–16, Optional Election to Make Monthly Section 706 Allocatons.

DATES: Written comments should be received on or before April 22, 2002, to be assured of consideration.

ADDRESSES: Direct all written comments to George Freeland, Internal Revenue Service, room 5575, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the Revenue Procedure should be directed to Carol Savage, (202) 622–3945, or through the Internet (*CAROL.A.SAVAGE@irs.gov.*), Internal Revenue Service, room 5242, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Optional Election to Make Monthly Section 706 Allocations.

OMB Number: 1545–1768.

Revenue Procedure Number: Revenue Procedure 2002–16.

Abstract: Revenue Procedure 2002–16 allows certain partnerships with money market fund partners to make an optional election to close the partnership's books on a monthly basis with respect to the money market fund partners.

Current Actions: There are no changes being made to the revenue procedure at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents/Recordkeepers: 1,000.

Estimated Average Time Per Respondent/Recordkeeper: 12 hours.

Estimated Total Annual Reporting/Recordkeeping Hours: 12,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 14, 2002.

George Freeland,

IRS Reports Clearance Officer.

[FR Doc. 02–4192 Filed 2–20–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0075]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to provide self-certified statements.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0075'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Statement in Support of Claim, VA Form 21–4138.

OMB Control Number: 2900–0075.

Type of Review: Extension of a currently approved collection.

Abstract: Claimants use VA Form 21–4138 to provide self-certified statements

that the information provided to VA is true and correct in support of various types of claims processed by the agency.

Affected Public: Individuals or households.

Estimated Annual Burden: 188,000 hours.

Estimated Average Burden Per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 752,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4129 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0503]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine continuing entitlement to Veterans Mortgage Life Insurance.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0503'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Veterans Mortgage Life Insurance—Change of Address Statement, VA Form 29–0563.

OMB Control Number: 2900–0503.

Type of Review: Extension of a currently approved collection.

Abstract: The form is used to inquire about a veteran's continued ownership of the property issued under Veterans Mortgage Life Insurance when an address change for the veteran is received. The information collected is used in determining whether continued Veterans Mortgage Life Insurance coverage is applicable since the law granting this insurance provides that coverage terminates if the veteran no longer owns the property.

Affected Public: Individuals or households.

Estimated Annual Burden: 20 hours.

Estimated Average Burden Per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 240.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4130 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0115]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine if marital relationship is established and benefits are payable in cases when common law marriage is claimed.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0115'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the

information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Supporting Statement Regarding Marriage, VA Form 21–4171.

OMB Control Number: 2900–0115.

Type of Review: Extension of a currently approved collection.

Abstract: The data collected is used to determine if a marital relationship has been established and benefits are payable based on a claim of common law marriage.

Affected Public: Individuals or households.

Estimated Annual Burden: 800 hours.

Estimated Average Burden Per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 2,400.

Dated: February 8, 2002.
By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4131 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0027]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on the information needed to determine a claimant's entitlement to accrued benefits withheld during a veteran's hospitalization or domiciliary care.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0027'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Public Law 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application for Accrued Benefits by Veteran's Surviving Spouse, Child, or Dependent Parent, (Prior Law Pension Due at the Veteran's Death Which Was Withheld From the Veteran's Payments During Hospitalization, Institutional or Domiciliary Care), VA Form 21–551.

OMB Control Number: 2900–0027.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 21–551 is used by a surviving spouse, child, children, or dependent parent in applying for lump sum payment of pension authorized but withheld from the veteran during hospital treatment, institutional, or domiciliary care. The information is used to determine a claimant's entitlement to such benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 33 hours.

Estimated Average Burden Per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 100.

Dated: February 8, 2002.
By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4132 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0270]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to help veteran-borrowers who are seriously delinquent on guaranteed or insured VA home loans.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0270'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites

comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Financial Counseling Statement, VA Form 26–8844.

OMB Control Number: 2900–0270.

Type of Review: Extension of a currently approved collection.

Abstract: The form is part of VA's supplemental servicing program for helping veteran-borrowers who are seriously delinquent on guaranteed or insured VA home loans. In VA's supplemental servicing effort, financial counseling is performed in appropriate cases to afford veteran-borrowers the maximum assistance possible to retain their homes during periods of temporary financial difficulty. The information collected is used by VA to make recommendations to the borrower in an effort to help the borrower cure the default status of the loan.

Affected Public: Individuals or households.

Estimated Annual Burden: 3,750 hours.

Estimated Average Burden Per Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 5,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4133 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0463]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information provided by veterans receiving military pay for Reserve and National Guard participation to waive either VA benefits or military pay and allowances.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0463'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Notice of Waiver of VA Compensation or Pension to Receive Military Pay and Allowances, VA Form 21–8951.

OMB Control Number: 2900–0463.

Type of Review: Extension of a currently approved collection.

Abstract: The data collected is information provided by veterans receiving military pay for Reserve and National Guard participation to waive either VA benefits or military pay and allowances.

Affected Public: Individuals or households.

Estimated Annual Burden: 700 hours.

Estimated Average Burden Per Respondent: 2 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 21,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4134 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0570]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0570.''

SUPPLEMENTARY INFORMATION:

Title: Generic Clearance for the Veterans Health Administration Customer Satisfaction Surveys.

OMB Control Number: 2900–0570.

Type of Review: Revision of a currently approved collection.

Abstract: Executive Order 12862, Setting Customer Service Standards,

requires Federal agencies and departments to identify and survey its customers to determine the kind and quality of services they want and their level of satisfaction with existing services. VHA uses customer surveys to gauge customer perceptions of VA services as well as customer expectations and desires. The results of these information collections lead to improvements in the quality of VHA service delivery by helping to shape the direction and focus of specific programs and services.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on December 10, 2001, on pages 63747–63748.

Affected Public: Individuals or households.

Listing of Survey Activities

I. Special Emphasis Programs

The following list of activities is a compendium of customer satisfaction survey plans by VHA. Different special emphasis programs will be surveyed annually; however, program selections have not been made for FYs 2002–2004. Burden hours for the out-years are based on FY 2001 estimates (Burden hours per respondent: 15 minutes).

Year	Number of respondents	Estimated annual burden	Frequency
2002	50,000	12,500 hours	Annually.
2003	50,000	12,500 hours	Annually.
2004	50,000	12,500 hours	Annually.

II. Local Facilities Surveys

Year	Number of respondents	Estimated annual burden	Frequency
2002	288,780	62,569 hours	One-time.
2003	288,780	62,569 hours	One-time.
2004	288,780	62,569 hours	One-time.

Most customer satisfaction surveys will be recurring so that VHA can create ongoing measures of performance and to determine how well the Agency meets customer service standards. Each collection of information will consist of the minimum amount of information necessary to determine customer needs and to evaluate VHA's performance. VHA expects to distribute written surveys with a total annual burden of approximately 75,069 hours in FYs 2002, 2003, and 2004 (Burden hours per respondent: 13 minutes).

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0570'' in any correspondence.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4126 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0128]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 8l0 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0128.''

SUPPLEMENTARY INFORMATION:

Titles: a. Notice of Lapse—Government Life Insurance, VA Form 29–389.

b. Application for Reinstatement, VA Form 29–389–1.

c. Notice of Past Due Payment, VA Form 29–389e.

OMB Control Number: 2900–0128.

Type of Review: Extension of a currently approved collection.

Abstract: The forms are used to inform veterans of their lapsed Government Life Insurance policy; application for reinstatement of insurance and notice of past due insurance payments.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 23, 2001, at pages 58781–58782.

Affected Public: Individuals or households.

Estimated Annual Burden: 4,943 hours.

a. VA Form 29–389–3,399 hours.

b. VA Form 29–389–1–1,060 hours.

c. VA Form 29–389e–484 hours.

Estimated Average Burden Per Respondent:

a. VA Form 29–389–12 minutes.

b. VA Form 29–389–1–10 minutes.

c. VA Form 29–389e–15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 25,288.

a. VA Form 29–389–16,993.

b. VA Form 29–389–1–6,359.

c. VA Form 29–389e–1,936.

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0128'' in any correspondence.

Dated: February 7, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4127 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0605]

Agency Information Collection Activities Under OMB Review

AGENCY: Office of General Counsel, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Office of General Counsel (OGC), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0605.''

SUPPLEMENTARY INFORMATION:

Title: Application for Accreditation as a Claims Agent, VA Form 21a.

OMB Control Number: 2900–0605.

Type of Review: Extension of a currently approved collection.

Abstract: Applicants for accreditation as claims agents to represent benefit claimants before VA are required to file VA Form 21a with VA Office of General Counsel to establish initial eligibility for accreditation. The information requested includes basic identifying information, information concerning past representation, military service, employment, criminal activity and mental health and is necessary to establish that statutory and regulatory eligibility requirement; e.g., good character and reputation are met. The form further ensures that VA has the information necessary to make decisions concerning an applicant's potential eligibility for accreditation as a claims agent.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 8, 2001, at pages 56591 and 56592.

Affected Public: Individuals or households.

Estimated Annual Burden: 15 hours.

Estimated Average Burden Per Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 20.

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0605'' in any correspondence.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4128 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Medical Research Service Merit Review Committee, Notice of Meetings

The Department of Veterans Affairs gives notice under the Federal Advisory Committee Act, 5 U.S.C. App., of the following meetings to be held from 8 a.m. to 5 p.m. as indicated below:

Subcommittee for	Date	Location
Surgery	March 18, 2002	Holiday Inn Central.
Mental Hlth & Behav Sciences	March 18–19, 2002	Holiday Inn Central.
Nephrology	March 19, 2002	Holiday Inn Central.
Cardiovascular Studies	March 21, 2002	Holiday Inn Central.
Alcoholism & Drug Dependence	March 22, 2002	Holiday Inn Central.
Epidemiology	March 22, 2002	1400 I St, NW, Ste 400.
Gastroenterology	March 25–26, 2002	Holiday Inn Central.
Endocrinology	April 4–5, 2002	Marriott Residence Inn.
Neurobiology-C	April 5, 2002	Holiday Inn Central.
Respiration	April 5, 2002	Holiday Inn Central.
General Medical Science	April 8–9, 2002	Holiday Inn Central.
Hematology	April 11, 2002	Holiday Inn Central.
Immunology & Dermatology	April 11, 2002	Holiday Inn Central.
Oncology	April 15–16, 2002	Marriott Residence Inn.
Aging and Clinical Geriatrics	April 19, 2002	1400 I St, NW, Ste 400.
Neurobiology-D	April 25–26,2002	Holiday Inn Central.
Infectious Diseases	April 29–30, 2002	Holiday Inn Central.
Medical Research Service Merit Review Committee	June 6, 2002	Marriott Residence Inn.

The addresses of the hotels are:

Holiday Inn Central Hotel, 1501 Rhode Island Avenue, NW, Washington, DC 20005

Marriott residence Inn Washington—Thomas Circle, 1199 Vermont Avenue, Washington, DC 20005

These subcommittee meetings are for the purpose of evaluating the scientific merit of research conducted in each specialty by Department of Veterans Affairs (VA) investigators working in VA Medical Centers and Clinics.

The subcommittee meetings will be open to the public for approximately one hour at the start of each meeting to discuss the general status of the program. The remaining portion of each subcommittee meeting will be closed to the public for the review, discussion, and evaluation of initial and renewal projects.

The closed portion of the meetings involves discussion, examination, reference to, and oral review of site visits, staff and consultant critiques of research protocols and similar documents. During this portion of the subcommittee meetings, discussion and recommendations will deal with qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, as well as research information, the premature disclosure of which could significantly frustrate implementation of proposed agency action regarding such research projects.

As provided by subsection 10(d) of Public Law 92–463, as amended by Public Law 94–409, closing portions of these subcommittee meetings is in accordance with 5 U.S.C., 552b(c)(6) and (9)(B). Those who plan to attend or would like to obtain a copy of minutes of the subcommittee meetings and rosters of the members of the subcommittees should contact LeRoy G. Frey, Ph.D., Chief, Program Review Division, Medical Research Service, Department of Veterans Affairs, Washington, DC, (202) 408–3630.

Dated: February 13, 2002.

Nora E. Egan,

Committee Management Officer.

[FR Doc. 02–4135 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–M

Notices

Federal Register
Vol. 67, No. 35
Thursday, February 21, 2002

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.

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

Notice of Request for Approval of Information Collection

AGENCY: Risk Management Agency, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces a public comment period on the information collection requests (ICRs) associated with the Standard Reinsurance Agreement Plan of Operations administered by Federal Crop Insurance Corporation.

DATES: Written comments on this notice will be accepted until close of business April 22, 2002.

ADDRESSES: Interested persons are invited to submit written comments to the Director, Reinsurance Services Division, Federal Crop Insurance Corporation, United States Department of Agriculture (USDA), 1400 Independence Avenue SW., Stop 0804, Washington, DC 20250, or electronically to *Heyward_Baker@wdc.usda.gov.*

FOR FURTHER INFORMATION CONTACT: John H. Brown, Risk Management Specialist, Federal Crop Insurance Corporation, at the address listed above, telephone (202) 720–2099.

SUPPLEMENTARY INFORMATION:

Title: Standard Reinsurance Agreement Plan of Operations.

OMB Number: 0563–NEW.

Type of Request: New information collection.

Abstract: The Federal Crop Insurance Act (Act), Title 7 U.S.C. Chapter 36 Section 1508(k) authorizes the Federal Crop Insurance Corporation (FCIC) to provide reinsurance to insurers approved by FCIC that insure producers of any agricultural commodity under one or more plans acceptable to FCIC. The Act also states that the reinsurance shall be provided on such terms and conditions as the Board may determine to be consistent with subsections (b) and (c) of this section and sound reinsurance principles.

FCIC executes the same form of reinsurance agreement, called the Standard Reinsurance Agreement (SRA), with eighteen participating insures approved for the 2002 program. In Appendix 2 of the SRA, the Plan of Operations (Plan) sets forth the information the insurer is required to file with RMA for the initial and each subsequent reinsurance year. The Plan's information enables RMA to evaluate the insurer's financial and operational capability to deliver the crop insurance program in accordance with the Act. Estimated premiums by fund by state, and retained percentages along with current policyholders surplus are used in calculations to approve the insurer's requested maximum reinsurable premium writings for the reinsurance year per 7 CFR 400 Subpart L. This information has a direct effect upon the insurer's amount of retained premium and associated liability and is required to calculate the insurer's underwriting gain or loss.

Manual 14, Guidelines and Expectations for Delivery of the Federal Crop Insurance Program, is incorporated into the SRA by reference. Manual 14 establishes the minimum Training and quality control review procedures and performance standards required of all insurers who deliver any policy reinsured under the Act. In order to evaluate their compliance with the terms of the SRA, FCIC requires each insurer to submit, for each reinsurance year, an Annual Summary Report to Compliance containing details of the results of their completed reviews classified into four categories: Proficiency Evaluations, Compliance Crop Insurance Contract Reviews, Underwriting Reviews, and Claims Reviews.

We are asking the Office of Management and Budget (OMB) to approve this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public concerning this information collection activity. These comments will help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 465 hours per response.

Respondents/Affected Entities: Insurance companies reinsured by FCIC.

Estimated annual number of respondents: 18.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 18.

Estimated total annual burden on respondents(hours): 8,370.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed in Washington, D.C., on February 7, 2002.

Phyllis W. Honor,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 02–4101 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–FA–P

DEPARTMENT OF AGRICULTURE

Forest Service

Sierra County, CA, Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Sierra County Resource Advisory Committee (RAC) will meet on March 18, 2002, is Sierra City, California. The purpose of the meeting is to discuss issues relating to implementing the *Secure Rural Schools and Community Self-Determination Act of 2000* (Payments to States) and the expenditure of Title II funds benefiting National Forest System lands on the

Humboldt-Toiyabe, Plumas and Tahoe National Forests in Sierra County.

DATES: The meeting will be held March 18, 2002, from 1:30 p.m. to 4:30 p.m. If a storm or other difficulty presents itself, a backup meeting date is scheduled for March 25, 2001, at the same time and location.

ADDRESSES: The meeting will be held at the Sierra City Community Hall, 14 Castagna Alley, Sierra City, CA.

FOR FURTHER INFORMATION CONTACT: Ann Westling, Committee Coordinator, USDA, Tahoe National Forest, 631 Coyote St, Nevada City, CA, 95959, (530) 478–6205, e-mail: *awestling@fs.fed.us*

SUPPLEMENTARY INFORMATION: Agenda items to be covered include: (1) Welcome and introductions; (2) review of previous meeting and meeting minutes; (3) discussion and decision on criteria for Sierra County RAC projects; (4) presentation of project ideas and ranking of project ideas. The meeting is open to the public and the public will have an opportunity to comment at the meeting.

Dated: February 14, 2002.

Steven T. Eubanks,

Forest Supervisor.

[FR Doc. 02–4107 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Forest Service

Rogue/Umpqua Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Rogue/Umpqua Resource Advisory Committee (RAC) will met on Friday, March 1, 2002. The meeting is scheduled to begin at 8:30 a.m. and conclude at approximately 4:30 p.m. The meeting will be held at the Douglas County Library in the Ford Community Room, 1409 NE Diamond Lake Blvd in Roseburg. The agenda includes: Review of Title II projects on the Rogue River and Umpqua national forests proposed by the Forest Service and Public Forum, including presentation of proposals submitted by the public. The Public Forum is scheduled to begin at 9 a.m. Time allotted for individual presentations will be limited to 3–4 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits for the Public Forum. Written comments may be submitted prior to the March 1 st meeting by sending them to Designated Federal Official Jim Caplan at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Jim Caplan; Umpqua National Forest; PO Box 1008, Roseburg, Oregon 97470; (541) 957–3203.

Dated: February 13, 2002.

Deborah Schmidt,

Acting Deputy Forest Supervisor, Umpqua National Forest.

[FR Doc. 02–4108 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Risk Management Agency

Notice of Request for Approval of an Information Collection

AGENCY: Risk Management Agency, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Risk Management Agency (RMA) to request approval for the information collection projects listed in the Abstract of this document.

DATES: Written comments on this notice will be accepted until close of business April 22, 2002.

ADDRESSES: Interested persons are invited to submit written comments to: Lydia M. Astorga, Risk Management Education Division, USDA/RMA, 1400 Independence Avenue, SW, Stop 0808, Portals Building, Suite 508, Washington, DC 20250–0808. Or electronically to: *Lydia_Astorga@wdc.usda.gov.*

FOR FURTHER INFORMATION CONTACT: To request additional information on the proposed collection of information contact: Lydia M. Astorga, Risk Management Education Division, USDA/RMA, Stop 0808, 1400 Independence Ave., SW, Washington, D.C. 20250–0808, or call (202) 260–4728.

SUPPLEMENTARY INFORMATION:

Title: Agricultural Risk Management Education and Information.

OMB Number: 0563–NEW.

Type of Request: New information collection.

Abstract: The Federal Crop Insurance Act directs the Federal Crop Insurance Corporation, operating through RMA, to (a) establish crop insurance education and information programs in States that have been historically underserved by the Federal crop insurance program (7 U.S.C. 1524(a)(2)); and (b) provide agricultural producers with training opportunities in risk management, with a priority given to producers of specialty crops and underserved commodities (7 U.S.C. 1522(d)(3)(F)). With this submission, RMA seeks to obtain OMB's generic approval for four information collection projects that will assist RMA in operating and evaluating these programs. The four information collection projects are: (1) Request for Applications; (2) Performance Reporting; (3) Training Session Evaluation; and (4) Needs Assessment. The primary objectives of the four information collection projects are, respectively, to: (1) Enable RMA to better evaluate the performance capacity and plans of organizations that are applying for funds for cooperative and partnership agreements; (2) document the scope of activities conducted by the recipients of Federal educational funding; (3) assess the effectiveness of individual educational activities; and (4) provide program managers and policy makers with information regarding the effectiveness of educational programs in underserved States. We are asking the Office of Management and Budget (OMB) to approve this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public concerning this information collection activity. These comments will help us:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average: 8 hours per response for agri-business professionals, for a total of 5,904 hours AND 15 minutes per response for producers, for a total of 21 hours.

Respondents/Affected Entities: Agribusiness professionals and agricultural producers.

Estimated annual number of respondents: 19,450 respondents (2,950

agribusiness professionals and 16,500 agricultural producers).

Estimated annual number of responses: 19,450 responses or 1 per respondent.

Estimated total annual burden on respondents: 5,925 hours (5,904 hours for agribusiness professionals and 21 hours for agricultural producers).

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed in Washington, DC, on February 12, 2002.

Phyllis W. Honor,

Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 02–4102 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–08–P

BROADCASTING BOARD OF GOVERNORS

Sunshine Act Meeting Notice

DATE AND TIME: February 26, 2002; 12:30 p.m.–4:30 p.m.

PLACE: Cohen Building, Room 3321, 330 Independence Ave., SW., Washington, DC 20237.

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: February 15, 2002.

Carol Booker,

Legal Counsel.

[FR Doc. 02–4299 Filed 2–19–02; 2:40 pm]

BILLING CODE 8230–30–M

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: 2002 Economic Census Covering the Construction Sector.

Form Number(s): CC–23601, CC–23701, CC–23702, CC–23703, CC–23801, CC–23802, CC–23803, CC–23804, CC–23805, CC–23806, CC–23807, CC–23808, CC–23809.

Agency Approval Number: None.

Type of Request: New collection.

Burden: 325,000 hours in FY 2003.

Number of Respondents: 130,000.

Avg Hours Per Response: 2.5 hours.

Needs and Uses: The 2002 Economic Census Covering the Construction Sector will use a mail canvass, supplemented by data from Federal administrative records, to measure the economic activity of approximately 700,000 construction establishments classified in the North American Industry Classification System (NAICS). The construction sector of the economic census comprises establishments primarily engaged in the construction of buildings and other structures , additions, alterations, reconstruction, installation, and maintenance and repairs. The economic census will produce basic statistics by industry for number of establishments, value of construction work, payroll, employment, selected costs, depreciable assets, inventories and capital expenditures. It also will yield a variety of subject statistics, including estimates of type of construction work done, kind of business activity and other industry-specific measures. Industry statistics will be summarized for the United States and states.

Affected Public: Business or other for-profit.

Frequency: One time.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Sections 131 and 224.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at *mclayton@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4117 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: 2001 Panel of the Survey of Income and Program Participation, Wave 5 Topical Modules.

Form Number(s): SIPP 21505(L) Director's Letter; SIPP/CAPI Automated Instrument; SIPP 21003 Reminder Card.

Agency Approval Number: 0607–0875.

Type of Request: Revision of a currently approved collection.

Burden: 121,478 hours.

Number of Respondents: 78,750.

Avg Hours Per Response: 30 minutes.

Needs and Uses: The U.S. Census Bureau requests authorization from the Office of Management and Budget (OMB) to conduct the Wave 5 Topical Module interview for the 2001 Panel of the Survey of Income and Program Participation (SIPP). We also request approval for a few replacement questions in the reinterview instrument. The core SIPP instrument, and reinterview instrument were cleared previously. The reinterview instrument will be used for quality control purposes. We are also seeking continued clearance for the SIPP Methods Panel instrument field testing to be conducted in October and November 2001 and July and August 2002. The test targets SIPP Wave 1 items and sections that require thorough and rigorous testing in order to improve the quality of core data. The experiment is conducted under the

direction of the Methods Panel Team, which is committed to delivering an improved and less burdensome instrument for use in the 2004 SIPP Panel.

The SIPP is designed as a continuing series of national panels of interviewed households that are introduced every few years, with each panel having durations of 3 to 4 years. The 2001 SIPP Panel is scheduled for three years and will include nine waves beginning February 1, 2001.

The survey is molded around a central ''core'' of labor force and income questions that remain fixed throughout the life of a panel. The core is supplemented with questions designed to answer specific needs. These supplemental questions are included with the core and are referred to as ''topical modules.'' The topical modules for the 2001 Panel Wave 5 are School Enrollment and Financing, Child Support Agreements, Support for Nonhousehold Members, Functional Limitations and Disability for Adults and Children, and Employer Provided Health Benefits. Wave 5 interviews will be conducted from June through September 2002.

Data provided by the SIPP are being used by economic policymakers, the Congress, state and local governments, and Federal agencies that administer social welfare or transfer payment programs, such as the Department of Health and Human Services and the Department of Agriculture. The SIPP represents a source of information for a wide variety of topics and allows information for separate topics to be integrated to form a single and unified database so that the interaction between tax, transfer, and other government and private policies can be examined. Government domestic policy formulators depend heavily upon the SIPP information concerning the distribution of income received directly as money or indirectly as in-kind benefits and the effect of tax and transfer programs on this distribution. They also need improved and expanded data on the income and general economic and financial situation of the U.S. population. The SIPP has provided these kinds of data on a continuing basis since 1983, permitting levels of economic well-being and changes in these levels to be measured over time.

Affected Public: Individuals or households.

Frequency: Every 4 months.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C., Section 182.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at *mclayton@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4118 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Data Collection for Compliance With Government Performance and Results Act of 1993

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce as part of its continuing effort to reduce paperwork and respondent burden invites the general public and other Federal agencies to take this opportunity to comment on proposed or continuing information collections, as required by the Paperwork Reduction Act of 1994, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instruments and instructions should be directed to Patricia Flynn, Director, Operations Review and Analysis Division, Economic Development Administration, Room 7015, Washington, DC 20230, telephone 202–482–5353.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Economic Development Administration (EDA) helps our partners across the nation (states, regions, and communities) create wealth and minimize poverty by promoting a favorable business environment to attract private capital investment and jobs through world-class capacity building, planning, infrastructure, research grants, and strategic initiatives.

EDA's strategic investments in public infrastructure and local capital markets provide lasting benefits for economically disadvantaged areas. Acting as catalysts to mobilize public and private investments, EDA's investments address problems of high unemployment, low per capita income, and other forms of severe economic distress in local communities. EDA also provides special economic adjustment assistance to help communities and businesses respond to major layoffs, plant shutdowns, trade impacts, natural disasters, military facility closures, and other severe economic dislocations.

EDA must comply with the Government Performance and Results Act of 1993, which requires Federal agencies to develop performance measures, and report to Congress and stakeholders the results of the agency's performance. EDA must collect specific data from grant recipients to report on its performance in meeting its stated goals and objectives.

II. Method of Collection

EDA has developed four short data collection forms; one for each type of respondent. Respondents will submit the form to the appropriate EDA regional office for compilation and transmission to EDA headquarters.

III. Data

OMB Number(s): 0610–.

Form Number: Not applicable.

Burden: 21,009.

Type of Review: New Collection.

Affected Public: EDA-funded grantees: State, local and tribal governments; community organizations; not-for-profit organizations.

Estimated Number of Respondents: 2,469.

Estimated Time per Response: (1) 10 burden hours for the Public Works and Economic Adjustment Infrastructure and Revolving Loan Funds Reporting Form; (2) 10 hours for the Economic Development District and Indian Tribe Reporting Form; (3) 7 hours for the University Center Form; and (4) 6 hours for the Trade Adjustment Assistance Form.

Estimated Total Annual Burden Hours: 21,009.

Estimate Total Annual Cost: $705,000 to respondents.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the equality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of Chief Information Officer.

[FR Doc. 02–4115 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

International Trade Administration

Commercial News USA; Proposed Collection; Comment Request

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burdens, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before April 22, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482–3129, Department of Commerce, Room 6086, 14th & Constitution Avenue, NW, Washington, DC 20230 or via Internet at *MClayton@doc.gov.*

FOR FURTHER INFORMATION CONTACT: Request for additional information or copies of the information collection instrument and instructions should be directed to Joseph English, telephone 202–482–3334, fax 202–482–5398, e-mail: *Joseph.English@ita.doc.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Commercial News USA (CNUSA), published twelve times a year by a private sector firm, is the U.S. Department of Commerce's export catalog-magazine. The product information in CNUSA reaches more than 145,000 distributors, government officials, and potential buyers overseas through direct distribution from U.S. embassies and consulates. Firms use the form to request that their product information be published in CNUSA, a service for which the firms pay a minimum fee of $695.

This information collection item allows the U.S. Department of Commerce to promote U.S. products and services available for export as part of the USDOC's trade promotion activities. CNUSA is a unique export promotion service for U.S. manufacturers and service firms; nothing similar is available to them through the private sector. The product promotions in CNUSA differ from paid advertisements in that they must meet program criteria. Because U.S. embassies and consulates handle distribution, the product information reaches a vast, screened readership not only through direct dissemination but also via counseling by commercial officers and through walk-in visits to commercial libraries where CNUSA is displayed. Further, American Chambers of Commerce, local business editors, and other trade entities that reprint information from CNUSA or display or disseminate the entire magazine provide a multiplier effect.

II. Method of Data Collection

The requests are sent to the private sector publisher.

III. Data

OMB Number: 0625–0061.
Form Number: ITA–4063P.
Type of Review: Regular submission.
Affected Public: Companies interested in placing their product information available for export in Commercial News USA.
Estimated Number of Respondents: 2,200.
Estimated Time Per Response: 20 minutes.
Estimated Total Annual Burden Hours: 733.
Estimated Total Annual Costs: $25,674.00.

IV. Request for Comments

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 15, 2002.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4119 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–FP–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People's Republic of China: Notice of Extension of Time Limit for the Final Results of Antidumping Duty New Shipper Review and the Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limit for the final results of antidumping duty new shipper review and the final results of antidumping duty administrative review.

SUMMARY: The Department of Commerce is extending the time limit for the final results of the new shipper and administrative reviews of the antidumping duty order on fresh garlic from the People's Republic of China. The new shipper review covers one exporter, Clipper Manufacturing Co. Ltd. The period of review is June 1, 2000, through November 30, 2000. The administrative review covers four manufacturers/exporters and the period November 1, 1999, through October 31, 2000. At the request of the petitioner, the two reviews have been aligned and are being conducted simultaneously.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Edythe Artman, AD/

CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–3477 or (202) 482–3931, respectively.

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 (the Act) by the Uruguay Round Agreements Act and all citations to the Department of Commerce's regulations are to 19 CFR Part 351 (2001).

Background

On February 9, 2001, the petitioner submitted a request for alignment of the new shipper and administrative reviews. Clipper Manufacturing Co. Ltd. responded to the Department that it did not object to the petitioner's request. See Memorandum to the File regarding alignment of new shipper and administrative reviews (Feb. 19, 2001). Therefore, we are conducting these two reviews simultaneously.

On August 24, 2001, the Department published the preliminary results of the new shipper and administrative reviews of the antidumping duty order on fresh garlic from the People's Republic of China. See Fresh Garlic from the People's Republic of China; Preliminary Results of Antidumping New Shipper Review, Preliminary Results of Antidumping Duty Administrative Review, and Partial Rescission of Administrative Review, 66 FR 44596 (August 24, 2001). We invited parties to comment on our preliminary results. With respect to the new shipper review, we received comments from the petitioner and the new shipper, Clipper Manufacturing Co. Ltd. We received comments from the petitioner and one of the respondents, Fook Huat Tong Kee Pte., Ltd., and Taian Fook Huat Tong Kee Foods Co., Ltd. (collectively FHTK), that pertained to the administrative review. The final results for these reviews are currently due no later than February 20, 2001. See Notice of Correction to the Extension of Time Limit for the Final Results of Antidumping New Shipper Review and the Final Results of Antidumping Administrative Review of the Antidumping Duty Order on Fresh Garlic from the People's Republic of China, 67 FR 4392 (January 30, 2002).

Extension of Time Limits for Final Results for New Shipper and Administrative Reviews

The comments we received concerning our preliminary results present a number of complex factual and legal questions pertaining to the bona fides of certain sales potentially subject to the antidumping duty order in this case. Therefore, it is not practicable to complete the reviews within the time limits mandated by section 751(a)(3)(A) of the Act. Consequently, we are extending the time limit for the final results of the reviews to March 6, 2002.

February 13, 2002

Richard W. Moreland,

Deputy Assistant Secretary for AD/CVD Enforcement I.

[FR Doc. 02–4185 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 021302A]

Atlantic Coastal Fisheries Cooperative Management Act; Meeting

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

ACTION: Meeting.

SUMMARY: NMFS and the U.S. Fish and Wildlife Service (USFWS) will hold a joint meeting to discuss coordination of activities that support Atlantic States Marine Fisheries Commission coastal fisheries management plans under the Atlantic Coastal Fisheries Cooperative Management Act and the Atlantic Striped Bass Conservation Act.

DATES: The meeting will convene on Wednesday, March 27, 2002, at 10 a.m. and will adjourn at approximately 3 p.m. The meeting is open to the public.

ADDRESSES: National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Anne Lange, State Federal Fisheries Staff, NMFS; telephone: (301) 713–2334.

SUPPLEMENTARY INFORMATION: NMFS-USFWS hold annual coordination meetings established under a Memorandum of Understanding to develop and implement a program to support interstate fishery management efforts associated with the Atlantic Coastal Fisheries Cooperative Management Act. The main agenda items are: the 2002-2003 Workplan, distribution of FY2002 Atlantic Coastal Act funds, and ASMFC Fishery Management Plan work for 2002.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Lange (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days prior to the meeting date.

Dated: February 14, 2002.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, national Marine Fisheries Service.

[FR Doc. 02–4176 Filed 2–20–02; 8:45 am]

BILLING CODE 3510–22–S

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY CONTACT: Gary Martinaitis, Division of Economic Analysis, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, (202) 418–5209; FAX: (202) 418–5527; email: gmartinaitis@cftc.gov and refer to OMB Control No. 3038–0013.

SUPPLEMENTARY INFORMATION:

Title: Exemptions from Speculative Limits (OMB Control No. 3038–0013). This is a request for extension of a currently approved information collection.

Abstract: Commission Rules 1.47, 1.48, and 150.3(b) requirement limited information from trades whose futures positions exceed federal speculative limits. The rules are designed to assist in the monitoring of compliance with speculative limits adopted by the Commission. These rules are promulgated pursuant to the Commission's rulemaking authority contained in Sections 4a(a), 4i, and

8a(5) of the Commodity Exchange Act, 7 USC 6a(1), 6i, and 12a(5).

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. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The Federal Register notice with a 60-day comment period soliciting comments on this collection of information was published on October 5, 2001 (66 FR 51025).

Burden statement. The respondent burden for this collection is estimated to average three hours per response. These estimates include 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; and transmit or otherwise disclose the information.

Respondents/Affected Entities: 5.

Estimated number of responses: 5.

Estimated total annual burden on respondents: 15 hours.

Frequency of collection: On occasion.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038–0013 in any correspondence.

Gary Martinaitis, Division of Economic Analysis, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581 and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: February 14, 2002.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4103 Filed 2–20–02; 8:45 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 1, 2002.

PLACE: 1155 21st St., N.W., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

CONTACT PERSON FOR MORE INFORMATION: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4236 Filed 2–19–02; 10:36 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 8, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4237 Filed 2–19–02; 10:36 am]

BILLING CODE 6391–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11 a.m., Friday, March 15, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4238 Filed 2–19–02; 8:45 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

TIME AND DATE: 11:00 a.m., Friday, March 22, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4239 Filed 2–19–02; 10:36 am]

BILLING CODE 6351–01–M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Notice

AGENCY HOLDING THE MEETING: Commodity Futures Trading Commission.

TIME AND DATE: 11:00 a.m., Friday, March 29, 2002.

PLACE: 1155 21st St., NW., Washington, DC, 9th Floor Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

FOR MORE INFORMATION CONTACT: Jean A. Webb, 202–418–5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 02–4240 Filed 2–19–02; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Proposed collection; comment request

AGENCY: Office of the Under Secretary of Defense (Personnel and Readiness), DoD.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Under Secretary of Defense (Personnel and Readiness) announces the following proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by April 22, 2002.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to the Office of the Under Secretary of Defense (Personnel and Readiness), Office of the Deputy Under Secretary of Defense (Program Integration)/Defense Human Resources Activity, ATTN: Ms.

Sheila Ford, 4040 Fairfax Boulevard, Suite 200, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call at (703) 696–0404.

Title, Associated Form, and OMB Number: Application for Uniformed Services Identification Card—DEERS Enrollment, DD Form 1172, OMB Number 0704–0020.

Needs and Uses: This information collection requirement is necessary to authorize members of the Uniformed Services, their spouses and dependents, and other authorized individuals certain benefits and privileges. These privileges include health care, use of commissary, base exchange, and morale, welfare, and recreation facilities. This information collection is needed to obtain the necessary data to determine eligibility, to provide eligible individuals with an authorization card (identification card) for benefits and privileges administered by the Uniformed Services, and maintain a centralized database of eligible individuals. This information collection may also be used by the military departments and the Defense agencies to issue their non-benefit identification cards.

Affected Public: Individuals or households.

Annual Burden Hours: 281,092.

Number of Respondents: 1,623,246.

Responses Per Respondent: 1.

Average Burden Per Response: 10 minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

This information collection identifies those individuals eligible for the benefits and privileges authorized in Sections 1061–1065, 1072–1074c, 1076, 1076a, 1077, 1074a, 1175, and 1408 of Title 10 and issuance of the appropriate Uniformed Services identification cards.

The Uniformed Services identification card is the key to authorized usage of military health care, commissary, exchange privileges, and morale, welfare, and recreation facilities. In order to obtain this identification card, an applicant is required to go to an identification card issuing site and update a DD Form 1172, ''Application for Uniformed Services Identification Card—DEERS Enrollment.'' The sponsor, or person authorized to sign the DD Form 1172 in accordance with the criteria established in DoD Instruction 1000.13, provides appropriate dependent information and verification, i.e., birth certificate, marriage license, etc. The information is entered into an automated system by the identification card issuing official and reviewed by the applicant. Once the applicant has reviewed the information for correctness, the sponsor, or person authorized to sign the form, will sign the system-printed DD Form 1172. The DD Form 1172 must be signed by both the sponsor (or person authorized to sign the form) and the verifying official. The person authorized to sign the form must sign it in the presence of the verifying official. On those rare occasions where the sponsor (or personnel authorized to sign the form) is unable to accompany his/her dependent to the identification card issuing site, the signature must be notarized in accordance with the criteria set forth in DoD Instruction 1000.13 prior to verification by the verifying official. This does not happen very often and does not create a significant increase in burden to the public. Once the DD Form 1172 has been properly signed, the form is taken to the identification care issuing site for issuance of the ID card. The data are transmitted to the Defense Manpower Data Center to be entered into the Defense Enrollment Eligibility Reporting System (DEERS) database. The applicant is required to update the information once every four years or as changes occur, i.e., reservist entering active duty or being released from active duty.

This information collection may also be used to identify employees and certain contractors of the military departments and Defense agencies for the purpose of issuance of a non-benefit identification card. This group may include civilians and contractors who regularly require official identification in connection with their official business.

Respondents will be: active duty, reserve, and retired personnel of the Uniformed Services (Army, Navy, Air Force, Marine Corps, Coast Guard, US Public Health Service, and NOAA) and their dependents; surviving dependents of deceased active duty and deceased retired personnel; certain Federal employees; certain contract employees; certain State Department employees employed in a foreign country and their dependents; any other individuals entitled to care under the Uniformed Services health care program; individuals entitled to Uniformed Services benefits and privileges and a Uniformed Services identification card; any eligible individual who submits a health care claim; and individuals eligible for certain civilian non-benefit identification cards.

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02–4094 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for a new collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by March 25, 2002.

Title and OMB Number: 2001 Biennial Review of Defense Agencies and DoD Field Activities; OMB Number 0704-[To Be Determined].

Type of Request: New Collection.

Number of Respondents: 1,335.

Responses Per Respondent: 1.

Annual Responses: 1,335.

Average Burden Per Response: 15 minutes.

Annual Burden Hours: 334.

Needs and Uses: Section 192(c) of Title 10, U.S.C., requires that the Secretary of Defense review the services and supplies provided by each Defense Agency and Department of Defense (DoD) Field Activity. The purposes of the Biennial Review are to ensure the continuing need for each Agency and Field Activity and to ensure that the services and supplies provided by each entity is accomplished in a more effective, economical, or efficient manner than by the Military Departments. A standard organizational-customer survey process serves as the principal data-gathering methodology in the Biennial Review. As such, it provides valuable information to senior officials in the Department regarding the levels of satisfaction held by the organizational customers of approximately 20 Defense Agencies and DoD Field Activities covered by the Biennial Review. Respondents covered by this notice are private-sector customers of these business lines, such as for the Federal Voting Assistance Program and Defense Finance and Accounting Service.

Affected Public: Individuals or households; business or other for-profit;

not-for-profit institutions; State, Local or Tribal Government.

Frequency: On occasion.

Respondents' Obligation: Voluntary.

OMB Desk Officer: Ms. Jacke Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202–4302.

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02–4095 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Armament Retooling and Manufacturing Support Initiative Implementation

AGENCY: Department of the Army, DoD.

ACTION: Notice of meeting.

SUMMARY: Reference notice of open meeting, Armament Retooling and Manufacturing Support Initiative Implementation, published in the **Federal Register**, January 23, 2002 (67 FR 3167). This notice supersedes the reference and provides information about the rescheduled meeting, as follows: Pursuant to Public Law 92–463, notice is hereby given of the next meeting of the Armament Retooling and Manufacturing Support (ARMS) Executive Advisory Committee (EAC). The EAC encourages the development of new and innovative methods to optimize the asset value of the Government-Owned, Contractor-Operated ammunition industrial base for peacetime and national emergency requirements, while promoting economical and efficient processes at minimal operating costs, retention of critical skills, community economic benefits, and a potential model for defense conversion. The U.S. Army, Operations Support Command, will host this meeting. The purpose of the meeting is to update the EAC and public on the status of ongoing actions, new items of interest, and suggested future direction/actions. Topics for this meeting will include—Security Requirements and ARMS Contractors; Industrial Base Strategy and Industrial Commercialization; Policy on Ownership of Property; ARMS Revenue Projects; and Arsenal Support Program Initiative Update. This meeting is open to the public.

Date of Meeting: March 27–28, 2002.

Place of Meeting: Embassy Suites Hotel, 8978 International Drive, Orlando, FL 32819.

Time of Meeting: 8:30 a.m.—5:00 p.m. on March 27 and 7:30 a.m.—12:00 p.m. on March 28.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Perez, U.S. Army Operations Support Command, ATTN: AMSOS–COM–E, Rock Island Arsenal, IL 61299, phone (309) 782–3360.

SUPPLEMENTARY INFORMATION: A block of rooms has been reserved at the Embassy Suites Hotel for the nights of 26–28 March 2002. The Embassy Suites Hotel is located at 8978 International Drive, Orlando, FL 32819, local Phone (407) 352–1400. Please make your reservations by calling 800–362–2779. Be sure to mention the guest code ARMS PPTF. Reserve your room prior to March 1st to get the Government Rate of $95.00 a night. Also notify this office of your attendance by notifying Mike Perez, *perezm@osc.army.mil,* 309–782–3360 (DSN 793–3360). To insure adequate arrangements (transportation, conference facilities, etc.) for all attendees, we request your attendance notification with this office by March 8, 2002. Corporate casual is meeting attire.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4178 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Army Education Advisory Committee

AGENCY: Department of the Army, DoD.

ACTION: Notice of meeting.

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), announcement is made of the following Committee meeting:

Name of Committee: U.S. Army War College Subcommittee of the Army Education Advisory Committee.

Dates of Meeting: April 3, 4, and 5, 2002.

Place: Root Hall, U.S. Army War College, Carlisle Barracks, Pennsylvania.

Time: 8:30 a.m.—5:00 p.m.

Proposed Agenda: Receive information briefings; conduct discussions with the Commandant and staff and faculty; table and examine online College issues and fund raising strategies and models; assess resident and distance education programs, institutional and campus transformation, and plans for the Process for Accreditation of Joint Education (PAJE) 2003; assemble into small working groups for a concentrated review of institutional policies and committee membership and charter issues; propose strategies and recommendations that will continue the momentum of federal accreditation success and guarantee compliance with regional accreditation standards.

FOR FURTHER INFORMATION CONTACT: To request advance approval or obtain further information, contact Colonel Robert E. Smith, Box 545, U.S. Army War College, Carlisle Barrack, PA 17013 or telephone (717) 245–3907.

SUPPLEMENTARY INFORMATION: This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee after receiving advance approval for participation.

To request advance approval or obtain further information, contact Colonel Robert E. Smith at the above address or phone number.

Robert E. Smith,

Colonel, U.S. Army, Designated Federal Official.

[FR Doc. 02–4184 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Encapsulated High-Concentration Lipid A Composition as Immunogenic Agents to Produce Human Antibodies to Prevent or Treat Gram Negative Bacterial Infections

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,888,519 entitled ''Encapsulated High-Concentration Lipid A Composition as Immunogenic Agents to Produce Human Antibodies to Prevent of Treat Gram Negative Bacterial Infections'' issued March 30, 1999. The United States Government as

represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664. Both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: This invention is directed to the production of antibodies against lipid A by using encapsulating slow-releasing delivery materials or devices containing concentrations of lipid A that are greater than could be given safely to humans in the absence of said materials or devices. The antibodies to lipid A can be used for binding the antibodies to the lipid A that are present in the lipopolysaccharide that coats the surface of the Gram-negative bacteria.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4179 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Fiber Optic Periodontal Endoscope

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,919,129 entitled ''Fiber Optic Periodontal Endoscope'' issued July 6, 1999. The United States Government as represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office, of Research & Technology Assessment, (301) 619–6664, both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: A fiber optic periodontal endoscope includes a lens and light housing assembly attached to a handle end tip containing fiber optic bundles transmitting light from the source to illuminate the probe tip. The returning image traveling back through the handle along the fiber optic bundle is reflected off a mirror toward the magnification lens housed in a portion of the assembly which is at right angles to the light housing portion. The probe has two rotating joints, one between the tip and handle and the other between the assembly and handle to enable rotation of the lens for ease of viewing and additional rotation of the probe tip to allow for illumination and visualization at the side of the tin.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4181 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning Hantavirus Vaccine

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. 5,614,193 entitled ''Hantavirus Vaccine'' issued March 25, 1997. The United States government as represented by the Secretary of the Amy has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664. Both at telefax (301) 61–5034.

SUPPLEMENTARY INFORMATION: Vaccine formulations for inducing protective immune response to Hantaviruses in humans are disclosed. These formulations include an attenuated vaccine virus vector containing cDNA's encoding Hantavirus nucleocapsid N protein, G1 and G2 glycoproteins. Methods for the use of these formulations also are disclosed.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4180 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army

Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Application Concerning Temperature-Regulated Cell Perfusion Chamber

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent Application No. 09/571, 1406 entitled ''Temperature-Regulated Cell Perfusion Chamber'' filed May 15, 2000. The United States Government as represented by the Secretary of the Army has rights in this invention.

ADDRESSES: Commander, U.S. Army Medical Research and Material Command, ATTN: Command Judge Advocate, MCMR–JA, 504 Scott Street, Fort Detrick, Frederick, Maryland 21702–5012.

FOR FURTHER INFORMATION CONTACT: For patent issues, Ms. Elizabeth Arwine, Patent Attorney, (301) 619–7808. For licensing issues, Dr. Paul Mele, Office of Research & Technology Assessment, (301) 619–6664, both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: A cell perfusion chamber structure capable of continuously monitoring processes during polymerase change reaction includes a cell chamber body having a support surface with an aperture defined through the support surface and wall structure extending upwardly from the support surface to define an interior. The wall structure includes passages therein. A gasket is disposed on the support surface so as not to cover the aperture. A first transparent cover is disposed on the gasket so as to cover the aperture. A water bath body is provided and has a first portion and a second portion extending from the first portion. The first portion defines a second support surface. The second portion is received in the interior of the cell chamber body and is in interference fit arrangement with the wall structure. The water bath body has an interior support surface with an aperture there through. The aperture extends through

the first and second portions. The first portion has first pots therein which communicate with the aperture of the water bath body. The second portion includes second ports therein which communicate with the aperture of the water bath body and with associated passages in the cell chamber body. A second transparent cover is disposed on the interior support surface of the water bath body so as to divide the aperture of the water bath body into first and second portions. The second transparent cover covers the second portion of the aperture to define a sealed cell chamber enclosed by the second transparent cover, the first transparent cover and surfaces of the cell chamber body. A transparent window is disposed on the second support surface to cover the first portion of the aperture to define a water bath chamber enclosed by the transparent window, the second cover and surfaces of the water bath body. Whereby fluid may enter and exit the water bath chamber via first ports and perfusion fluid may enter and exit the cell chamber via the second ports.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–4182 Filed 2–20–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Privacy Act of 1974; Systems of Records

AGENCY: Defense Logistics Agency, DoD.

ACTION: Notice to alter a system of records.

SUMMARY: The Defense Logistics Agency proposes to alter a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

DATES: This action will be effective without further notice on March 22, 2002 unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to the Privacy Act Officer, Headquarters, Defense Logistics Agency, Attn: DSS–C, 8725 John J. Kingman Road, Suite 2533, Fort Belvior, VA 22060–6221.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Salus at (703) 767–6183.

SUPPLEMENTARY INFORMATION: The Defense Logistics Agency notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on February 7, 2002, to the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: February 12, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

S330.50 CAH

SYSTEM NAME:

Official Personnel Files for Non-Appropriated Fund Employees (August 3, 1999, 64 FR 42101).

CHANGES:

* * * * *

SYSTEM IDENTIFIER:

Delete S330.50 CAH and replace with ''S400.05''.

* * * * *

SYSTEM LOCATION:

Delete entry and replace with ''Records are located at the NAF Personnel Office, Headquarters Defense Logistics Agency,'' (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NAF PERSONNEL OFFICES OF THE FOLLOWING DLA FIELD ACTIVITIES:

Defense Distribution Depot Susquehanna, ATTN: DDSP–HM, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070–5002;

Defense Supply Center Richmond, ATTN: DSCR–H, 8000 Jefferson Davis Highway, Richmond, VA 23297–5131;

Defense Supply Center Columbus, ATTN: DSCC–WLQ, 3990 East Broad Street, Columbus, OH 43216–5000;

Defense Logistics Information Service, ATTN: DLIS–RB, 74 N. Washington Avenue, Battle Creek, MI 49017–3084; and

Defense Distribution Depot San Joaquin, ATTN: DDJC–X, 25600 S. Chrisman Road, Building 100, Room 28, Tracy, CA 95376. Some of the information contained in this system may be duplicated for maintenance at a location closer to the employee's work site (e.g., in an administrative office or supervisor's work folder) and still be covered by this system notice.''

* * * * *

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''Individuals who have accepted employment as a DLA Non-Appropriated Fund employee.''

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''The system constitutes a history of employment with DLA and contains name, physical and electronic addresses, telephone numbers, date and place of birth, citizenship, Social Security number, prior employment or work history, and employment application forms. In addition, the system includes grade; series; duties; duty location; promotions; work schedule; health and life insurance election documents; pay data; direct deposit forms; savings bond authorizations; state and local taxation forms; emergency notification data; performance objectives and evaluations; awards; notices of disciplinary or adverse action and employee response; training records; certification and licensing records; medical and fitness for duty evaluations; secondary employment documents; the fact of and level of security clearance; social security or other retirement benefit data; and similar employment-related material.''

* * * * *

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with '5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1143d, Employment assistance; 10 U.S.C. 1588, Voluntary services; 10 U.S.C. 1784, Employment opportunities; 42 U.S.C. 300e–9, Employees Health Benefit Plans; 42 U.S.C. Chapter 7, Subchapter II, Social Security Benefits; and E.O. 9397 (SSN).'

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Add three new routine uses 'To public health agencies in cases where employees have contracted or been exposed to a health hazard while employed with DLA.

To the Department of the Treasury to process savings bond authorization forms.

To the Social Security Administration and pension fund administration

entities for retirement and pension benefit administration, oversight, and audit purposes.'

* * * * *

SAFEGUARDS:

Add to entry 'Records are secured in locked or guarded buildings, locked offices, locked cabinets or powered down computer terminals during non-duty hours. Output and storage media products are labeled ''For Official Use Only'' and handled in accordance with DLA regulations for the safeguarding of such information. Data relayed through the Internet is encrypted during transmission by means that comply with DoD polices and technical specifications for communications, operations, and web security.'

* * * * *

RETENTION AND DISPOSAL:

Add a new second paragraph 'Some records within the file are retained at the agency for various lengths of time in accordance with the National Archives and Records Administration records schedules.

a. Documents relating to the administration of group life, health, and accident insurance programs, and retirement plans for NAF employees. Included are requests for group insurance, agreements, waivers, requests for discontinuance, applications for insurance, beneficiary designations, notices of employment termination, statements of contributions, similar documents, and related papers are destroyed after termination of involvement by the NAF activity.

b. Documents reflecting basic data on individual employees such as veteran preference, service computation date, performance ratings, positions held, and similar information are destroyed 15 years after transfer or separation of employee.

c. Documents related to submitting, evaluating, and approving or disapproving suggestions, service awards, and commendations of non-appropriated fund employees are destroyed 5 years after final action.

d. Documents used to record supervisory counseling interviews and separation interviews are destroyed 6 months after transfer or separation of employee.

e. Training documents are destroyed after 5 years.'

* * * * *

S400.05

System name:

Official Personnel Files for Non-Appropriated Fund Employees.

SYSTEM LOCATION:

Records are located at the NAF Personnel Office at Headquarters, Defense Logistics Agency, (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NAF PERSONNEL OFFICES OF THE FOLLOWING DLA FIELD ACTIVITIES:

Defense Distribution Depot Susquehanna, Attn: DDSP–HM, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070–5002;

Defense Supply Center Richmond, ATTN: DSCR–H, 8000 Jefferson Davis Highway, Richmond, VA 23297–5131;

Defense Supply Center Columbus, ATTN: DSCC–WLQ, 3990 East Broad Street, Columbus, OH 43216–5000;

Defense Logistics Information Service, ATTN: DLIS–RB, 74 N. Washington Avenue, Battle Creek, MI 49017–3084; and

Defense Distribution Depot San Joaquin, Attn: DDJC–X, 25600 S. Chrisman Road, Building 100, Room 28, Tracy, CA 95376. Some of the information contained in this system may be duplicated for maintenance at a location closer to the employee's work site (e.g., in an administrative office or supervisor's work folder) and still be covered by this system notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have accepted employment as a DLA Non-Appropriated Fund employee.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system constitutes a history of employment with DLA and contains name, physical and electronic addresses, telephone numbers, date and place of birth, citizenship, Social Security Number, prior employment or work history, and employment application forms. In addition, the system includes grade; series; duties; duty location; promotions; work schedule; health and life insurance election documents; pay data; direct deposit forms; savings bond authorizations; state and local taxation forms; emergency notification data; performance objectives and evaluations; awards; notices of disciplinary or adverse action and employee response; training records; certification and licensing records; medical and fitness for duty evaluations; secondary employment documents; the fact of and level of security clearance; social security or other retirement benefit data; and similar employment-related material.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 1143d, Employment assistance; 10 U.S.C. 1588, Voluntary services; 10 U.S.C. 1784, Employment opportunities; 42 U.S.C. 300e–9, Employees Health Benefit Plans; 42 U.S.C. Chapter 7, Subchapter II, Social Security Benefits; and E.O. 9397 (SSN).

PURPOSE(S):

The files provide the basic source of factual data about a person's NAF employment. The information is collected and maintained to provide personnel services to the employee and to provide personnel and supervisory officials with information on which to base decisions on employee rights, benefits, eligibility and status.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The information may be disclosed to government and private vendor training facilities and educational institutions in support of training requirements; to health and life insurance carriers for enrollment or claim processing purposes; and to Federal, state, local, and professional licensing boards concerning the issuance, retention, or revocation of licenses or certificates.

To Federal, State, or local agencies that verify eligibility for, administer, audit, or adjudicate claims pertaining to retirement, insurance, unemployment, health benefits, occupational injury, and similar entitlement programs.

To public and private organizations for nominating, considering, or selecting employees for awards and honors or to publicize employee recognition programs.

To the Equal Employment Opportunity Commission (EEOC) for investigating alleged or possible discrimination practices or to fulfill other functions vested in the EEOC.

To the Federal Labor Relations Authority (FLRA) for investigating and resolving allegations of unfair labor practices, or to fulfill other functions vested in the FLRA.

To public health agencies in cases where employees have contracted or been exposed to a health hazard while employed with DLA.

To the Department of the Treasury to process savings bond authorization forms.

To the Social Security Administration and pension fund administration entities for retirement and pension benefit administration, oversight, and audit purposes.

The DoD 'Blanket Routine Uses' set forth at the beginning of DLA's compilation of systems of records notices apply to this system.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are stored in paper and computerized form.

RETRIEVABILITY:

Records are retrieved by name or Social Security Number.

SAFEGUARDS:

Records are maintained in areas accessible only to DLA personnel who must have access to perform their duties. The computer files are password protected with access restricted to authorized users. Records are secured in locked or guarded buildings, locked offices, locked cabinets or powered down computer terminals during non-duty hours. Output and storage media products are labeled ''For Official Use Only'' and handled in accordance with DLA regulations for the safeguarding of such information. Data relayed through the Internet is encrypted during transmission by means that comply with DoD polices and technical specifications for communications, operations, and web security.

RETENTION AND DISPOSAL:

Folders are maintained for the duration of the employee's employment. They are retired to the National Personnel Records Center (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118, 30 days after separation except that files on off-duty military personnel are destroyed 2 years after termination of employment and files on non-U.S. citizens residing outside of CONUS, Alaska, Hawaii, but working within CONUS, Alaska, and Hawaii are destroyed 3 years after separation.

Some records within the file are retained at the agency for various lengths of time in accordance with the National Archives and Records Administration records schedules.

a. Documents relating to the administration of group life, health, and accident insurance programs, and retirement plans for NAF employees. Included are requests for group insurance, agreements, waivers, requests for discontinuance, applications for insurance, beneficiary designations, notices of employment termination, statements of contributions, similar documents, and related papers are destroyed after termination of involvement by the NAF activity.

b. Documents reflecting basic data on individual employees such as veteran preference, service computation date, performance ratings, positions held, and similar information are destroyed 15 years after transfer or separation of employee.

c. Documents related to submitting, evaluating, and approving or disapproving suggestions, service awards, and commendations of non-appropriated fund employees are destroyed 5 years after final action.

d. Documents used to record supervisory counseling interviews and separation interviews are destroyed 6 months after transfer or separation of employee.

e. Training documents are destroyed after 5 years.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, NAF Personnel and Policy Office, Headquarters, Defense Logistics Agency (DSS–Q), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system of records should address inquiries to the Privacy Act Officer, Headquarters, Defense Logistics Agency, (Attn: DSS–CF), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221, or to the Privacy Act Officer of the DLA field activity where employed. Mailing addresses are listed under ''System location'' entry. Written inquiries to DDJC–X must be addressed to DDJC–X, P.O. Box 960001, Stockton, CA 95296–0200; the Chrisman Road address may be used for personal visits.

Inquiry must contain requester's full name, Social Security Number, and name and physical location of organization where employed.

RECORD ACCESS PROCEDURES:

Individuals seeking access to information about themselves contained in this system of records should address inquiries to the to the Privacy Act Officer, Headquarters, Defense Logistics Agency, (Attn: DSS–CF), 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221, or to the Privacy Act Officer of the DLA field activity where employed. Mailing addresses are listed under ''System location'' entry. Written inquiries to DDJC–X must be addressed to DDJC–X, P.O. Box 960001, Stockton, CA 95296–0200; the Chrisman Road address may be used for personal visits.

Inquiry must contain requester's full name, Social Security Number, name and physical location of organization where employed, and a notarized or self-sworn statement attesting to identity.

For personal visits employee must be able to provide some acceptable identification such as driver's license or employee identification badge.

CONTESTING RECORD PROCEDURES:

The DLA rules for accessing records, for contesting contents and appealing initial agency determinations are contained in DLA Regulation 5400.21, 32 CFR part 323, or may be obtained from the Privacy Act Officer, Headquarters, Defense Logistics Agency, ATTN: DSS–C, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221.

RECORD SOURCE CATEGORIES:

Information contained in the folder is obtained from the record subject, the employee's previous employer, educational institutions, trade associations, references and others who would have knowledge of the employee's skills or employment characteristics and papers originating with the activity during the employee's work history.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 02–4096 Filed 2–20–02; 8:45 am]

BILLING CODE 5001–08–P

DEPARTMENT OF EDUCATION

[CFDA No. 84.358]

Small, Rural School Achievement Program and Rural and Low-Income School Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice announcing acceptability of Alternative Average Daily Attendance (ADA) data and establishing state deadline for submission of ADA and other eligibility and allocation data.

SUMMARY: Part B of Title VI of the Elementary and Secondary Education Act (ESEA) authorizes the Secretary of Education to award funds under two grant programs that are designed to address the unique needs of rural school

districts—the Small, Rural School Achievement Program (section 6212) and the Rural and Low-Income School Program (section 6221). Under the Small, Rural School Achievement Program, the Secretary awards grants directly to eligible local educational agencies (LEAs) on a formula basis. Under the Rural and Low-Income School Program, the Secretary awards formula grants to State educational agencies (SEAs), which in turn award subgrants to eligible LEAs either competitively or by formula. If a State chooses not to participate in the Rural and Low-Income School Program, the Secretary awards grants directly to eligible LEAs in that State.

The Department has prepared an Excel spreadsheet and instructions for SEAs to use in submitting the data needed to determine an LEA's eligibility for an award and allocations under the programs. These documents are available on the Department's Web site at *http://www.ed.gov/offices/OESE/reap.html.*

In this notice, the Department (1) announces that, for the first year of funding under the Small, Rural School Achievement Program and the Rural and Low-Income Program, it will accept alternative average daily attendance data that are consistent with the definition in section 6231(a) of the ESEA; and (2) establishes a deadline by which States may submit LEA eligibility data and allocation data for the programs.

Average Daily Attendance Data: An LEA's eligibility for funding under the Small, Rural School Achievement Program, as well as the amount of its grant award, is based, in part, on the number of students in average daily attendance (ADA) in the schools of the LEA. ADA data also affect an LEA's eligibility under the Rural and Low-Income Program because an LEA may not receive an award under that program if it is eligible for funding under the Small, Rural School Achievement Program. Furthermore, ADA data are used to determine the amount of each State's allocation under the Rural and Low-Income Program.

Section 6231(a) of the ESEA states that for purposes of the rural education programs, not later than December 1 of each year, an LEA must ''conduct a census to determine the number of students in average daily attendance in kindergarten through grade 12 at the schools served by the agency.'' This provision further requires that the ADA data be submitted no later than March 1 of each year. Thus, an ADA submission for the first year of the rural education programs should be based on a census conducted by December 1, 2001. The Secretary recognizes that not all SEAs or LEAs determine ADA on the basis of a census. Given that the legislation authorizing the rural education programs was enacted on January 8, 2002, a date after the period in which the initial census should have been conducted, for the purposes of determining FY 2002 eligibility and allocations under these programs the Department will accept alternative ADA data that are consistent with the statutorily required data (*e.g.,* ADA data that are based on a percentage of enrollment).

Deadline for State Submission of ADA and Other Data: The legislation requires LEAs desiring a grant under either rural education program to submit ADA data to the Department by March 1 of each year (ESEA section 6231(a)(2)). A State must submit ''such information as the Secretary may reasonably require'' before receiving its allocation under the Rural and Low-Income Program (ESEA section 6223(a)). The Department is requesting that SEAs submit ADA data on behalf of their LEAs as well as other data needed to determine eligibility and to make allocations under the Small, Rural School Achievement Program and the Rural and Low-Income Program in order to (1) ensure maximum LEA participation in all States in both programs; (2) assist LEAs in demonstrating eligibility for funding and in providing data necessary to determine LEA and SEA allocations under the programs; (3) facilitate the process by which the Department makes awards; and (4) ensure that SEAs and LEAs receive their funds on a timely basis. SEAs should submit the data electronically on the Excel spreadsheet referenced above.

Although the legislation states that ADA data are to be submitted by March 1, given that this is the first year of the program and that the period of time between the date of enactment of the legislation and the ADA submission date is so short, the Department is extending the deadline for submission of ADA data for this year. The Department will permit States to submit, through April 1, 2002, ADA and other data that the Department needs to determine eligibility and allocations under the rural education programs. All of the relevant data are specified on the Excel spreadsheet and accompanying instructions. To avail itself of this extension, an SEA must notify the Department by March 1, 2002, that it cannot submit the applicable data by March 1, but that it will provide this information by April 1, 2002 or an earlier specified date.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Lovett, Group Leader. Telephone: (202) 401–0039 or via Internet: charles.lovett@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this notice in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed above.

Electronic Access To This Document: You may view this document, as well as other Department of Education documents published in the **Federal Register** in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *www.ed.gov/legislation/FedRegister/.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll-free, at 1–888–293–6498; or in the Washington DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official version of the **Federal Register** and the Code of Federal Regulations is available on GPO access at: *http://www.access.gpo.gov/nara/index.html.*

Program Authority: Sections 6201 through 6234 of the ESEA, as amended by the No Child Left Behind Act of 2001 (Pub. L. 107–110).

Dated: February 15, 2002.

Susan B. Neuman,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 02–4234 Filed 2–20–02; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER02–602–000, ER02–371–001, ER01–2658–000, ER01–2977–000 and ER01–2980–000]

American Electric Power Service Corporation; Notice of Initiation of Proceeding and Refund Effective Date

February 15, 2002.

Take notice that on February 14, 2002, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. ER02–371–001 under section 206 of the Federal Power Act.

The refund effective date in Docket No. ER02–371–001 will be 60 days after

publication of this notice in the **Federal Register**.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4165 Filed 2–20–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–919–001, et al.]

Engage Energy America LLC, et al.; Electric Rate and Corporate Regulation Filings

February 13, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Engage Energy America LLC

[Docket No. ER01–919–001]

Take notice that on February 8, 2002, Engage Energy America LLC (Engage America) filed a notice of change of status and a Code of Conduct respecting Engage America's pending affiliation with Duke Energy Corporation.

Comment Date: March 1, 2002.

2. Cinergy Services, Inc.

[Docket No. ER01–3022–002]

Take notice that on February 8, 2002, Cinergy Services, Inc. (Cinergy) tendered for filing a Substitute First Revised page 3 and a Substitute First Revised Attachment A of an unexecuted Interconnection Agreement filed January 25, 2002 in this docket. The Substitute First Revised page 3 and Substitute First Revised Attachment A corrects a corporate name mistakenly referenced in the originally filed version.

Consistent with the Commission's October 26, 2001 Order in this Docket, Cinergy requests an effective date of September 8, 2001 for the Substitute First Revised page 3 and Substitute First Revised Attachment A.

Cinergy states that it has served a copy of its filing upon the Indiana Utility Regulatory Commission and Sugar Creek Energy, LLC.

Comment Date: March 1, 2002.

3. Duquesne Light Company

[Docket No.ER02–995–000]

Take notice that on February 11, 2002 Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

4. Duquesne Light Company

[Docket No. ER02–996–000]

Take notice that on February 11, 2002, Duquesne Light Company (DLC) filed a Service Agreement dated February 8, 2002 with NRG Power Marketing, Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds NRG Power Marketing, Inc. as a customer under the Tariff.

DLC requests an effective date of February 8, 2002 for the Service Agreement.

Comment Date: March 4, 2002.

5. Southern Indiana Gas & Electric Company

[Docket No. ER02–997–000]

Take notice that on February 11, 2002, Southern Indiana Gas & Electric Company (SIGECO), tendered for filing an unexecuted Service Agreement for Generator-Related Ancillary Services between SIGECO and Midwest Independent Transmission System Operator, Inc. (Midwest ISO) under SIGECO's FERC Electric Tariff, Second Revised Volume No. 3.

SIGECO respectfully requests that the Service Agreement become effective on February 1, 2002, the date service commenced. Copies of the filing were served upon the above-mentioned company and the Indiana Utility Regulatory Commission.

Comment Date: March 4, 2002.

6. Central Power and Light Company Public Service Company of Oklahoma Southwestern Electric Power Company West Texas Utilities Company

[Docket Nos. OA97–24–007, ER97–881–004, ER98–4609–004 and ER98–4611–005]

Take notice that on February 8, 2002, Central Power and Light Company, Public Service Company of Oklahoma, Southwestern Electric Power Company and West Texas Utilities Company (collectively, the Companies) submitted for filing with the Federal Energy Regulatory Commission (Commission) revised pages to their open access transmission service tariff in compliance with the Commission's November 8, 2001 order in the above-captioned proceedings.

The Companies state that a copy of the filing has been served on all parties to this proceeding, all customers under the tariff and the Public Utility Commission of Texas, the Louisiana Public Service Commission, the Arkansas Public Service Commission and the Oklahoma Corporation Commission.

Comment Date: March 1, 2002.

Standard Paragraph:

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 this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket#'' and follow the instructions (call 202–208–2222 for assistance). Comments, protests and interventions 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 under the ''e-Filing'' link.

Magalie R. Salas,

Secretary.

[FR Doc. 02–4164 Filed 2–20–02; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. II–2000–01, 02, 03; FRL–7148–6]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permits for the Albert Einstein College of Medicine at Yeshiva University; Action Packaging Corporation; and Kings Plaza Total Energy Plant

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final orders on petitions to object to three State operating permits.

SUMMARY: This document announces that the EPA Administrator has responded to several citizen petitions asking EPA to object to operating permits issued to three facilities by the

New York State Department of Environmental Conservation (NYSDEC). Specifically, the Administrator has denied a petition submitted by the New York Public Interest Research Group (NYPIRG) to object to the State operating permit issued to the Albert Einstein College of Medicine at Yeshiva University (Yeshiva), in Bronx, NY. The Administrator has partially granted and partially denied a petition submitted by NYPIRG to object to the State operating permit issued to Action Packaging Corporation (Action Packaging), in Brooklyn, NY. The Administrator has also partially granted and partially denied a petition submitted by NYPIRG to object to the State operating permit issued to Kings Plaza Total Energy Plant (Kings Plaza), in Brooklyn, NY.

Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of those portions of the petitions which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

ADDRESSES: You may review copies of the final orders, the petitions, and other supporting information at the EPA, Region 2, 290 Broadway, New York, New York 10007–1866. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. Each of the final orders is also available electronically at: *http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb2000.htm.*

FOR FURTHER INFORMATION CONTACT: Steven Riva, Chief, Permitting Section, Air Programs Branch, Division of Environmental Planning and Protection, EPA, Region 2, 290 Broadway, 25th Floor, New York, New York 10007–1866, telephone (212) 637–4074.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review, and object to as appropriate, operating permits proposed by State permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of this review period to object to State operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period.

I. Yeshiva

On March 15, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Yeshiva. The petition raises issues regarding the permit application, the permit issuance process, and the permit itself. NYPIRG asserts that (1) NYSDEC violated the public participation requirements of 40 CFR 70.7(h) by inappropriately denying NYPIRG's request for a public hearing; (2) the permit is based on an incomplete permit application in violation of 40 CFR 70.5(c); (3) the permit entirely lacks a statement of basis as required by 40 CFR 70.7(a)(5); (4) the permit repeatedly violates the 40 CFR 70.6(a)(3)(iii)(A) requirement that the permittee submit reports of any required monitoring at least every six months; (5) the permit distorts the annual compliance certification requirement of CAA section 114(a)(3) and 40 CFR 70.6(c)(5); (6) the permit does not assure compliance with all applicable requirements as mandated by 40 CFR 70.1(b) and 70.6(a)(1) because it illegally sanctions the systematic violations of applicable requirements during startup/shutdown, malfunction, maintenance, and upset conditions; (7) the permit does not require prompt reporting of all deviations from permit requirements as mandated by 40 CFR 70.6(a)(3)(iii)(B); and (8) the permit does not assure compliance with all applicable requirements as mandated by 40 CFR 70.1(b) and 70.6(a)(1) because many individual permit conditions lack adequate periodic monitoring and are not practically enforceable.

NYPIRG raises each of these issues in the petitions on Action Packaging and Kings Plaza, as well. In each of these petitions, the eighth issue is subdivided into several detailed points, some which are permit-specific and some which are shared among the other permits.

On January 16, 2002, the Administrator issued an order denying the petition on Yeshiva. The order explains the reasons behind EPA's conclusion that NYPIRG has failed to demonstrate that Yeshiva's permit does not assure compliance with the Act on the grounds raised.

II. Action Packaging

On April 7, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Action Packaging, on the grounds listed above. On January 16, 2002, the Administrator issued an order partially granting and partially denying the petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must reopen the permit to require adequate monitoring of the exhaust gas temperature from the facility's incinerator, and to properly address the applicable requirements of the Maximum Achievable Control Technology standard regulating air toxics from this industry. The order also explains the reasons for denying NYPIRG's remaining claims.

III. Kings Plaza

On May 5, 2000, the EPA received a petition from NYPIRG, requesting that EPA object to the issuance of the title V operating permit to Kings Plaza on the grounds listed above. On January 16, 2002, the Administrator issued an order partially granting and partially denying the petition. The order explains the reasons behind EPA's conclusion that the NYSDEC must reopen the permit to properly reference the facility's plan for complying with the Reasonably Available Control Technology requirements for nitrogen oxides (NO_X), and resolve discrepancies in the monitoring for NO_X. The order also explains the reasons for denying NYPIRG's remaining claims.

Dated: February 11, 2002.

Jane M. Kenny,

Regional Administrator, Region 2.

[FR Doc. 02–4258 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[CA071–NOA; FRL–7148–5]

Adequacy Status for Transportation Conformity Purposes of the Motor Vehicle Emissions Budgets in the San Francisco Bay Area Ozone Attainment Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy status.

SUMMARY: In this notice, EPA is notifying the public that it has found the motor vehicle emissions budgets in the submitted San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard (adopted October 24, 2001) are adequate for transportation conformity purposes.

DATES: The adequacy finding is effective March 8, 2002.

FOR FURTHER INFORMATION CONTACT: This notice, the findings letter and its enclosures (giving the basis for the adequacy finding and responses to public comments) are available on EPA's conformity web site: *http://www.epa.gov/otaq/traq,* (once there, click on the ''Conformity'' button, then

look for ''Adequacy Review of SIP Submissions for Conformity''). You may also contact Ginger Vagenas, U.S. EPA, Region IX, Air Division AIR–2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 972–3964 or *vagenas.ginger@epa.gov.*

SUPPLEMENTARY INFORMATION:

Note: In this document, ''we,'' ''us'' and ''our'' refer to EPA.

Today's notice is an announcement of a finding that we have already made. On February 14, 2002, EPA Region IX sent a letter to the California Air Resources Board (CARB), stating that motor vehicle emission budgets in the San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard (revised September 2001 and submitted by CARB on November 30, 2001) are adequate for transportation conformity purposes. These budgets are for the year 2006 and are 164.0 tons per day of volatile organic compounds (VOC) and 270.3 tons per day of nitrogen oxides (NO_X).

Transportation conformity is required by section 176(c) of the Clean Air Act (CAA). Our conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). An adequacy review is separate from the SIP completeness review required by CAA section 110(k)(1). In addition, it should not be used to prejudge our ultimate action on the SIP. Even when we find budgets in a SIP adequate for transportation conformity purposes, we may still later disapprove the SIP.

We have described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memo titled ''Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision''). We followed this guidance in making our adequacy determination.

Dated: February 14, 2002.

Wayne Nastri,

Regional Administrator, Region IX.

[FR Doc. 02–4259 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7146–2]

Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of documents availability and request for public comments.

SUMMARY: The Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2000 is available for public review. Annual U.S. emissions for the period of time from 1990–2000 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFC), perflourocarbons (PFC), and sulfur hexaflouride (SF6) emissions. The inventory includes estimates of carbon sequestration in U.S. forests and, new this year, an updated assessment of emissions from the electric power industry. The technical approach used in this report to estimate emissions and sinks for greenhouse gases is consistent with the methodologies recommended by the Intergovernmental Panel on Climate Change (IPCC) and reported in a format consistent with the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines. The Inventory of U.S. Greenhouse Gas Emissions and Sinks is the latest in a series of annual U.S. submissions to the Secretariat of the UNFCCC.

DATES: Comments must be submitted on or before March 25, 2002.

ADDRESSES: Comments should be submitted to Mr. Michael Gillenwater at: Environmental Protection Agency, Clean Air Markets Division (6204N), 1200 Pennsylvania Ave., NW., Washington, DC 20460, Fax: (202) 565–6673. You are welcome and encouraged to send an email with your comments to *Gillenwater.Michael@epa.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Michael Gillenwater, Environmental Protection Agency, Office of Air and Radiation, Office of Atmospheric Programs, Clean Air Markets Division, (202) 564–4092, *Gillenwater.Michael@epa.gov.*

SUPPLEMENTARY INFORMATION: The draft reports can be obtained by visiting the U.S. EPA's global warming site at *http://www.epa.gov/globalwarming/publications/emissions/.*

Dated: February 11, 2002.

Robert Brenner,

Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 02–3772 Filed 2–15–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7148–1]

Notice of Proposed Administrative Cost Recovery Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (''CERCLA''), notice is hereby given of a proposed administrative cost recovery settlement under section 122(h)(1) of CERCLA concerning the Geneva City Dump site in Geneva, Ohio which was signed by the EPA Superfund Division Director, Region 5, on February 7, 2002. The settlement resolves an EPA claim under section 107(a) of CERCLA against the City of Geneva. The settlement requires the City of Geneva to pay to the Hazardous Substances Superfund $160,000 in two payments. The first 50% payment is due within 30 days of the effective date of the settlement. The second 50% payment is due within one year of the effective date of the settlement or before March 31, 2003, whichever is earlier.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois.

DATES: Comments must be submitted on or before March 25, 2002.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection at the Superfund

Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. A copy of the proposed settlement may be obtained from the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. Comments should reference the Geneva City Dump site and EPA Docket No. V–W–02–C–676 and should be addressed to Randa Bishlawi, Associate Regional Counsel, 77 West Jackson Boulevard (C–14J), Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Randa Bishlawi, Associate Regional Counsel, 77 West Jackson Boulevard (C–14J), Chicago, Illinois 60604.

Dated: February 7, 2002.

Thomas W. Mateer,

Acting Director, Superfund Division, Region 5.

[FR Doc. 02–4141 Filed 2–20–02; 8:45 am]

BILLING CODE 6560–50–P

EXPORT IMPORT BANK OF THE UNITED STATES

Committee Management; Notice of Establishment

AGENCY: Export Import Bank of the United States.

ACTION: Notice of establishment of Advisory Committee.

SUMMARY: The President and Chairman of the Export-Import Bank of the United States (''Ex-Im Bank'') has determined that the establishment of the Advisory Committee on Renewable Energy Exports (''Committee'') is necessary and in the public interest in connection with the mission of the Ex-Im Bank, pursuant to sections 2(b)(1)(C) and 11(b) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635 (b)(1)(C) and 635i–5(b)). This determination follows consultation with the Committee Management Secretariat, General Services Administration.

The Committee will consist of twelve members who will provide advice and recommendations to Ex-Im Bank concerning non-nuclear renewable energy exports. Ex-Im Bank will achieve balanced membership on the Committee by inviting a broad cross-section of parties with an interest in renewable energy exports to serve on the Committee. The Committee will operate on a continuing basis.

ADDRESSES: Export Import Bank of the United States, 811 Vermont Ave., NW., Washington, DC 20571.

FOR FURTHER INFORMATION CONTACT: James Lambright, Export Import Bank of the United States at (202) 565–3515.

Dated: February 11, 2002.

James Lambright,

Committee Management Officer.

[FR Doc. 02–4136 Filed 2–20–02; 8:45 am]

BILLING CODE 6690–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that at 2:35 p.m. on Friday, February 15, 2002, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's resolution activities.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Director, Office of Thrift Supervision), seconded by Director John M. Reich (Appointive), and concurred in by Director John D. Hawke, Jr. (Comptroller of the Currency), and Chairman Donald E. Powell, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Board Room of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

Dated: February 19, 2002.

Federal Deposit Insurance Corporation.

James D. LaPierre,

Deputy Executive Secretary.

[FR Doc. 02–4282 Filed 2–19–02; 2:40 pm]

BILLING CODE 6714–01–M

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting Notice

DATE & TIME: *Tuesday, February 26, 2002 at 10:00 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 28, 2002, 10:00 A.M.*

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED: Correction and Approval of Minutes.

Final Rules and Explanation and Justification for Independent Expenditure Reporting.

Updated Regulations Priorities.

PERSON TO CONTACT FOR INFORMATION: Mr. Ron Harris, Press Officer, Telephone: (202) 694–1220.

Mary W. Dove,

Secretary of the Commission.

[FR Doc. 02–4317 Filed 2–19–02; 2:40 pm]

BILLING CODE 6715–01–M

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, NW., 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.: 011261–007.

Title: ACL/Wallenius Wilhelmsen Lines Agreement.

Parties: Atlantic Container Line AB, Wallenius Wilhelmsen Lines AS.

Synopsis: The amendment deletes several ports from its scope, makes a change in withdrawal conditions, and restates the agreement.

Dated: February 15, 2002.

By Order of the Federal Maritime Commission.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02–4189 Filed 2–20–02; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 6, 2002.

A. Federal Reserve Bank of Atlanta (Cynthia C. Goodwin, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309–4470:

1. Mr. Edward B. Middleton, Plaquemine, Louisiana; to acquire additional voting shares of Citizens Bancorporation, Inc., Plaquemine, Louisiana, and thereby indirectly acquire additional voting shares of Citizens Bank & Trust Company, Plaquemine, Louisiana.

Board of Governors of the Federal Reserve System, February 14, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4114 Filed 2–20–02; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 18, 2002.

A. Federal Reserve Bank of Minneapolis (Julie Stackhouse, Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. Marshall Bancorp, Inc., Minneapolis, Minnesota; to become a bank holding company by acquiring 100 percent of the voting shares of Norkitt Bancorp, Inc., Hallock, Minnesota, and thereby indirectly acquire Northwestern State Bank of Hallock, Hallock, Minnesota.

B. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. First Community Capital Corporation, Houston, Texas; to acquire 100 percent of the voting shares of The Express Bank, Houston, Texas.

Board of Governors of the Federal Reserve System, February 14, 2002.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 02–4113 Filed 2–20–02; 8:45 am]

BILLING CODE 6210–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 02003]

Community-Based Participatory Prevention Research; Notice of Availability of Funds

A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2002 funds for a grant program for the Office of Extramural Prevention Research. This program addresses the ''Healthy People 2010'' focus area, Educational and Community-Based Programs. It is also related to the Department of Health and Human Services Strategic Plan Goal 6: ''Strengthen the nation's health sciences research enterprise and enhance its productivity through the Prevention Research Initiative.''

The purpose of the program is to stimulate investigator-initiated participatory research on community-based approaches to prevention. Findings from these projects should advance the practice of public health and policy in order to promote health and reduce disease, disability, and injury. Specifically, this announcement seeks to support multi-disciplinary, multi-level, participatory research that will enhance the capacity of communities and population groups to address health promotion and the prevention of disease, disability and injury.

Multi-level research involves interventions directed at two or more levels, such as individual, family, neighborhood, organizational, broader community (*e.g.,* city, county, state), environmental and/or policy or legislative levels. Community refers to populations that may be defined by geography, race, ethnicity, gender, sexual orientation, or disability or other health conditions, or to groups that have a common interest or cause, such as health or service agencies and organizations, practitioners, policy makers, or lay public groups with public health concerns.

Participatory research involves collaboration with the community being studied, at least in formulating the research questions and in interpreting and applying research findings, and, if the community so chooses, in selecting methods and analyzing data. This announcement is not limited to any particular model of participatory research.

While the direction of the research must be guided by the expressed needs and interests of the community engaged in the study, this program is especially targeted to supporting cross-cutting research (i.e., research that considers interventions or methods that would now or in the future be applicable to more than one health condition).

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, State and local governments or their bona fide agents, including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, federally recognized Indian tribal governments, Indian tribes, or Indian tribal organizations.

Note: Title 2 of the United States Code section 1611 states that an organization described in section 501(c)(4) of the Internal Revenue Code that engages in lobbying activities is not eligible to receive Federal funds constituting an award, grant, or loan.

Additional applicant requirements are:

1. A principal investigator who has conducted research, published the findings in peer-reviewed journals, and has specific authority and responsibility to carry out the proposed project.

2. Demonstrated experience (on the applicant's project team) in conducting, evaluating, and publishing prevention research in peer-reviewed journals.

3. Effective and well-defined working relationships within the performing organization and with partnering communities (including public health agencies) that will ensure implementation of the proposed activities.

4. The overall match between the applicant's proposed theme and research objectives, and the program's interests as described under the heading ''Programmatic Interests.''

C. Availability of Funds

Approximately $13,000,000 is available in FY 2002 to fund approximately 30 awards. It is expected that the average award will be $450,000, ranging from $400,000 to $500,000. It is expected that the awards will begin on or about September 30, 2002, and will be made for a 12-month budget period within a project period of up to three years. Funding estimates may change.

Continuation awards within an approved project period will be made on the basis of satisfactory progress as evidenced by required reports and the availability of funds.

D. Program Requirements

1. Recipient Requirements

In conducting activities to achieve the purpose of this program, the recipient will be responsible for the following activities:

Specifically, because these projects are participatory and community-based and embrace both research and its application, program applicants are expected to maximize opportunities for information exchange between institutional researchers and community members (even if the institutional researchers are also community members). Additionally, applicants are required to provide ''Measures of Effectiveness'' that will demonstrate the accomplishment of the various identified objectives of the grant. Measures must be objective/quantitative and must measure the intended outcome. These Measures of Effectiveness (1) shall be submitted with the application and shall be an element of evaluation, and (2) shall be a data requirement to be submitted with or incorporated into the periodic progress reports. As part of this program, applicants must generate, on at least an annual basis, reports for community members that describe progress, community input and involvement, research project implementation, and relevant findings. Such reports must use plain language and accessible formats (*e.g.,* print, Web, and readable from the Web by assistive technology, as specified by section 508 of the Workforce Rehabilitation Act), so as to be easily comprehended and critiqued by community members. Applicants must budget for production and broad dissemination of such reports.

2. Programmatic Interests

Prevention research can be divided into phases that extend from (a) basic and descriptive research, to (b) intervention development and testing for efficacy and effectiveness, through (c) research on dissemination, translation to other populations or health issues, and implementation of interventions found to be effective, to (d) research on development and maintenance of supportive policies and environments, to (e) research to develop and validate surveillance and evaluation methods and other mechanisms to monitor the health of the public and the quality and impact of public health programs, services, or other interventions. The main foci of this announcement are items (c), (d), and (e).

Applicants should use the Guide to Community Preventive Services[1] as documentation of the need to test effectiveness of a specific population-based public health intervention. Applicants should also consult guidelines on participatory research, such as those provided at *http://www.ihpr.ubc.ca/guidelines.html,* and the campus-community partnership principles at *http://futurehealth.ucsf.edu/ccph/principles.html#principles.*

Multi-disciplinary, multi-level, participatory research into prevention approaches that address complex health issues common to communities and population groups might include (but are not limited to) descriptive, methodological, experimental, or quasi-experimental studies such as:

a. Research on how to enhance working relationships between researchers and community organizations (representing practitioners, policy makers, or diverse lay public groups with public health concerns), to promote appropriate, tailored, and effective public health practice and/or the development or enforcement of sound public health law or policy. For example, a descriptive retrospective case study might examine the factors that appear to account for the successful or unsuccessful efforts of one or more communities in forming coalitions to bring about changes in local ordinances related to providing healthful food choices in cafeterias and vending machines in public schools. A quasi-experimental study might compare multiple community coalitions prospectively as they undertake such efforts with or without state or federal support. A methodological study might aim to identify and validate objective indicators of successful and unsuccessful community coalitions for use in survey instruments, surveillance, or evaluation.

b. Research on combining previously tested elements to produce multi-component, multi-level interventions that can improve health outcomes more efficiently; address social, environmental, and economic determinants of health; and/or reach more diverse populations.

c. Research on disseminating, translating (adapting), and applying effective, locally appropriate, and affordable interventions within or across communities defined by geography, interests, profession, race, ethnicity, gender, sexual orientation, or other health condition.

d. Research on developing new methods for enhancing surveillance, needs assessments, setting of priorities, program delivery, monitoring, evaluation, dissemination of information, translation of research, and/or distance learning including new uses of information technology.

e. Research on how to increase productive participation of practitioners, policy makers, citizens and/or lay leaders in defining the

[1] Task Force on Community Preventive Services. Introducing the Guide to Community Preventive Services: Methods, first recommendations, and expert commentary. American Journal of Preventive Medicine 2001;18(1S).

research questions, conducting and analyzing the research, and interpreting and applying the research findings.

f. Research on how to build the capacity of organizations to mobilize community resources to achieve disease and disability prevention and health promotion.

g. Research on how to strengthen public health systems and services, public health infrastructure, and the community's readiness to respond effectively to threats or occurrences of disaster.

h. Research on institutionalizing or sustaining programs and/or collaborative relationships beyond their demonstration funding.

E. Content

1. Letter of Intent (LOI)

A non-binding LOI is requested for this program. The narrative should be no more than one, double-spaced page, printed on one side, with one inch margins, and unreduced font. It should identify the announcement number, name of the proposed project director, name of the organization, descriptive title of the proposed research, and a brief description of the proposed project. Your letter of intent will be used to allow CDC to determine the level of interest in the announcement and to plan the review more efficiently.

2. Applications

Use the information in the Program Requirements, Other Requirements, and Evaluation Criteria sections of this announcement to develop the application content. 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 25 double-spaced pages, printed on one side, with one inch margins, and unreduced font.

The grant applications should include:

a. Justification of the research needs and explanation of the scientific basis for the research, the expected outcome, and the relevance of the findings to preventing disease, injury, and disability, and promoting health.

b. Specific, measurable, and explicitly scheduled objectives.

c. A detailed plan describing the methods by which the objectives will be achieved, including their sequence. A comprehensive evaluation plan is an essential component of the application.

d. A description of the roles and responsibilities of the principal investigator and all co-investigators.

e. A description of all project staff and their roles in the proposed research, regardless of their funding source. The description should include their titles, qualifications, experience, and responsibilities in the proposed research; percentage of time each will devote to the research; and the portion of their salaries to be paid by the grant.

f. A description of any activities related to, but not supported by, the grant.

g. A description of how the specified community groups, organizations, and other entities will be involved in the proposed research. The description should include a clear statement of their roles. Letters of support from each group, organization, and entity should be included in the Appendices.

h. A detailed first year's budget for the grant with projections for two additional years, if applicable.

The original application must include specific salary and fringe benefit amounts for individuals; however, applicant organizations have the option of omitting specific salary and fringe benefit amounts for individuals from the copies of the application that are made available to outside reviewing groups. To exercise this option: On the original and five copies of the application, the applicant must use asterisks to indicate those individuals for whom salaries and fringe benefits are not shown, but the subtotals must still be shown.

F. Submission and Deadline

Letter of Intent (LOI)

On or before March 20, 2002, submit the requested LOI to the Grants Management Specialist identified in the ''Where to Obtain Additional Information'' section of this announcement.

Application

Submit the original and five copies of PHS–398 (OMB Number 0925–0001) (adhere to the instructions on the Errata Instruction Sheet for PHS 398). Forms are available in the application kit and at the following Internet address: *www.cdc.gov/od/pgo/forminfo.htm.*

In addition to sending the original and five copies of the proposal, please also enclose a copy of the proposal on a 3.5 diskette in WordPerfect, Word, or ASCII format. If you have access to an electronic version of PHS–398 (OMB Number 0925–0001), please include electronic forms on the diskette. If you do not have access or capability to use an electronic version, please ensure that the following items in narrative format are included on your diskette: Abstract, Biographical Sketches, Research Plan (items A–I as required in PHS–398), and Other Support Pages. Label the diskette with your name, operating system, software, and proposal title (example: John Doe, DOS, WordPerfect 6, Engaging the Community in Securing Emergency Preparedness). If the title is too long, please truncate.

On or before April 30, 2002, 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:

1. Received on or before the deadline date; or

2. 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 which do not meet the criteria in 1.or 2. above will be returned to the applicant.

G. Evaluation Criteria

Application

Upon receipt, applications will be reviewed by CDC staff to assure that they are complete and comply with the section on Eligible Applicants. Incomplete applications and applications that are not in compliance will be returned to the applicant without further consideration. Applications that are complete and in compliance will be further evaluated by a dual peer review process.

The First Stage of the Peer Review Process

In the first stage of this process, applications will be evaluated by a Special Emphasis Panel (SEP) of researchers external to CDC who are known for their expertise in prevention research and participatory research.

Each application will be subjected initially to a streamlined review by the SEP to determine if the application is of sufficient technical and scientific merit to warrant further review. Applications judged to be noncompetitive will be withdrawn from further consideration and CDC will promptly notify the principal investigator/program director and the official signing for the applicant organization.

Competitive applications will undergo full review by the SEP and will be scored against the following criteria:

1. *Significance*—Does this study address an important problem related to

the research goals outlined in the Purpose and Programmatic Interests sections of this document? If the aims of the application are achieved, how would scientific knowledge be advanced? What would be the effect of this study on the concepts and methods that drive this field?

2. *Approach*—Are the conceptual framework, design (including composition of study population), methods, and analyses adequately developed, well-integrated, and appropriate to the aims of the project? Does the applicant acknowledge potential problem areas and consider alternative tactics?

3. *Innovation*—Does the project employ novel concepts, approaches, or methods? Are the aims original and innovative? Does the project challenge existing paradigms or develop new methodologies that can serve as models for future research?

4. *Investigator*—Is the investigator appropriately trained and well suited to carry out this work? Is the work proposed appropriate to the experience level of the principal investigator and other researchers, if any?

5. *Environment*—Does the scientific environment in which the work will be done contribute to the probability of success? Do the proposed experiments take advantage of unique features of the scientific environment or employ useful collaborative arrangements? Is there documentation of cooperation from necessary participants in the project, where applicable? Is there evidence of institutional support and availability of resources necessary to perform the project?

6. *Human Subjects*—If human subjects are involved, does the applicant adequately address the requirements of 45 CFR part 46 for the protection of human subjects? (Not scored; however, an application can be disapproved if the research risks are sufficiently serious and protection against risks is so inadequate as to make the entire application unacceptable.)

7. The degree to which the applicant has met the CDC Policy requirements regarding the inclusion of women, ethnic, and racial groups in the proposed research. This includes:

a. The proposed plan for the inclusion of both sexes and racial and ethnic minority populations for appropriate representation.

b. The proposed justification when representation is limited or absent.

c. A statement as to whether the design of the study to measure differences when warranted.

d. A statement as to whether the plans for recruitment and outreach for study participants include the process of establishing partnerships with community(ies) and recognition of mutual benefits.

8. In addition to the above criteria, all applications will be reviewed with respect to the following:

a. Extent of community sanction/liaison. Rationale for selection of the targeted community and documentation of health needs and risk factors. Evidence of access to, interaction with, and participation of the community in development and conduct of the project. Establishment of collaborative interactions among all project participants. Extent to which the design demonstrates sensitivity to cultural and socioeconomic factors in the community where the public health program or problem resides.

b. Demonstration of effective communication channels between researchers and the community.

c. Plans for useful and practical dissemination of project activities and findings within the affected program(s). Active involvement of at least one community partner is a minimal requirement for responsiveness to this program announcement.

d. Appropriateness of the proposed budget, including that of the community partner(s), and project duration in relation to the project's objectives.

e. Attempt to reduce health disparities by targeting various socioeconomic, racial, and ethnic groups.

The Second Stage of the Peer Review Process A second programmatic review will be conducted by a chartered committee or a panel of senior federal officials. Awards will made based on the priority score ranking determined by the peer review panel and the availability of funds.

H. Other Requirements

Technical Reporting Requirements

Provide CDC with original plus two copies of

1. Annual progress reports. These reports should be a maximum of five pages in length and should include a discussion, in plain language, of any changes made to the research plan from the funded proposal, progress to date, community input and involvement, project implementation, and relevant findings.

2. Annual ''Measures of Effectiveness'' reports for CDC. Annual reports that describe and evaluate progress toward objective/quantitative measures of effectiveness that demonstrate the accomplishment of the various identified objectives of the grant. These reports should be submitted to CDC with the annual progress reports.

3. Annual (or more frequent) reports for community members that describe progress, community input and involvement, project implementation, and relevant findings. Such reports must be in plain language and accessible formats, so as to be easily comprehended and critiqued by community members. These reports should be submitted to CDC with the annual progress reports.

4. Financial status report, no more than 90 days after the end of each budget period; and

5. Final financial and performance reports, no more than 90 days after the end of the project period.

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 of the announcement.

AR–1 Human Subjects Requirements
AR–2 Requirements for Inclusion of Women and Racial and Ethnic Minorities in Research
AR–4 HIV/AIDS Confidentiality Provisions
AR–5 HIV Program Review Panel Requirements
AR–7 Executive Order 12372 Review
AR–8 Public Health System Reporting Requirements
AR–10 Smoke-Free Workplace Requirements
AR–11 Healthy People 2010
AR–12 Lobbying Restrictions
AR–15 Proof of Non-Profit Status
AR–22 Research Integrity

I. Authority and Catalog of Federal Domestic Assistance Number

This program is authorized under section 301 of the Public Health Service Act, [42 U.S.C. 241], as amended. The Catalog of Federal Domestic Assistance number is 93.283.

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 770–488–2740. You will be asked to leave your name and address and will be instructed to identify the Program Announcement number of interest.

If you have questions after reviewing the contents of all the documents, business management technical assistance may be obtained from:

Juanita Crowder, Grants Management Specialist, Grants Management Branch, Procurement and Grants Office, Centers for Disease Control and Prevention, 2920 Brandywine Road, Room 3000, Atlanta, GA 30341, Telephone number 770–488–2734, E-mail address: *jcrowder@cdc.gov.*

For program technical assistance, contact: Cheryl A. Coble, Program Analyst, Office of Extramural Prevention Research, Public Health Practice Program Office, Centers for Disease Control and Prevention, 4770 Buford Highway, MS K–56, Atlanta, GA 30341, Telephone number 770–488–8027, E-mail address: *ccoble@cdc.gov.*

Dated: February 14, 2002.

Rebecca B. O'Kelley,

Chief, International Grants and Contracts Branch, Procurement and Grants Office, Centers for Disease Control and Prevention (CDC).

[FR Doc. 02–4110 Filed 2–20–02; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Notice No. ACF/ACYF/RHYP 2002–02]

Notice of Availability of Financial Assistance and Request for Applications for the Runaway and Homeless Youth Programs

AGENCY: Family and Youth Services Bureau, Administration on Children, Youth and Families, ACF, HHS.

ACTION: This Notice announces the availability of financial assistance and request for applications for the FY 2002 Basic Center Program for Runaway and Homeless Youth (BCP), FY 2002 and 2003 Transitional Living Program (TLP) and FY 2002 Training and Technical Assistance (T&TA) Cooperative Agreements.

This Notice announces the availability of the full official Program Announcement for Fiscal Year 2002 Basic Center Program for Runaway and Homeless Youth (BCP), FY 2002 and 2003 Transitional Living Program (TLP) and FY 2002 Training and Technical (T&TA) Assistance Cooperative Agreements. The full official announcement must be used to apply for grant funding under the competitive grant areas and is available by calling or writing the ACYF Operations Center (address below) or by downloading the announcement from the FYSB website at *http://www.acf.dhhs.gov/programs/fysb.*

Legislative Authority: The Runaway and Homeless Youth Act (RHY Act) as amended by PL 106–71 authorizes grants for Runaway and Homeless Youth programs.

Deadlines: The deadline for RECEIPT of applications for a new grant under this announcement is:

CFDA#	Programs	Deadline dates	Deadline times
93.623	Basic Center Program	May 3, 2002	4:30 p.m. (EDT)
93.623	Training and Technical Assistance Cooperative Agreements	May 3, 2002	4:30 p.m. (EDT)
93.550	Transitional Living Program (Fiscal Year 2002 Funding)	May 10, 2002	4:30 p.m. (EDT)
93.550	Transitional Living Program (Fiscal Year 2003 Funding)	May 10, 2002	4:30 p.m. (EDT)

Mailing and Delivery Instructions: Applications must be in hard copy. Mailed applications and applications hand delivered (by applicants, applicant couriers, overnight/express mail couriers or any other method of hand delivery) shall be considered as meeting an announced deadline if they are received on or before the deadline, at the following address: ACYF Operations Center, 1815 North Fort Myer Drive, Suite 300, Arlington, VA 22209, Telephone: 1–800–351–2293, Email: FYSB@lcgnet.com.

Applications may be hand delivered to the above address between the hours of 8 a.m. and 4:30 p.m. (EDT), Monday through Friday (excluding Federal Holidays).

Applicants are responsible for mailing and delivering applications well in advance of deadlines to ensure that the applications are received on time. Applications received after 4:30 p.m. (EDT) on the deadline date will be classified as late. Postmarks and other similar documents do not establish receipt of an application.

ACF will not accept applications delivered by fax or e-mail regardless of date or time of submission and receipt.

Late Applications: Applications which do not meet the criteria stated above and are not received by the deadline date and time are considered late applications. The Administration for Children and Families (ACF) will notify each late applicant that its application will not be considered in the current competition.

Extension of Deadline. ACF may extend an application deadline for applicants affected by acts of God such as floods and hurricanes, or when there is widespread disruption of the mail service, or for other disruptions of services, such as a prolonged blackout, that affect the public at large. A determination to waive or extend deadline requirements rests with the Chief Grants Management Officer.

SUPPLEMENTARY INFORMATION: Grant awards for FY 2002 funds will be made by September 30, 2002 for the Basic Center Program and Training and Technical Assistance Cooperative Agreement and Transitional Living Program. Transitional Living Program Fiscal Year 2003 grant awards will be made after September 30, 2002.

The estimated funds available for new starts and the approximate number of new grants that may be awarded under this program announcement are as follows:

Competitive grant area	New start funds available	Estimated number of new grants
A. BCP	$9,700,000	100
*B. TLP	19,000,000 (FY 2002)	100
TLP	11,200,000 (FY 2003)	60

Competitive grant area	New start funds available	Estimated number of new grants
C. T&TA	2,000,000	10

* All information stated in the full official program announcement under Transitional Living Program, CFDA #93.550, Competitive Area B, is applicable to grant applications submitted for TLP Fiscal Year 2002 funds and TLP Fiscal Year 2003 funds.

In addition to the new start grants, the Administration for Children and Families has provided for noncompetitive continuation funds to current grantees in the following programs:

Grant areas	Noncompetitive continuation funds	Number of grants
A. BCP	$32,105,587	270
B. TLP	7,405,040	37

Part I. Competitive Grant Areas and Summaries of Evaluation Criteria

Applicants must refer to the specific evaluation criteria for each competitive area contained in the official Program Announcement in order to adequately prepare their applications.

A. Basic Center Program, CFDA#93.623 (Competitive Grant Area A)

Program Purpose, Goals and Objectives: The purpose of Part A of the RHY Act is to establish or strengthen locally-controlled, community-based programs that address the immediate needs of runaway and homeless youth and their families. Services must be delivered outside of the law enforcement, child welfare, mental health and juvenile justice systems. The program goals and objectives of the Basic Center Program of Part A of the RHY Act are to:

- Alleviate problems of runaway and homeless youth;
- Reunite youth with their families and encourage the resolution of intra-family problems through counseling and other services;
- Strengthen family relationships and encourage stable living conditions for youth; and
- Help youth decide upon constructive courses of action.

Background: The Runaway and Homeless Youth Act of 1974 was a response to widespread concern regarding the alarming number of youth who were leaving home without parental permission, crossing State lines and who, while away from home, were exposed to exploitation and other dangers of street life.

Each Basic Center program is required to provide outreach to runaway and homeless youth; temporary shelter for up to fifteen (15) days; food; clothing; individual, group and family counseling; aftercare and referrals, as appropriate. Basic Center programs provide services in residential settings for at least four (4) youth and no more than twenty (20). Some programs also provide some or all of their shelter services through host homes (usually private homes under contract to the centers), with counseling and referrals being provided from a central location. Basic Center programs shelter youth at risk of separation from the family who are less than 18 years of age and who have a history of running away from the family and runaway and homeless youth under the age of 18. Basic Centers must provide age-appropriate services or referrals for homeless youth ages 18–21.

The primary presenting problems of youth who receive shelter and non shelter services through FYSB-funded Basic Centers include: (1) Conflict with parents or other adults, including physical, sexual and emotional abuse; (2) other family crises such as divorce, death, or sudden loss of income; and (3) personal problems such as drug use, problems with peers, school attendance and truancy, bad grades, inability to get along with teachers and learning disabilities.

Eligible Applicants: Any State, unit of local government, (and combination of such units) are eligible to apply for Basic Center Program funding. Any private nonprofit agency, organization or institution is eligible to apply for these funds. Federally recognized Indian Tribes are eligible to apply for Basic Center grants. Indian Tribes that are not federally recognized and urban Indian organizations are also eligible to apply for grants as private, nonprofit agencies. Faith-based organizations and small community-based organizations are eligible to apply for Basic Center grants.

Current Basic Center grantees with project periods ending on or before September 30, 2002, and all other eligible applicants not currently receiving Basic Center funds may apply for a new competitive Basic Center grant under this announcement.

Current Basic Center Program grantees (including subgrantees) with one or two years remaining on their current grant and the expectation of continuation funding in FY 2002 may not apply for a new Basic Center grant for the community they currently serve. These grantees will receive instructions from their respective ACF Runaway and Homeless Youth Regional Office contacts on the procedures for applying for noncompetitive continuation grants. Current grantees, who have questions regarding their eligibility to apply for new funds, should consult with the appropriate Regional Office Youth Contact, listed in Part V, Appendix B of the full official program announcement, to determine if they are eligible to apply for a new grant award.

Funding: The Family and Youth Services Bureau expects to award approximately $9,700,000 for approximately 100 new competitive Basic Center Program grants. In accordance with the RHY Act, the funds will be divided among the States in proportion to their respective populations under the age of 18, according to the latest census data. A minimum of $100,000 will be awarded to each State, the District of Columbia and Puerto Rico. A minimum of $45,000 will be awarded to each of the four insular areas: Guam, American Samoa, the Commonwealth of the Northern Marianas and the Virgin Islands.

All applicants under this competitive grant area will compete with other eligible applicants in the State in which they propose to deliver services. In the event that there are insufficient numbers of applications approved for funding in any State or jurisdiction, the Commissioner of ACYF will reallocate the unused funds.

Federal Share of Project Costs: The maximum Federal share for a 3-year project period is $600,000.

Applicant Share of Project Costs: Basic Center grantees must provide a non-Federal share or match of *at least ten percent (10%)* of the Federal funds awarded. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a three-year project costing $600,000 in Federal funds (based on an award of $200,000 per 12-month budget period) must provide a match of at least $60,000 ($20,000 per budget period). Grantees will be held accountable for commitments of non-Federal resources even if over the amount of the required match. Failure to provide the amount will result in disallowance of Federal match.

Duration of Project: This announcement solicits applications for Basic Center programs of up to three years duration (36-month project periods). Initial grant awards, made on a competitive basis, will be for one-year (12-month) budget periods. Applications for noncompetitive continuation grants beyond the one-year budget periods, but within the 36-month project periods, will be entertained in

subsequent years, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

B. Transitional Living Program, CFDA#93.550 (Competitive Grant Area B)

Program Purpose, Goals and Objectives: The overall purpose of TLP for homeless youth is to establish and operate transitional living projects for homeless youth. This program is structured to help older, homeless youth achieve self-sufficiency and avoid long-term dependency on social services. Transitional living projects provide shelter, skills training, and support services to homeless youth ages 16 through 21 for a continuous period not exceeding 18 months. Transitional Living Program funds are to be used for the purpose of enhancing the capacities of youth-serving agencies in local communities to effectively address the service needs of homeless, older adolescents and young adults, including pregnant and parenting homeless youth. Goals, objectives and activities that may be maintained, improved and/or expanded through a TLP grant must include, but are not necessarily limited to:

- Providing stable, safe living accommodations while a homeless youth is a program participant;
- Providing the services necessary to assist homeless youth in developing both the skills and personal characteristics needed to enable them to live independently;
- Providing education, information and counseling aimed at preventing, treating and reducing substance abuse among homeless youth;
- Providing homeless youth with appropriate referrals and access to medical and mental health treatment;
- Providing the services and referrals necessary to assist youth in preparing for and obtaining employment; and
- Providing the services and referrals necessary to assist youth in preparing for and obtaining secondary, and where feasible, post-secondary education and/or vocational training.
- Providing the services and referrals necessary to assist pregnant and parenting homeless youth with the skills and knowledge necessary to become a more effective parent and lead productive and independent lives.

Background: It is estimated that about one-fourth of the youth served by all runaway and homeless youth programs are homeless. This means that the youth cannot return home or to another safe living arrangement with a relative. Other homeless youth have ''aged out'' of the child welfare system and are no longer eligible for foster care.

These young people are often homeless through no fault of their own. The families they can no longer live with are often physically and sexually abusive and involved in drug and alcohol abuse. They cannot meet the youth's basic human needs (shelter, food, clothing), let alone provide the supportive and safe environment needed for the healthy development of self-image and the skills and personal characteristics which would enable them to mature into a self-sufficient adult.

Homeless youth, lacking a stable family environment and without social and economic supports, are also at high risk of being involved in dangerous lifestyles and problematic or delinquent behaviors. More than two-thirds of homeless youth served by ACF-funded programs report using drugs or alcohol and many participate in survival sex and prostitution to meet their basic needs.

Homeless youth are in need of a support system that will assist them in making the transition to adulthood and independent living. While all adolescents are faced with adjustment issues as they approach adulthood, homeless youth experience more severe problems and are at greater risk in terms of their ability to successfully make the transition to self-sufficiency and to become a productive member of society.

Pregnant and parenting homeless youth are likely to face poverty, low levels of educational attainment, and long-term dependence on public assistance. Research indicates that children of teenage mothers are more likely to be born prematurely and to be of low birth weight than children born to women who are older. Compared to children born to older women, children of adolescent mothers, in general, do not do as well in school, have higher reported incidences of abuse and neglect, have higher rates of foster care placement, and are more apt to run away from home. As these children get older, the boys are 2.7 times more likely to be involved in criminal behavior, and the girls are 33 percent more likely to become teenage mothers themselves, increasing the likelihood that they will rely on public assistance.

The Transitional Living Program for Homeless Youth specifically targets services to homeless youth and affords youth service agencies with an opportunity to serve homeless youth in a manner which is comprehensive and geared towards ensuring a successful transition to self-sufficiency. The TLP also improves the availability of comprehensive, integrated services for homeless youth, which reduces the risks of exploitation and danger to which these youth are exposed while living on the streets without positive economic or social supports.

Eligible Applicants: Any State, unit of local government, (and combination of such units) are eligible to apply for Transitional Living Program funding. Any private nonprofit agency, organization or institution is eligible to apply for these funds. Federally recognized Indian Tribes are eligible to apply for Transitional Living Programs grants. Indian Tribes that are not federally recognized and urban Indian organizations are also eligible to apply for grants as private, nonprofit agencies. Faith-based organizations and small community-based organizations are eligible to apply for Transitional Living Program grants.

Current TLP grantees (including subgrantees) with project periods ending on or after September 30, 2002, are not eligible to apply for Transitional Living Program fiscal year 2002 program funding to serve the same area. All other eligible applicants not currently receiving TLP funds may apply for a new competitive TLP grant under this announcement for awards in FY 2002 and/or 2003.

(Note: An applicant applying for both FY 2002 and FY 2003 funding must submit a separate application for each fiscal year.)

Current TLP grantees (including subgrantees) with one or two years remaining on their current awards and the expectation of continuation funding in Fiscal year 2003 may not apply for a new TLP grant under this announcement. These grantees will receive instructions from their respective ACF Regional Offices on the procedures for applying for noncompetitive continuation grants. Current grantees, who have questions regarding their eligibility to apply for new funds, should consult with the appropriate Regional Office Runaway and Homeless Youth Contact, listed in Part V, Appendix B of the full official Program Announcement, to determine if they are eligible to apply for a new grant award.

Funding: The Family and Youth Services Bureau expects to award approximately $19,000,000 for approximately 100 new competitive Transitional Living Program grants for fiscal year 2002. The funding is to provide shelter, skill training and support services to assist homeless youth, including pregnant and parenting youth, in making a smooth transition to

self-sufficiency and to prevent long-term dependence on social services.

The Family and Youth Services Bureau expects to award approximately $11,200,000 for approximately 60 new competitive Transitional Living Program grants for fiscal year 2003. The funding is to provide shelter, skill training and support services to assist homeless youth, including pregnant and parenting youth, in making a smooth transition to self-sufficiency and to prevent long-term dependency on social services.

Federal Share of Project Costs: Applicants may apply for up to $200,000 per year, which equals a maximum of $1,000,000 for a 5-year project period.

Applicant Share of Project Cost: Transitional Living grantees must provide a non-Federal share or match of *at least ten percent (10%)* of the Federal funds awarded. (There are certain exceptions for Tribes with ''638'' funding pursuant to Public Law 93–638, under which certain Federal grant funds may qualify as matching funds for other Federal grant programs, e.g., those which contribute to the purposes for which grants under section 638 were made.) The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a five-year project costing $1,000,000 in Federal funds (based on an award of $200,000 per 12-month budget period) must include a match of at least $100,000 ($20,000 per budget period).

Duration of Project: This announcement solicits applications for Transitional Living projects of up to five years (60-month project periods). Initial grant awards, made on a competitive basis, will be for one-year (12-month) budget periods. Applications for non competing continuation grants beyond the one-year budget periods, but within the 60-month project periods, will be entertained in subsequent years, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

C. Training and Technical Assistance Cooperative Agreements, CFDA#93.550 (Competitive Grant Area C)

Program Purpose, Goals and Objectives: The Family Youth Services Bureau supports a national T&TA effort designed to enhance and promote the continuous quality improvement of the services available to runaway, homeless and street youth and their families. The Bureau expects to award approximately $2 million to fund up to ten (10) cooperative agreements to enhance the programmatic and administrative capacities of public and private agencies to provide services to the targeted populations. Applications to provide such assistance may cover one or more of the ten ACF Federal Regions and may include subcontracts to cover specific regional or multi-State areas. Applications must provide assurance that staff will be accessible to the Central and Regional offices. Applicants covering a region should coordinate with other RHY providers in the region. Applicants must show how they intend to provide service to all customers in their service area regardless of geographic location.

Core Elements

The successful applicants are expected to provide the following services and activities as core elements:

1. *Immediate Training and Technical Assistance:* Provide intensive, skill-based training and technical assistance to newly funded and inexperienced RHY grantees, when requested by the grantee and/or the Runaway and Homeless Youth Regional Contact as a direct outcome of on-site monitoring and/or analysis of Management Information System data.

Provide training and technical assistance to Transitional Living Program grantees on the programmatic modifications required to address the unique needs of pregnant and parenting youth and the various sources of funding available for residential services to this population.

2. *Consultation:* Provide program specific technical assistance through consultation. Consultation may be on-site, via telephone or any combination of strategies, which address and/or correct programmatic and administrative concerns. Technical assistance designed and/or provided to grantees for this purpose must be accessible and individualized, must provide concrete information and skill building and must include follow-up efforts. The TA delivered will be based upon the specific needs of the grantee(s) requesting the assistance. However, the TA must conform to the intent of the law.

3. *Staff Training:* Provide staff training focused on quality skill development that: (a) Provides opportunities for hands-on participation, direct observation, practices and expert feedback; (b) analyzes, integrates and transmits knowledge obtained from research findings, curricula, and models of greatest interest to grantees; and (c) recognizes new and emerging youth issues and provides intensive skills training in these areas.

4. *Reports Utilization:* Use monitoring reports, Management Information System data and corrective action reports for the purpose of providing technical assistance to address the grantees program specific needs. Delivery of T/A will be made in consultation with the Central and Regional Offices and approved by the Federal Project Officer.

5. *Information Sharing:* Provide a mechanism such as, but not limited to a newsletter, listserve and/or electronic bulletin board for sharing information for the purpose of improving and increasing resources and information available to RHY grantees and, for sharing new and emerging information concerning service provision issues and best practices obtained through interaction with grantees and other youth serving agencies through workshops, conferences and other activities associated with the provision of T&TA.

Cooperative Agreement Provisions

The award of these cooperative agreements (see definition section) will include a delineation of the responsibilities of the successful applicants and the Administration on Children, Youth and Families. The responsibilities contained in each cooperative agreement may be geared toward the unique needs of the RHY programs in the geographic area(s) to be served with a description of the uniqueness of the program, as well as incorporating the core elements, described above, consistent to all RHY programs regardless of geographic area.

Federal Officials Minimum Responsibilities

1. Promote cooperative relationships among training and technical assistance providers, the National Clearinghouse on Families and Youth , and other FYSB support contractors for the exchange of information regarding identified technical assistance and training needs, emerging youth issues, research findings, curricula and model programs.

2. Provide consultation in the development of workplans; review and approval of workplans; coordination and sharing of monitoring data, as appropriate; identification of technical assistance needs; and sponsorship of a national meeting of T&TA providers.

3. Evaluate the effectiveness of the services and activities provided by the T&TA providers to runaway and homeless youth grantees no later than the fourth year of the grants' project periods or year four.

Applicant Minimum Responsibilities

1. Provide the services and activities listed as core elements above under ''Program, Purpose, Goals and Objectives'' to runaway and homeless youth grantees.

2. Establishment of an advisory board with representation at a minimum from the regional office or HUB, a representative sample of each type of FYSB program in the regional area, the Executive Director of the organization funded under this competitive grant, the Project Director(s) of the State Collaboration Grantees (where applicable) and other State and local youth service providers.

3. Development and implementation of a work-plan (including TA capacity inventory forms, procedures, evaluation strategies/forms, site-visit plans, schedules, etc.), provision of training and technical assistance to grantees, and coordination with other grantee support efforts and T&TA providers.

Background: Since 1975, many State and local agencies and community-based programs have been established and/or strengthened to provide needed short and long-term services to runaway, homeless and street youth. These agencies are both public and private, profit making and nonprofit. Some focus on a single concern, such as crisis intervention or substance abuse prevention, while others are comprehensive or all-purpose agencies, with specific components that deal with the physical health, mental health, family reunification and functioning, employment, education and transitional living needs of these young people.

Notwithstanding the significant numbers of effective agencies and competent professional staff dedicated to assisting runaway, homeless and street youth across the country, services in some geographic areas are inadequate or non-existent. In other cases, existing programs lack staff resources with the full range of skills required to carry out the ever changing responsibilities with which the individual programs are charged. Also, many of the developed and tested curricula and models are little known or understood, even among programs and staff where they could be of the greatest use. Further, as a positive youth development approach has gradually emerged that focuses on a young person's competence, connection to community, altruism, control, autonomy and identity as an alternative to adolescent health and behavioral risks, there is a need to partner with states, local, government, foundations, and community based organizations to establish and support effective long range youth development strategies, funding and policy information. In addition, as new issues emerge, even experienced staff and agency leadership need to enhance their existing skills and develop new ones.

To address these issues, Section 342 of the Runaway and Homeless Youth Act, administered by the Youth and Family Services Bureau, authorizes support to nonprofit organizations for the purpose of providing training and technical assistance (T&TA) to runaway, homeless and street youth service providers.

To effectively provide such assistance, extensive interaction with grantees, integration and sharing of knowledge, coordination with other components supporting the runaway and homeless service system such as RHYMIS and program monitoring, and a cooperative relationship among training and technical assistance providers is needed.

FYSB is supporting a national T&TA effort designed to support the continuous improvement of all RHY grantees as they work to deliver high quality and effective services to youth, young adults and their families. Our T&TA system reflects a national commitment to quality improvement and capacity-building at the local and Regional Hub level.

Eligible Applicants: Nonprofit organizations and combinations of such organizations with demonstrated capacity to provide services to runaway and homeless youth service providers on a Statewide or regional basis. Colleges, universities and faith-based organizations are eligible to apply for the T&TA grants.

Funding: The anticipated Federal funding for the first 12-month budget period will range from $150,000–$250,000 per grant, contingent on the identified service area.

Federal Share of Project Costs: Applicants may apply for up to $250,000 per year, which equals a maximum of $1,250,000 for a 5-year project period.

Applicant Share of Project Costs: Training and Technical Assistance grantees must provide a non-Federal share or match of at least ten percent (10%) of the Federal funds awarded. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a five-year project costing $1,250,000 in Federal funds (based on an award of $250,000 per 12-month budget period) must include a match of at least $125,000 ($25,000 per budget period).

Duration of Project: This announcement solicits applications for Training and Technical Assistance grants up to five years (60 month project periods). Grant awards, made on a competitive basis, will be for a one year (12-month) budget period. Applications for continuation grants beyond the one-year budget period, but within the 60 month project period, will be considered in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the government.

Summary of Evaluation Criteria for Competitive Areas A, B and C (BCP, TLP and T&TA)

Criterion 1: Objectives and Need for Assistance (15 points)

Applications will be judged on how clearly they identify the physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated. Applications will need to specify the goals and objectives of the project and how implementation will fulfill the purposes of the program. Applications should describe the conditions of youth and families in the area to be served; the incidence and characteristics of runaway, homeless or street youth and their families; the existing support systems for at-risk youth and families in the area, including other agencies providing services to runaway and homeless youth in the area.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 2: Results or Benefits Expected (20 points)

Applications will be judged on how clearly they identify the results and benefits to be derived, specify services to be provided, who will receive services, where and how these services will be provided, and how the services will benefit the youth families and the community to be served.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 3: Approach (35 points)

Applications will be judged on how clearly they outline a plan of action

which: describes the scope and detail of how the proposed work will be accomplished; accounts for all functions or activities identified in the application; cites factors which might accelerate or decelerate the work and reasons for taking the proposed approach rather than others. Applications are encouraged to describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Applicants must agree to cooperate with any research or evaluation efforts sponsored by the Administration for Children and Families and to submit the required Annual Report to the Secretary of HHS on program activities and accomplishments with statistical summaries and other required program and financial reports, as instructed by FYSB.

Applications will be judged on the extent to which they describe the program's youth development approach or philosophy and indicate how it underlies and integrates all proposed activities. Applicants will be expected to list organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution; describe formal service linkages and plans for coordination with other agencies; describe plans for conducting outreach and encouraging awareness of and sensitivity to the diverse needs of runaway and homeless youth who represent particular ethnic and racial backgrounds and sexual orientations. Applicants are encouraged to describe the type, capacity and staff supervision of the shelter that will be available for youth.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 4: Staff and Position Data (10 points)

Applicants will be judged on whether they provide a resume and biographical sketch for each key person appointed and a job description for each vacant key position. A biographical sketch will also be required for new key staff as appointed. Applicants will be expected to list organizations and consultants who will work on the program along with a short description of the nature of their effort or contribution.

Applicants will be expected to provide information on plans for training project staff as well as staff of cooperating organizations and individuals and state the expected or estimated ratio of staff to youth.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 5: Organizational Profile (10 points)

Applicants will be expected to provide information on the applicant organization(s) and cooperating partners such as organizational charts, financial statements, audit reports or statements from CPAs/Licensed Public Accountants. Any non-profit organization submitting an application must submit proof of its non-profit status in its application at the time of submission.

Applicants will be expected to provide a plan for project continuance beyond grant support, including a plan for securing resources and continuing project activities after Federal assistance has ceased and an annotated listing of applicant's funding sources. Such plans should include written agreements, if applicable, between grantees and subgrantees or subcontractors or other cooperating and letters of support and statements from community, public and commercial leaders that support the project proposed for funding.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Criterion 6: Budget and Budget Justification (10 points)

Applicants will be expected to provide a detailed line item budget and a narrative budget justification that describes how the categorical costs are derived. Applicants will be judged on how clearly they discuss the necessity, reasonableness, and allocability of the proposed costs and how clearly they describe the fiscal control and accounting procedures that will be used to ensure prudent use, proper disbursement and accurate accounting of funds received.

Applicants must refer to the specific evaluation criteria for each competitive area contained in the full Program Announcement in order to adequately prepare their applications.

Part II. Required Notification of the Single Point of Contact

This program is covered under Executive Order (E.O.) 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR part 100, ''Intergovernmental Review of Department of Health and Human Services Programs and Activities.'' The Order was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs and designate an entity to perform this function. The official list of those entities can be found at *http://www.whitehouse.gov/omb/grants/spoc.html* or by calling the ACYF Operations Center at 1–800–351–2293.

Applicants must submit any required material to the SPOCs as early as possible so that the program office can obtain and review SPOC comments as part of the award process. The applicant must submit all required materials, if any, to the SPOC and indicate the date of this submittal (or date of contact if no submittal is required) on the Standard Form 424, item 16a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new awards. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCS are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the ''accommodate or explain'' rule. When comments are submitted directly to ACYF, they must be addressed to: Department of Health and Human Services, Administration on Children, Youth and Families, 330 C Street, SW, Washington, DC 20447, Attention: Grants Officer.

Dated: February 14, 2002.

Joan E. Ohl,

Commissioner, Administration on Children, Youth and Families.

[FR Doc. 02–4122 Filed 2–20–02; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 02N–0063]

Agency Emergency Processing Request Under OMB Review; Consumer Surveys on Food and Dietary Supplement Labeling Issues

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995 (the PRA). The proposed collection of information would consist of surveys to study consumers' understanding of labeling on conventional foods and dietary supplements as well as consumer practices, knowledge levels, and attitudes related to such labeling.

DATES: Submit written or electronic comments on the collection of information by March 25, 2002.

ADDRESSES: Submit electronic comments on the collection of information to http://www.accessdata.fda.gov/scripts/oc/dockets/edockethome.cfm. Submit written comments on the collection of information to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Peggy Schlosburg, Office of Information Resources Management (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–1223.

SUPPLEMENTARY INFORMATION: FDA is requesting emergency processing of this proposed collection of information under section 3507(j) of the PRA (44 U.S.C. 3507(j) and 5 CFR 1320.13). The information is critical to the agency's mission of regulating food labeling and is needed prior to the expiration of the normal time periods for OMB clearance under the PRA regulations (5 CFR part 1320). The U.S. Constitution's first amendment impact on regulatory decisions on labeling necessitate prompt agency action to ensure that the constitutional rights of regulated entities are preserved. For this reason, the use of normal clearance procedures would be likely to prevent or disrupt this collection of information. Under section 903(d)(2)(C) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 393(d)(2)(C)), FDA is authorized to conduct research related to food labeling.

FDA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Consumer Surveys on Food and Dietary Supplement Labeling Issues

FDA is requesting OMB approval of consumer surveys to help FDA's Center for Food Safety and Applied Nutrition formulate decisions and policies affecting the labeling of conventional foods and dietary supplements. Determining how consumers are likely to interpret various kinds of claims, disclaimers, warnings, caution statements, and notice statements that might appear in labeling is critical to agency decisionmaking under the act and the first amendment. It is often necessary to test actual or proposed labeling statements in realistic situations with typical consumers to determine what these label statements are communicating to consumers.

FDA or its contractor will collect and use information gathered from telephone, mail, shopping mall intercept, and Internet surveys to evaluate how consumers understand and respond to existing label statements, label statements proposed by industry or consumers, and other label statements that are under consideration as part of FDA's policy development process. Potential respondents to the surveys will be individual consumers either randomly chosen to represent specified populations or randomly assigned to experimental treatment conditions to control for the effects of individual differences in the population on the interpretation of label statements. In all instances, FDA will strive to collect a representative sample of individuals from the overall population or from relevant population groups, as appropriate. FDA's general selection method will use stratification, with random sampling within the strata, to achieve representativeness for both overall populations and sensitive subpopulations, such as at-risk individuals or user segments. In the rare cases where geography is a limiting factor, FDA will use population-based cluster sampling to limit government expense while preserving the statistical properties of the sample.

Respondents will provide background information and respond to package labels that contain the variations of label statements to be tested. Measures will include both self-reported comprehension and acceptance as well as direct behavioral measures of consumer use and understanding of the package labeling.

FDA will use the information from the surveys in evaluating regulatory and policy options with respect to labeling. The agency often lacks empirical data about how consumers understand and respond to statements they might see in product labeling. The information gathered from such surveys can be used to test consumer comprehension and behavioral impact of various label statements and formats, and to identify the existing distribution of behavior, knowledge, and attitudes in the population that provides the context for understanding such statements. The surveys will help FDA assess consumer reactions to existing and proposed label statements.

FDA estimates the burden of this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]

Type of Survey	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
Mail questionnaire	1,000	1	1,000	1	1,000
Telephone survey	2,000	1	2,000	.5	1,000
Internet or cable survey	4,000	1	4,000	.5	2,000

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN[1]—Continued

Type of Survey	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
Total					4,000

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

These estimates are based on the expected number of respondents necessary to obtain a statistically significant representation of important consumer segments (e.g., users of relevant regulated products, at-risk population groups), and the number of labeling options that may need to be tested.

Dated: February 15, 2002.

Margaret M. Dotzel,

Associate Commissioner for Policy.

[FR Doc. 02–4210 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 02D–0028]

Medical Devices; Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.'' Elsewhere in this issue of the **Federal Register**, FDA is issuing a proposed rule to reclassify cyclosporine and tacrolimus assays from class III to class II when used as an aid in the management of transplant patients. If these devices are reclassified, this draft guidance will serve as the special control for the reclassified devices. This draft guidance is neither final nor in effect at this time.

DATES: Submit written or electronic comments concerning this guidance by April 22, 2002.

ADDRESSES: Submit written requests for single copies on a 3.5″ diskette of the draft guidance entitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ–220), Center for Devices and Radiological Health (CDRH), Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850. Send two self-addressed adhesive labels to assist that office in processing your request, or fax your request to 301–443–8818. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the draft guidance. Submit written comments concerning this draft guidance to the Dockets Management Branch (HFZ–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to http://www.fda.gov/dockets/ecomments. Comments are to be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jean M. Cooper, Center for Devices and Radiological Health (HFZ–440), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301–594–1243.

SUPPLEMENTARY INFORMATION:

I. Background

This draft guidance was developed as a special controls guidance to support the proposed reclassification of cyclosporine and tacrolimus assays from class III to class II. When final, this guidance will replace the document ''Guidance Criteria for Cyclosporine PMAs'' dated January 24, 1992. That document was intended to cover the basic science, clinical experience, and issues identified through the review of premarket approval applications (PMAs) for cyclosporine. The agency has updated that guidance. The revised guidance has been retitled ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA.'' On its own initiative, the agency has included tacrolimus assays in addition to cyclosporine assays in the revised guidance because the tacrolimus assay has the same intended use as an aid in the management of transplant patients. The agency believes it is taking a least burdensome approach by including tacrolimus assays in the revised guidance and will include tacrolimus assays in the proposed reclassification.

II. Significance of the Guidance

The draft guidance, when finalized, will represent the agency's current thinking on cyclosporine and tacrolimus assays. 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 applicable statute and regulations.

The agency has adopted good guidance practices (GGPs), and published the final rule, which set forth the agency's regulations for the development, issuance, and use of guidance documents (21 CFR 10.115). This draft guidance document is issued as a level 1 guidance in accordance with the GGP regulations.

III. Electronic Access

In order to receive ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' via your fax machine, call the CDRH Facts-On-Demand system at 800–899–0381 or 301–827–0111 from a touch-tone telephone. Press 1 to enter the system. At the second voice prompt press 1 to order a document. Enter the document number 1380 followed by the pound sign (#). Follow the remaining voice prompts to complete your request.

Persons interested in obtaining a copy of the draft guidance may also do so using the Internet. CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a personal computer with access to the Internet. Updated on a regular basis, the CDRH home page includes the civil money penalty guidance documents package, device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturers' assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH home page may be accessed at http://www.fda.gov/cdrh. ''Class II Special Controls Guidance Document: Cyclosporine and Tacrolimus Assays; Draft Guidance for Industry and FDA'' will be available at http://www.fda.gov/cdrh/ode/guidance/1380.pdf.

IV. Comments

Interested persons may submit to Dockets Management Branch (address above) written or electronic comments regarding this draft guidance by April 22, 2002. Submit two copies of any comments, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. The draft guidance and received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 11, 2002.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 02–4209 Filed 2–20–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a list of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (301) 443–7978.

Emergency Response Grants Regulations—42 CFR part 51—(OMB No. 0930–0229, Extension)—This rule implements section 501(m) of the Public Health Service Act (42 U.S.C 290aa), which authorizes the Secretary to make noncompetitive grants, contracts or cooperative agreements to public entities to enable such entities to address emergency substance abuse or mental health needs in local communities. The rule establishes criteria for determining that a substance abuse or mental health emergency exists, the minimum content for an application, and reporting requirements for recipients of such funding.

SAMHSA will use the information in the applications to make a determination that the requisite need exists; that the mental health and/or substance abuse needs are a direct result of the precipitating event; that no other local, state, tribal or Federal funding sources available to address the need; that there is an adequate plan of services; that the applicant has appropriate organizational capability; and, that the budget provides sufficient justification and is consistent with the documentation of need and the plan of services.

Eligible applicants may apply to the Secretary for either of two types of substance abuse and mental health emergency response grants: Immediate awards and Intermediate awards. The former are designed to be funded up to $50,000, or such greater amount as determined by the Secretary on a case-by-case basis, and are to be used over the initial 90-day period commencing as soon as possible after the precipitating event; the latter awards require more documentation, including a needs assessment, other data and related budgetary detail. The Intermediate awards have no predefined budget limit. Typically, Intermediate awards would be used to meet systemic mental health and/or substance abuse needs during the recovery period following the Immediate award period. Such awards may be used for up to one year, with a possible second year supplement based on submission of additional required information and data.

This program is an approved user of the PHS–5161 application form, approved by OMB under control number 0920–0428. The quarterly financial status reports in 51d.10(a)(2) and (b)(2) are as permitted by 45 CFR 92.41(b); the final program report, financial status report and final voucher in 51d.10(a)(3) and in 51d.10(b)(3–4) are in accordance with 45 CFR 92.50(b). Information collection requirements of 45 CFR part 92 are approved by OMB under control number 0990–0169. The following table presents annual burden estimates for the information collection requirements of this regulation.

42 CFR citation	No. of respondents	Responses/respondent	Burden/response (hrs.)	Total burden (hrs.)
Immediate award application:				
51d.4(a) and 51d.6(a)(2)	3	1	3	*(9)
51d.4(b) and 51d.6(a)(2)—Intermediate Awards	3	1	10	*(30)
51d.10(a)(1)—Immediate awards—mid-program report if applicable	3	1	2	*(6)
Final report content for both types of award:				
51d.10(c)	6	1	3	18
Total	6	—	—	18

*This burden is carried under OMB control number 0920–0428.

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Lauren Wittenberg, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: February 14, 2002.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 02–4111 Filed 2–20–02; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4734–N–05]

Notice of Submission of Proposed Information Collection to OMB:

AAF Rent Increase Requirement Pursuant to the Housing Appropriations Act of 1994

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments Due Date:* March 25, 2002.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval number (2502–0507) should be

sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Wayne Eddins, Reports Management Officer, Q, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410; e-mail *Wayne_Eddins@HUD.gov;* telephone (202) 708–2374. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Eddins.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the OMB approval number, if applicable; (4) the description of the need for the information and its proposed use; (5) the agency form number, if applicable; (6) what members of the public will be affected by the proposal; (7) how frequently information submissions will be required; (8) an estimate of the total number of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (9) whether the proposal is new, an extension, reinstatement, or revision of an information collection requirement; and (10) the name and telephone number of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

This Notice also lists the following information:

Title of Proposal: AAF Rent Increase Requirement Pursuant to the Housing Appropriations Act of 1994.

OMB Approval Number: 2502–0507.

Form Numbers: HUD–92273–S8.

Description of the Need for the Information and its Proposed Use: The mechanism in the Section 8 Housing Assistance Payment contract language permits an analysis on the reasonableness of the Annual Adjustment Factor formula as its applied to each project unit type. To receive a rent increase where rent levels for a specific unit type, in a Substantial Rehabilitation or New Construction contract, exceed the existing fair market rents for that specific unit type, the owner must submit form HUD–92273–S8.

Respondents: Business or other for-profit.

Frequency of Submission: When calculating rent increases.

Reporting Burden:

Number of Respondents: 6,000.

Frequency of response: 1.

Hours per response: 1.5.

Burden hours: 9,000.

Total Estimated Burden Hours: 9,000.

Status: Reinstatement, with change.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: February 13, 2002.

Wayne Eddins,

Departmental Reports Management Officer, Office of the Chief Information Center.

[FR Doc. 02–4097 Filed 2–20–02; 8:45 am]

BILLING CODE 4210–72–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK–962–1410–HY–P; F–14857–A, DOA–5]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of decision approving lands for conveyance.

SUMMARY: As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to Gwitchyaazhee Corporation for lands in Tps. 20 N., Rs. 11 and 12 E., Fairbanks Meridian, located in the vicinity of Fort Yukon, Alaska, containing approximately 105 acres. Notice of the decision will also be published four times in the *Fairbanks Daily News-Miner.*

DATES: The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until March 25, 2002, to file an appeal.

2. Parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

ADDRESSES: A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513–7599.

FOR FURTHER INFORMATION CONTACT: Barbara Opp Waldal, (907) 271–5669.

Barbara Opp Waldal,

Land Law Examiner, Branch of ANCSA Adjudication.

[FR Doc. 02–4163 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–020–1320–EL]

Notice of Intent To Prepare a Land Use Analysis/Environmental Assessment

AGENCY: Bureau of Land Management; Interior.

ACTION: Notice of Intent to Prepare a Land Use Analysis/Environmental Assessment.

SUMMARY: A Land Use Analysis/Environmental Assessment (LUA/EA) is being prepared to consider leasing Federal coal in response to lease application KYES–50213. The 315.13-acre application area in Clay County, Kentucky is managed by the Daniel Boone National Forest. The LUA/EA will be a cooperative effort among the Bureau of Land Management, the Forest Service and the Office of Surface Mining. This notice is issued pursuant to 40 CFR 1501.7 and 43 CFR 1610.2(c).

The planning effort will follow the procedures set forth in 43 CFR part 1600. As provided at 43 CFR 3420, information and data pertaining to the coal deposits or other resources, which potentially may be affected by development of the coal, are requested. Additionally, the public is invited to participate in this planning process, beginning with the identification of planning issues and criteria.

DATES: Input will be accepted for 30 days from the date of this publication. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by the law. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

ADDRESSES: Comments should be sent to the Bureau of Land Management, Jackson Field Office, 411 Briarwood

Drive, Suite 404, Jackson, MS 39206–3039.

FOR FURTHER INFORMATION CONTACT: John A. Lewis, Lead for LUA/EA, Jackson Field Office at 601–977–5400.

SUPPLEMENTARY INFORMATION: The coal lease application was filed by southfork Coal Company to supplement their existing private and other federal reserves currently under lease. The reserves would be mined by underground methods from a portal area on private surface and mineral estates. A permit (No. 875–5008) has been issued by the State of Kentucky for this 14.47-acre portal area located 0.8 miles from the intersection of County Highway 92 and the Whitney/McCreary County line.

The BLM has responsibility to address coal lease applications on federal mineral estate. The Forest Service has the responsibility to consider consenting to lease Federal coal underlying Forest Service managed surface lands. The Office of Surface Mining provides recommendations the Secretary of Interior regarding approval of mining plans. An interdisciplinary team from these three agencies will be used in the preparation of the LUA/EA. Preliminary issues, subject to change as a result of public input, are (1) potential impacts of coal exploration and development on the surface and subsurface resources and (2) consideration of restrictions on lease rights to protect surface resources and uses by the Forest Service.

Due to the limited scope of this LUA/EA process, a public meeting is not scheduled during this scoping stage; however, a public hearing will be conducted, in accordance with 43 CFR 3420 and 1600, upon the completion of the LUA/EA.

Bruce E. Dawson,

Field Manager, Jackson Field Office.

[FR Doc. 02–4147 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–020–1320–EL]

Notice of Intent To Prepare a Land Use Analysis/Environmental Assessment

AGENCY: Bureau of Land Management.

ACTION: Notice of Intent to Prepare a Land Use Analysis/Environmental Assessment.

SUMMARY: A Land Use Analysis/Environmental Assessment (LUA/EA) is being prepared to consider leasing Federal coal in response to lease application KYES–50213. The 315.13-acre application area in Clay County, Kentucky is managed by the Daniel Boone National Forest. The LUA/EA will be a cooperative effort among the Bureau of Land Management, the Forest Service and the Office of Surface Mining. This notice is issued pursuant to 40 CFR 1501.7 and 43 CFR 1610.2(c).

The planning effort will follow the procedures set forth in 43 CFR 1600. As provided at 43 CFR 3420, information and data pertaining to the coal deposits or other resources, which potentially may be affected by development of the coal, are requested. Additionally, the public is invited to participate in this planning process, beginning with the identification of planning issues and criteria.

DATES: Input will be accepted for thirty days from the date of this publication. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by the law. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

ADDRESSES: Comments should be sent to the Daniel Boone National Forest, U.S. Department of Agriculture, 1700 bypass Road, Winchester, KY 40391.

FOR FURTHER INFORMATION CONTACT: Corey Miller, Lead for LUA/EA, Daniel Boone National Forest at 859–745–3149.

SUPPLEMENTARY INFORMATION: The coal lease application was filed by Chas Coal, L.L.C. to supplement their existing private and other federal reserves currently under lease. The reserves would be mined by underground methods from a portal area on private surface and mineral estates. A permit (No. 826–5049) has been issued by the State of Kentucky for this 47.9-acre portal area located in Clay County, KY, 1.8 miles west of Gardner.

The BLM has responsibility to address coal lease applications on federal mineral estate. The Forest Service has the responsibility to consider consenting to lease Federal coal underlying Forest Service managed surface lands. The Office of Surface Mining provides recommendations to the Secretary of the Interior regarding approval of mining plans. An interdisciplinary team from these three agencies will be used in the preparation of the LUA/EA. Preliminary issues, subject to change as a result of public input, are (1) potential impacts of coal exploration and development on the surface and subsurface resources and (2) consideration of restrictions on lease rights to protect surface resources and uses by the Forest Service.

Due to the limited scope of this LUA/EA process, a public meeting is not scheduled during this scoping stage; however, a public hearing will be conducted, in accordance with 43 CFR 3420 and 1600, upon the completion of the LUA/EA.

Bruce E. Dawson,

Field Manager, Jackson Field Office.

[FR Doc. 02–4150 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ID–070–02–2824–DS–FF10]

Notice of Intent To Prepare a Fire, Fuels and Related Vegetation Management Direction Plan

AGENCY: Upper Snake River District, Bureau of Land Management (BLM),

ACTION: Notice of Intent to prepare a Fire, Fuels and Related Vegetation Management Direction Plan Amendment and Environmental Impact Statement (EIS) for 12 Land Use Plans within the Upper Snake River District in central and eastern Idaho.

SUMMARY: This document provides notice that the BLM intends to prepare a Fire, Fuels, and Related Vegetation Management Direction Plan Amendment with an associated EIS for the Upper Snake River District. This plan amendment will amend 12 existing Land Use Plans in four Field Offices: Burley, Shoshone, Idaho Falls and Pocatello. These 12 Land Use Plans consist of Management Framework Plans (MFP) and Resource Management Plans (RMP).

This planning activity encompasses approximately 5.3 million acres of public land within the Upper Snake River District. The planning process will comply with the Federal Land Policy and Management Act of 1976 (FLPMA) and the National Environmental Policy Act of 1969 (NEPA). The BLM will work closely with interested parties to identify the management decisions that are best suited to the needs of the public. This collaborative process will take into account local, regional, and

national needs and concerns. This notice initiates the public scoping process to identify specific issues and develop planning criteria. The scoping process will include an evaluation of the needs and interests of the public.

DATES: The scoping comment period will commence with the publication of this notice. Formal scoping will end 60 days after publication of this notice. Comments regarding issues and planning criteria should be received on or before the end of the scoping period at the address listed below.

Public meetings will be held throughout the plan scoping and preparation period. In order to ensure local community participation and input, public meetings will most likely be held in Burley, Shoshone, Idaho Falls, and Pocatello. Specific dates and locations for public participation will be published in local papers and broadcast on local community calendars at a later date. The public will be given opportunities to participate through workshops and open house meetings throughout the planning process to work collaboratively with BLM in identifying the full range of issues to be addressed in the plan amendment and EIS and developing alternatives to be analyzed in the EIS.

ADDRESSES: Comments regarding the Fire, Fuels and Related Vegetation Management Direction Plan Amendment should be sent to: Project Manager, Bureau of Land Management, Pocatello Field Office, 1111 N. 8th Avenue, Pocatello Idaho 83201. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the EIS. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: Terry Smith, Project Manager, Pocatello Field Office, 1111 N. 8th Avenue, Pocatello Idaho 83201, (208) 478–6340.

SUPPLEMENTARY INFORMATION: The proposed plan amendments would: (1) Establish resource area-wide objectives for fire, fuels, and related vegetation management direction, (2) delineate fire management areas, (3) identify broad vegetation treatments, and (4) identify general restrictions on fire management practices. Anticipated issues for the plan amendments include: protection of human life, protection of property, protection of natural/cultural resources, integration of fire and resource management, air quality, and wildlife habitat. The planning process for this Fire Management Direction Plan Amendment will utilize a collaborative approach. This will allow the public, Tribes, State and Federal agencies, local elected officials, and BLM subject matter specialists to participate in scoping and the development and analysis of alternatives. Public scoping to identify specific issues to be addressed in the plan will be an early opportunity for the public to provide input. Subsequent opportunities for public involvement will occur at specific stages in the planning process.

Agency representatives and interested persons are invited to visit with Upper Snake River District officials at any time during the EIS process. In addition, two specific time periods are identified for the receipt of formal comments. The two comment periods are, (1) during the scoping process (60 days following publication of this Notice in the **Federal Register**) and, (2) during the formal review period of the Draft EIS.

Dated: January 7, 2002.

James E. May,

Upper Snake River District Manager.

[FR Doc. 02–4153 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–350–1220–AA]

Notice of Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Northeast California Resource Advisory Council, Susanville, California.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committees Act (Pub. L. 92–463) and the Federal Land Policy and Management Act (Pub. L. 94–579), the U.S. Bureau of Land Management's Northeast California Resource Advisory Council will hold a business meeting and field tour, Friday and Saturday, April 19 and 20, 2002.

SUPPLEMENTARY INFORMATION: The meeting begins Friday, April 19, at 10 a.m. in the Conference Room of the Eagle Lake Field Office, 2950 Riverside Dr., Susanville, CA. Agenda items include juniper management, sage grouse conservation planning, BLM's vegetative management environmental impact statement, and a status report on planning for the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area. Members of the public can also comment on these or other public lands management issues during the public comment period set for 1 p.m. Depending on the number of persons wishing to speak, a time limit may be established.

On Saturday, April 20, the council will convene at 8 a.m. in the Eagle Lake Conference Room, then depart for a field tour of public land areas managed by the Eagle Lake Field Office, including the Fort Sage Off Highway Vehicle Area in southern Lassen County. Members of the public are welcome on the tour, but they must provide their own lunch and transportation in a high clearance vehicle.

FOR FURTHER INFORMATION: Contact BLM Assistant Eagle Lake Field Manager Don Holmstrom, or Public Affairs Officer Joseph J. Fontana at (530) 257–5381.

Joseph J. Fontana,

Public Affairs Officer.

[FR Doc. 02–4161 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–923–1310–FI; N–62709]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Pursuant to the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease N–62709 for lands in Nye County, Nevada, was timely filed and was accompanied by all the required rentals accruing from July 1, 2001, the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of $5.00 per acre, or fraction thereof, per year and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee and $158 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C.

188), and the Bureau of Land Management is proposing to reinstate lease N–62709 effective July 1, 2001, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Thomas V. Leshendok,

Deputy State Director, Minerals Management.

[FR Doc. 02–4151 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–923–1310–FI; N–61784]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Pursuant to the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease N–61784 for lands in Nye County, Nevada, was timely filed and was accompanied by all the required rentals accruing from July 1, 2001, the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of $5.00 per acre, or fraction thereof, per year and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee and $158 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease N–61784 effective July 1, 2001, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Thomas V. Leshendok,

Deputy State Director, Minerals Management.

[FR Doc. 02–4152 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–921–1430–ET; WYW 149140]

Public Land Order No. 7513; Withdrawal of National Forest System Land for the Tie Hack Campground; Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws 20.90 acres of National Forest System land from mining for a period of 20 years for the Forest Service to protect the Tie Hack Campground. The land has been and will remain open to such forms of disposition as may by law be made of National Forest System land and to mineral leasing.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Janet Booth, BLM Wyoming State Office (WY921), 5353 N. Yellowstone Road, P.O. Box 1828, Cheyenne, Wyoming 82003, 307–775–6124.

SUPPLEMENTARY INFORMATION: By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1994)), but not from the general land laws or mineral leasing laws, to protect the Tie Hack Campground facility:

Bighorn National Forest

Sixth Principal Meridian

T. 50 N., R. 84 W.,

From the point of beginning, the corner of secs. 22, 23, 26 and 27 bears N. 53°19′ E., 1,042.9 feet;

Thence,

S. 51°02′ W., 250.7 feet;
S. 16°14′ W., 225.4 feet;
S. 32°23′ W., 231.6 feet;
S. 14°08′ W., 99.2 feet;
S. 02°55′ E., 223.8 feet;
S. 08°03′ E., 359.7 feet;
S. 60°21′ E., 237.5 feet;
N. 85°49′ E., 177.1 feet;
N. 64°10′ E., 155.1 feet;
N. 19°51′ E., 86.4 feet;
N. 01°13′ E., 131.7 feet;
N. 29°06′ W., 247.0 feet;
N. 54°04′ E, 144.5 feet;
N. 87°58′ E., 137.7 feet;
N. 68°14′ E., 59.9 feet;
N. 41°42′ E., 208.5 feet;
N. 15°01′ E., 306.1 feet;
N. 22°04′ W., 169.6 feet;
N. 51°26′ W., 121.1 feet;
N. 77°19′ W., 179.3 feet;
N. 86°19′ W., 285.7 feet, more or less, to the point of beginning.

The area described contains 20.90 acres in Johnson County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1994), the Secretary determines that the withdrawal shall be extended.

Dated: February 12, 2002.

J. Steven Griles,

Deputy Secretary.

[FR Doc. 02–4160 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–921–2002–1320–EM]

Establishment of Category 5 Royalty Rate at 2.4 Percent in Fort Union Federal Coal Production Region

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice.

SUMMARY: This notice is issued for the purpose of announcing the determination of Category 5 Royalty Rate at 2.4 percent within the Fort Union Federal Coal Production Region in the Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana.

EFFECTIVE DATE: February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Randy D. Heuscher, Chief, Branch of Solid Minerals, telephone (406) 896–5118, Montana State Office, Bureau of Land Management, P.O. Box 36800, Billings, Montana 59107–6800.

SUPPLEMENTARY INFORMATION: The ''Fort Union Region Category 5 Royalty Reduction Study'' requested by the State Director, Montana State Office, Bureau of Land Management, was completed by the Northwest Regional Evaluation Team of the Bureau of Land Management of the Department of the Interior in 1991. The geographic area qualification and establishment of the competitive royalty rate under Category 5 of the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals'' have been reviewed, and are the basis for the following determinations:

A. *Geographic Area Qualification*—The Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana, continue to meet the established five criteria to qualify under Category 5 for royalty rate differentials

as follows: (1) The Federal Government is not market dominant in this area; (2) Federal royalty rates are above the current market royalty rate for non-Federal rates in the area; (3) Based on a mine-by-mine examination, it is apparent that there are instances where Federal coal can be expected to be bypassed in the near future due to the royalty rate differential between Federal and non-Federal coal; (4) All three previous criteria considerations have been found to exist throughout the region; and (5) A plant-by-plant analysis, based on actual shipments, indicates that Fort Union coal is competitive in the area. However, it has also been shown that a reduction in the Federal royalty rate would not have a significant impact on this competitiveness.

B. *Establishment of Competitive Royalty Rates*—The competitive royalty rate of 2.4 percent is established to promote development of Federal coal reserves situated in the Counties of McLean, Mercer, and Oliver, North Dakota, and Richland County, Montana, that may otherwise be bypassed in favor of non-Federal coal having a lower royalty rate.

C. *Category 5 Reduction in Royalty Applications*—Federal lease-specific applications for Category 5 Reduction in Royalty for Coal deposits within the Counties in North Dakota and Montana named above will be accepted by the Montana State Office, Bureau of Land Management, P.O. Box 36800, Billings, Montana 59107–6800 effective upon publication of this Notice. Applications will be processed pursuant to the regulations at 43 CFR part 3485 as established by the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals''.

The geographic area qualification and the establishment of the competitive royalty rate under Category 5 of the ''Royalty Rate Reduction Guidelines for the Solid Leasable Minerals'' will be reviewed again and updated 2 years from the effective date hereof.

Dated: January 11, 2002.

Randy D. Heuscher,

Chief, Branch of Solid Minerals.

[FR Doc. 02–4156 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ–956–09–1420–00]

Arizona State Office, 222 North Central Avenue, Phoenix, Arizona 85004, Arizona; Notice of Filing of Plats of Survey

January 9, 2002.

1. The plats of survey of the following described land were officially filed in the Arizona State Office, Phoenix, Arizona, on the dates indicated:

A plat representing the dependent resurvey of a portion of the south and east boundaries and a portion of the subdivisional lines and the subdivision of sections 25 and 36, Township 22 North, Range 5 East, of the Gila and Salt River Meridian, Arizona, accepted November 26, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the United States Forest Service.

A plat representing the dependent resurvey of a portion of the south boundary and a portion of the subdivisional lines and the subdivision of sections 30 and 31, Township 22 North, Range 6 East, of the Gila and Salt River Meridian, Arizona, accepted November 26, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the Unites States Forest Service.

A plat representing the dependent resurvey of a portion of the subdivisional lines and a metes-and-bounds survey in section 19, Township 16 North, Range 9 East, of the Gila and Salt River Meridian, Arizona, accepted November 30, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the United States Forest Service.

A plat representing the dependent resurvey of a portion of the north boundary and a portion of the subdivisional lines and the subdivision of sections 3 and 9, Township 23 South, Range 20 East, of the Gila and Salt River Meridian, Arizona, accepted November 30, 2001 and officially filed December 6, 2001.

This plat was prepared at the request of the Bureau of Land Management, Arizona State Office.

These plats will immediately become the basic records for describing the land for all authorized purposes. These plats have been placed in the open files and are available to the public for information only.

2. All inquiries relating to these lands should be sent to the Arizona State Office, Bureau of Land Management, 222 N. Central Avenue, P.O. Box 1552, Phoenix, Arizona 85001–1552.

Kenny D. Ravnikar,

Chief Cadastral Surveyor of Arizona.

[FR Doc. 02–4154 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–32–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–960–1910–BJ–4041] ES–51416, Group 103, Arkansas

Notice of Filing of Plat of Survey; Arkansas

The dependent resurvey of the north boundary, a portion of the east boundary, a portion of the subdivisional lines, the survey of the subdivision of certain sections, and the survey of a portion of National Park Service Tract 06–130 in section 1, Township 15 North, Range 17 West, Fifth Principal Meridian, Arkansas, will be officially filed in Eastern States, Springfield, Virginia at 7:30 a.m., on March 25, 2002.

The survey was made at the request of the National Park Service.

All inquiries or protests concerning the technical aspects of the survey must be sent to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to 7:30 a.m., March 25, 2002.

Copies of the plat will be made available upon request and prepayment of the appropriate fee.

Dated: January 28, 2002.

Stephen D. Douglas,

Chief Cadastral Surveyor.

[FR Doc. 02–4157 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES–032–00–1430–BK ES–51284, Group 103, Michigan

Notice of Filing of Plat of Survey; Michigan

The plat of the survey of the Grand Traverse Light Station, in lot no. 3, of section 6, Township 32 North, Range 10 West, Michigan Meridian, Michigan, will be officially filed in Eastern States, Springfield, Virginia at 7:30 a.m., on March 18, 2002.

The survey was made at the request of the Bureau of Land Management, Milwaukee Field Office.

All inquiries or protests concerning the technical aspects of the survey must

be sent to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to 7:30 a.m., March 18, 2002.

Copies of the plat will be made available upon request and prepayment of the appropriate fee.

Dated: January 22, 2002.

Stephen D. Douglas,

Chief Cadastral Surveyor.

[FR Doc. 02–4158 Filed 2–20–02; 8:45 am]

BILLING CODE 4310–GJ–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZA 31895]

Notice of Proposed Withdrawal; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The United States Forest Service proposes to withdraw 30 acres of National Forest System land to protect the archeological and historical values of the Le Barron Ruin. This notice segregates the land for up to 2 years from location and entry under the United States mining laws. The land will remain open to all other uses which may by law be made of National Forest System land.

DATES: Comments should be received on or before May 22, 2002.

ADDRESSES: Comments should be sent to the Forest Supervisor, Coconino National Forest, 2323 E. Greenlaw Lane, Flagstaff, Arizona 86004.

FOR FURTHER INFORMATION CONTACT: Pete Mourtsen, Coconino National Forest, 928–527–3414.

SUPPLEMENTARY INFORMATION: The Forest Service proposes to withdraw the following described National Forest System land from location and entry under the United States mining laws, subject to valid existing rights:

Coconino National Forest

Gila and Salt River Meridian
T. 22 N., R. 10 E.,
Sec. 33, N½SW¼NE¼, and
S½S½NW¼NE¼.

The area described contains 30 acres in Coconino County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Forest Supervisor of the Coconino National Forest.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request, by the date specified above, to the Forest Supervisor, Coconino National Forest. Upon determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the land will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date.

Dated: November 27, 2001.

Daniel H. Nowell,

Acting Deputy State Director, Resources Division.

[FR Doc. 02–4155 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZA 31893]

Notice of Proposed Withdrawal; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The United States Forest Service proposes to withdraw 597.50 acres of National Forest System land to protect the archeological and historical values of the Ridge Ruin Archeological District. This notice segregates the land for up to 2 years from location and entry under the United States mining laws. The land will remain open to all other uses which may by law be made of National Forest System land.

DATES: Comments should be received on or before May 22, 2002.

ADDRESSES: Comments should be sent to the Forest Supervisor, Coconino National Forest, 2323 E. Greenlaw Lane, Flagstaff, Arizona 86004.

FOR FURTHER INFORMATION CONTACT: Pete Mourtsen, Coconino National Forest, 928–527–3414.

SUPPLEMENTARY INFORMATION: The Forest Service proposes to withdraw the following described National Forest System land from location and entry under the United States mining laws, subject to valid existing rights:

Coconino National Forest

Gila and Salt River Meridian

T. 21 N., R. 10 E.,
Sec. 7, lots 6, 7, and 12, and SE¼;
Sec. 8, S½SW¼SW¼NW¼, and
W½W½SW¼;
Sec. 17, W½NW¼NW¼,
NW¼SW¼NW¼, and
N½N½SW¼SW¼NW¼;
Sec. 18, N½NE¼, N½S½NE¼,
N½N½S½NE¼, and lots 1 and 6.

The area described contains 597.50 acres in Coconino County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the Forest Supervisor of the Coconino National Forest.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request, by the date specified above, to the Forest Supervisor, Coconino National Forest. Upon determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the land will be segregated as specified above unless the application is denied or canceled or the withdrawal is approved prior to that date.

Dated: November 27, 2001.

Daniel H. Nowell,

Acting Deputy State Director, Resources Division.

[FR Doc. 02–4162 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO–935; COC–39308]

Notice of Proposed Withdrawal; Opportunity for Public Meeting; Colorado

January 31, 2002.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Department of Agriculture, Forest Service, proposes to withdraw approximately 4,380 acres of National Forest System lands for a 10-year period to provide administrative alternatives. This notice closes the lands to location and entry under the mining laws for up to two years. The lands remain open to mineral leasing.

DATES: Comments on this proposed withdrawal must be received on or before May 22, 2002.

ADDRESSES: Comments and meeting requests should be sent to the Colorado State Director, 2850 Youngfield Street, Lakewood, Colorado 80215–7093.

FOR FURTHER INFORMATION CONTACT: Doris E. Chelius at 303–239–3706.

SUPPLEMENTARY INFORMATION: On January 30, 2002, the Department of Agriculture, Forest Service, filed an application to withdraw the following described National Forest Service lands from location and entry under the U. S. mining laws (30 U.S.C. Ch. 2) subject to valid existing rights, for 10 years:

Sixth Principal Meridian

White River National Forest
T. 5 S., R. 76 W., sec. 20, lots 2, 3, 4, 15, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 43, 47, 48, 49, 50, and 5l;
Sec. 21, S½N½ and S½;
Sec. 22, SW¼;
Sec. 27, W½ and W½E½;
Sec. 28, all;
Sec. 29, E½ and E½E½W½;
Sec. 32, E½, E½NE¼NW¼, SE¼NW¼, and E½SW¼;
Sec. 33, all;
Sec. 34, NW¼.
T. 5 S., R. 77 W.,
Sec. 23, lots 11, 13, and 15;
Sec. 24, lot 11 and W½SW¼.
T. 6 S., R 76 W.,
Sec. 5, lots 1 thru 12, inclusive;
Sec. 6, lots 1, 8, and 9, and E½SE¼.

The areas described aggregate approximately 4,380 acres of National Forest System lands in Summit County. This order excludes any privately owned lands within the boundaries of the described areas.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, or to request a public meeting, may present their views in writing to the Colorado State Director at the address shown above.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with this proposed withdrawal. Any interested persons who desire a public meeting for the purpose of being heard on this proposed action should submit a written request to the Colorado State Director within 90 days from the date of publication of this notice. If the authorized officer determines that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days prior to the scheduled date of the meeting.

This withdrawal will be processed in accordance with the regulations set forth in 43 CFR part 2310.

Jenny L. Saunders,

Realty Officer.

[FR Doc. 02–4159 Filed 2–20–02; 8:45 am]

BILLING CODE 3410–11–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–989 (Preliminary)]

Ball Bearings From China

AGENCY: International Trade Commission.

ACTION: Institution of antidumping investigation and scheduling of a preliminary phase investigation.

SUMMARY: The Commission hereby gives notice of the institution of an investigation and commencement of preliminary phase antidumping investigation No. 731–TA–989 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from China of ball bearings and parts thereof provided for in subheadings 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.25, 8482.99.35, 8482.99.65, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.50.90, 8483.90.20, 8483.90.30, and 8483.90.70; certain gaskets, seals or washers suitable for incorporation in ball bearings provided for in subheadings 3926.90.45, 4016.93.00, 4016.93.10, and 4016.93.50; ceramic bearings and other ceramic wares suitable for incorporation in ball bearings, provided for in subheadings 6909.19.50; certain parts of machines, the foregoing containing ball bearings, provided for in subheading 8431.20.00 and 8431.39.00; certain parts of motor vehicles, the foregoing containing ball bearings, provided for in subheadings 8708.50.50, 8708.60.50, 8708.60.80, 8708.70.60, 8708.93.30, 8708.93.60, 8708.93.75, 8708.99.06, 8708.99.31, 8708.99.40, 87.08.49, 8708.99.58, and 8708.99.80; and certain parts of aircraft, the foregoing containing ball bearings, provided for in subheadings 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 8803.90.90 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. Size or precision grade of a bearing does not influence whether the bearing is covered by the petition. With regard to finished parts, all such parts are covered by the petition. For unfinished parts, such parts are included if (1) they have been heat-treated prior to importation, or (2) heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by the petition are those that will be subject to heat treatment after importation. Unless the Department of Commerce extends the time for initiation pursuant to section 732(c)(1)(B) of the Act (19 U.S.C. 1673a(c)(1)(B)), the Commission must reach a preliminary determination in antidumping investigations in 45 days, or in this case by April 1, 2002. The Commission's views are due at Commerce within five business days thereafter, or by April 8.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's rules of practice and procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

EFFECTIVE DATE: February 13, 2002.

FOR FURTHER INFORMATION CONTACT: Fred Ruggles (202–205–3187), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by

accessing its internet server (http://www.usitc.gov). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS–ON–LINE) at http://dockets.usitc.gov/eol/public.

SUPPLEMENTARY INFORMATION:

Background

This investigation is being instituted in response to a petition filed on February 13, 2002, by the American Bearing Manufacturers Association, Washington, DC.

Participation in the Investigation and Public Service List

Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register.** 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 investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this investigation available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigation under the APO issued in the investigation, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference

The Commission's Director of Operations has scheduled a conference in connection with this investigation for 9:30 a.m. on March 6, 2002, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Parties wishing to participate in the conference should contact Fred Ruggles (202–205–3187) not later than March 4, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

Written Submissions

As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before March 11, 2002, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: February 15, 2002.

By order of the Commission.

Marilyn R. Abbott,

Acting Secretary.

[FR Doc. 02–4187 Filed 2–20–02; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Office of Community Oriented Policing Services; Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day emergency notice of information collection under review: new collection, Mental Health and Community Safety Initiative Application Kit.

The Department of Justice, Office of Community Policing Services has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. This notice supersedes the previous notice published on February 6, 2002, in volume 67, on pages 5612–5613. OMB approval has been requested by February 28, 2002. The proposed information collection is published to obtain comments from the public and affected agencies. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395–6466, Washington, DC 20503.

During the first 60 days of this same review period, a regular review of this information collection is also being undertaken. Written comments and/or suggestions regarding additional information, including obtaining a copy of the proposed information collection instrument with instructions, should be directed to Gretchen DePasquale, 202–305–7780, Office of Community Oriented Policing Services, 1100 Vermont Avenue, NW., Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your written responses should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is 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 agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Mental Health and Community Safety Initiative Application Kit.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Agency Form Number:* None, Office of Community Oriented Policing Services, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a bride abstract: Primary:* Federally recognized tribal governments. *Other:* N/A. *Abstract:* The information collected will be used by the COPS Office to determine whether Federally Recognized Tribal governments are eligible for three year grants specifically targeted to meet the most serious needs to law enforcement in Indian communities. The grants are meant to enhance law enforcement infrastructures and community policing efforts in these communities.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 15 responses. The estimated amount of time required for the average respondent to respond is: 3.5 hours.

(6) *An estimate of the total public burden (in hours) associated with collection:* 67.5 hours annually.

If additional information is required contact: Mrs. Brenda Byer, Department Deputy Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, 601 D Street NW, Patrick Henry Building, Suite 1600, NW, Washington, DC 20530.

Dated: February 13, 2002.

Brenda E. Dyer,

Department Deputy Clearance Officer, Department of Justice.

[FR Doc. 02–4043 Filed 2–20–02; 8:45 am]

BILLING CODE 4410–AT–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

OSHA Training Institute Education Centers

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of competition and request for applications for the OSHA Training Institute Education Centers Program.

SUMMARY: The Occupational Safety and Health Administration (OSHA) conducts short-term technical training in occupational safety and health through the OSHA Training Institute in Des Plaines, Illinois. In recent years, the number of requests for training from private sector personnel and Federal personnel from agencies other than OSHA has increased beyond the capacity of the OSHA Training Institute to meet the demand. In October 1992 OSHA began the program of using other training and educational institutions to conduct OSHA Training Institute courses for private sector personnel and for Federal personnel from agencies other than OSHA.

This notice announces the opportunity for interested nonprofit organizations to submit applications to become an OSHA Training Education Center. Applications will be rated on a competitive basis and approximately ten organizations will be selected to participate in the program. Complete application instructions are contained in this notice. This notice also contains information on three proposal conferences designed to provide potential applicants with information about the OSHA Training Institute Education Centers Program.

Authority for this program may be found in section 21 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 670).

DATES: Applications must be received by 4:30 pm CST on May 24, 2002.

The proposal conference dates are:

1. March 19, 2002, from 1 pm to 3 pm PST, 71 Stevenson Street, Room 1010, San Francisco, California.

2. March 26, 2002, from 1 pm to 3 pm EST, Gateway Building, 3535 Market Street, Conference Rooms A & B, Suite 690 West, Philadelphia, Pennsylvania 19104.

3. April 4, 2002, from 1 pm to 3 pm CST, at the OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018.

ADDRESSES: Submit applications to the U.S. Department of Labor, Occupational Safety and Health Administration, Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Ronald Mouw, Deputy Director, or Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018, telephone (847) 297–4810.

SUPPLEMENTARY INFORMATION:

What Is the OSHA Training Institute?

The OSHA Training Institute in Des Plaines, Illinois, is the primary training provider of the Occupational Safety and Health Administration. It conducts more than 80 short-term courses and seminars covering OSHA standards, policies, and procedures for persons responsible for enforcing or directly supporting the OSH Act, for private sector employers and employees, and Federal personnel from agencies other than OSHA. The OSHA Training Institute's primary responsibility is to Federal and State compliance officers and State consultation program staff. Private sector personnel and Federal personnel from agencies other than OSHA receive training from the OSHA Training Institute on a space available basis.

Why Was the OSHA Training Institute Education Centers Program Established?

By the early 1990's, requests for training from Federal and State compliance officers, State consultation program staff, private sector personnel, and Federal personnel from agencies other than OSHA had increased beyond the capacity of the OSHA Training Institute to meet the demand. In addition, resources of the OSHA Training Institute had not increased at a rate that could keep up with the demand. As the number of students from Federal and State personnel engaged in enforcement or consultation increased, opportunities for training for private sector personnel and Federal personnel from agencies other than OSHA remained static or decreased.

In order to meet the increased demand for its courses, the OSHA Training Institute selected 12 nonprofit organizations to conduct OSHA Training Institute courses for private sector personnel and Federal personnel from agencies other than OSHA. These organizations were selected through nationwide or regional competitions.

Which Organizations Are Currently OSHA Training Institute Education Centers?

The current OSHA Training Institute Education Centers are: Keene State College, Manchester, New Hampshire; Niagara County Community College, Lockport, New York; Building and Construction Trades Department AFL–CIO/Center to Protect Workers' Rights/ The George Meany Center for Labor Studies/West Virginia Safety and Health Extension, Washington, DC; Georgia Technical Research Institute, Atlanta, Georgia; Eastern Michigan University/ United Auto Workers, Ypsilanti, Michigan; University of Minnesota/ Minnesota Safety Council/University of Cincinnati, Minneapolis, Minnesota; Northern Illinois University/ Construction Safety Council/National

Safety Council, DeKalb, Illinois; Texas Engineering Extension Service, Texas A&M University System, Mesquite, Texas; Metropolitan Community Colleges, Business & Technology Center, Kansas City, Missouri; Red Rocks Community College/Trinidad State Junior College, Lakewood, Colorado; University of California, San Diego, California; and the University of Washington, Seattle, Washington.

How Many OSHA Training Institute Education Centers Will Be Selected?

At least ten colleges, universities, or other nonprofit training organizations will be selected to conduct OSHA courses for private sector personnel and Federal personnel from agencies other than OSHA.

What Will Be the Geographic Distribution of the OSHA Training Institute Education Centers?

One OSHA Training Institute Education Center will be selected in each OSHA Region. However, OSHA may elect to select more than one OSHA Training Institute Education Center in some OSHA Regions. The Regions contain the following states.

1. *Region I:* Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
2. *Region II:* New Jersey, New York, Puerto Rico, and Virgin Islands.
3. *Region III:* Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.
4. *Region IV:* Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.
5. *Region V:* Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.
6. *Region VI:* Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.
7. *Region VII:* Iowa, Kansas, Missouri, and Nebraska.
8. *Region VIII:* Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.
9. *Region IX:* American Samoa, Arizona, California, Guam, Hawaii, Nevada, and Trust Territories of the Pacific.
10. *Region X:* Alaska, Idaho, Oregon, and Washington.

Do Current OSHA Training Institute Education Centers Have To Reapply?

Current OSHA Training Institute Education Centers must reapply for the opportunity to remain in the program.

Which OSHA Training Institute Courses Will I Be Required To Present?

If your organization is selected to participate as an OSHA Training Institute Education Center, you will be required to present the following seven courses: #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry, #501 Trainer Course in Occupational Safety and Health Standards for General Industry, #502 Update for Construction Industry Outreach Trainers, #503 Update for General Industry Outreach Trainers, #510 Occupational Safety and Health Standards for the Construction Industry, #511 Occupational Safety and Health Standards for General Industry, and #600 Collateral Duty Course for Other Federal Agencies.

In addition, you will be required to present at least five of the following courses: #201A Hazardous Materials; #204A Machinery and Machine Guarding Standards; #222A Respiratory Protection; #225 Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders; #226 Permit-Required Confined Space Entry; #309A Electrical Standards; #301 Excavation, Trenching and Soil Mechanics; #311 Fall Arrest Systems; and #521 OSHA Guide to Industrial Hygiene.

A brief description of each of the courses may be found in the attachment to this notice.

OSHA may increase or decrease the number of different courses available to be offered by the OSHA Training Institute Education Centers.

What Criteria Will Be Used To Select OSHA Training Institute Education Centers?

Applicants will be selected based upon their occupational safety and health experience, their nonacademic training background, the availability of classrooms, laboratories, and conference facilities, access to transportation and lodging at their resident location, and their capability to provide training throughout their Region.

Who Is Eligible To Apply?

Any nonprofit public or private college or university is eligible to apply. Any other nonprofit organization that can demonstrate that training or education is part of its mission and that more than 50 percent of its staff and dollar resources is devoted to training or education is also eligible.

Does OSHA Provide Funding to the OSHA Training Institute Education Centers?

OSHA provides no funding to the OSHA Training Institute Education Centers. The OSHA Training Institute Education Centers will be expected to support their OSHA training through their normal tuition and fee structures.

If Selected, How Long Would I Be an OSHA Training Institute Education Center?

Selected applicants will sign nonfinancial cooperative agreements with OSHA effective October 1, 2002 through September 30, 2007. With satisfactory performance, agreements may be renewed without competition for an additional five years.

What Geographic Criteria Must I Meet?

You must have a physical presence in the OSHA Region for which you are applying. For example, an eligible national organization based in San Francisco that has a training facility in Chicago would have a physical presence in Region V. On the other hand, a national organization based in New York City that rents hotel space to provide training at multiple sites around the country would be considered to have a physical presence only in Region II.

In addition, you must demonstrate the capability to locate satellite downlink sites for use by Federal and State employees and private sector employers and employees to receive satellite delivered training from the OSHA Training Institute. At a minimum, you should identify potential satellite downlink sites in all cities with a Federal or State compliance office or State Consultation office as well as other major population centers within your Region.

Is It Possible for Me To Join With Another Organization and for Us To Apply Together?

You may join with one or more other nonprofit organizations in your Region to apply as a consortium. A training or education institution may elect to apply for this program in partnership with a safety and health organization that is not primarily a training organization. For example, a university could enter into an agreement with a labor union that provides for the use of university classrooms and faculty supplemented by union safety and health professionals.

What Responsibilities Will I Have as an OSHA Training Institute Education Center?

An OSHA Training Institute Education Center you will be responsible for the following.

1. Ensuring that instructors are qualified in the subjects they will be teaching.

2. Arranging for course chairpersons to attend OSHA orientation for each OSHA Training Institute course for which they are the chair.

3. Scheduling courses. Courses are to be scheduled on a year-round basis with each course being offered at least once a year. Education Centers will be expected to schedule courses at various locations throughout their Region. In addition, OSHA Training Institute Education Centers will be expected to average conducting at least two courses per month and to train an average 75 students per month.

4. Publicizing the availability of courses.

5. Registering students.

6. Acquiring audiovisual materials for use in the courses.

7. Reproducing handouts for students.

8. Conducting courses in accordance with materials and instructions provided by OSHA.

9. Monitoring courses to ensure that OSHA course outlines are being followed.

10. Collecting course evaluation data from students in accordance with OSHA procedures and providing that data to OSHA.

11. Maintaining student registration and attendance records.

12. Issuing course completion certificates to students. These certificates, which certify that a student has completed training in a particular course, must be approved by OSHA.

13. Providing the OSHA Training Institute with registers of successful course completers.

14. Providing the OSHA Training Institute with an annual schedule showing the date, time, and location of every OSHA course to be offered.

15. Maintaining clearly identifiable records of tuition and fees collected from OSHA course students.

16. Arranging for the availability of appropriate accommodations for students.

17. Administering Outreach Training Program activities. This includes distributing student cards to active Outreach Training Program trainers and providing trainer and student information to the OSHA Training Institute on a regular basis.

What Is the Outreach Training Program?

The Outreach Training Program is a voluntary program through which OSHA authorizes trainers to conduct 10- and 30-hour training courses on occupational safety and health hazards and standards. Persons who successfully complete either OSHA Training Institute course #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry or #501 Trainer Course in Occupational Safety and Health Standards for General Industry are authorized to present 10- and 30-hour training courses, to submit training documentation to OSHA, and to present course completion cards signed by the OSHA Training Institute Director to their students.

Construction outreach trainers must attend #502 Update for Construction Industry Outreach Trainers once every four years to maintain their active status, while general industry outreach trainers must attend #503 Update for General Industry Outreach Trainers once every four years to maintain their active status.

What Are the OSHA Training Institute's responsibilities?

The OSHA Training Institute is responsible for the following.

1. Providing OSHA Training Institute Education Center course chairpersons with orientation on how the OSHA Training Institute teaches the course.

2. Providing a detailed course outline for each OSHA course to be presented by the OSHA Training Institute Education Centers.

3. Providing a master copy of the student handouts for each course to be presented.

4. Providing answers and technical assistance on questions of OSHA policy.

5. Monitoring the performance of OSHA Training Institute Education Centers through on-site visits including unannounced attendance at courses and examination of records.

6. Evaluating the effectiveness of the OSHA Training Institute Education Centers.

What Is the Purpose of the Proposal Conferences?

The proposal conferences are intended to provide potential applicants with information about the OSHA Training Institute, OSHA Training Institute courses and methods of instruction, and administrative and program requirements for OSHA Training Institute Education Centers. The OSHA Office of Training and Education will hold three proposal conferences.

When and Where Will the Proposal Conferences Be Held?

The proposal conferences are scheduled for:

March 19, 2002, from 1 pm to 3 pm PST, 71 Stevenson Street, Room 1010, San Francisco, California.

March 26, 2002, from 1 pm to 3 pm EST, Gateway Building, 3535 Market Street, Conference Rooms A & B, Suite 690 West, Philadelphia, Pennsylvania 19104.

April 4, 2002, from 1 pm to 3 pm CST, at the OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018.

If you are interested in attending one of these conferences, you may contact Ronald Mouw, Deputy Director, or Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, Illinois 60018, telephone (847) 297–4810 for information about local accommodations and transportation. It is not necessary to register for the conferences.

What Must I Include in the Application?

You must address each of the following points in your application.

1. *Identifying Information.* Provide the name and address of your organization. If the mailing address is a post office box, also provide the street address. Provide the name, title, and telephone number of the contact person who can answer questions about the application.

2. *Authority to Apply.* Provide a copy of the resolution by the Board of Directors, Board of Regents, or other governing body of your organization approving the submittal of an application to OSHA to become an OSHA Training Institute Education Center.

3. *Nonprofit Status.* Include evidence of the nonprofit status of your organization and of each member organization if you are applying as a consortium. A letter from the Internal Revenue Service or a statement included in a recent audit report is preferred. In the absence of either of these, a copy of the articles of incorporation showing the nonprofit status will be accepted.

4. *Status as a Training Organization.* This section applies only to applicants that are not colleges or universities. Show that training or education is a principal activity of your organization. Through audit reports, annual reports, or other documentation, demonstrate that for the last two years more than 50 percent of your organization's funds has been used for training and education activities and that more than 50 percent of its staff resources has also been used for this purpose.

5. *Occupational Safety and Health Training Experience.* Describe your organization's relevant course offerings for the last two years. Include copies of catalogs and other recruitment materials that provide descriptive material about

courses. For each course, include the dates the course was offered and the number of students who completed the course. Also provide descriptive material including course descriptions and number of hours that is similar to the information contained in the appendix to this Notice.

6. *OSHA Training Institute Courses.* Provide a list of the OSHA Training Institute courses that your organization would offer.

7. *Staff Qualifications.* Describe the qualifications of staff teaching occupational safety and health courses. Indicate the professional qualifications of each, such as Certified Safety Professional (CSP), Professional Engineer (PE), or Certified Industrial Hygienist (CIH). Also describe staff knowledge of and experience with OSHA standards and their application to hazards and hazard abatement. Include resumes of current staff and position descriptions and minimum hiring qualifications for all positions, whether filled or vacant, that may be assigned to conduct OSHA classes.

8. *Classroom Facilities.* Describe classroom facilities available for presentation of the courses. Include number of students accommodated, desk arrangements, and availability of audiovisual equipment. Also describe appropriate laboratory facilities and other facilities available for hands-on exercises. Indicate provisions for accessibility for persons with disabilities.

9. *Distance Learning.* Describe plans for identifying satellite downlink sites in your Region for receiving OSHA Training Institute broadcasts. Identify the types of organizations that would be contacted and the information that would be made available to the OSHA Training Institute to ensure a successful broadcast.

10. *Outreach Training Program.* Provide a description of the systems that would be in place to administer the Outreach Training Program and to assure its integrity including maintaining records, ensuring that only authorized trainers receive student cards, reviewing requests for student cards, and distributing student cards.

11. *Tuition.* Provide a copy of your organization's tuition and fee schedule. Explain how tuition or fees will be computed for each course, referencing the schedule.

12. *Recruitment and Registration.* Explain procedures for recruiting students from the private sector and from Federal agencies other than OSHA. Describe registration procedures including provisions for cancellation, furnishing enrollees with hotel information, and tuition or fee collection.

13. *Location.* Describe the accessibility of the training facility for students. Include such items as distance from a major airport, number of airlines serving the airport, transportation from the airport to hotels, and distance from the interstate system.

14. *Accommodations.* Provide a representative listing of hotels available for student accommodation and give sample room rates. Explain how students will be transported between the hotels and classes. Describe the food service and restaurants available both in the area in which the classes will be held and in the area where the hotels are located.

15. *Off-site Courses.* Successful applicants will be expected to conduct courses at sites other than their own facilities, especially in other states in their Region. Describe your organization's plan to provide off-site training in your Region including procedures to assure that classroom facilities and accommodations are adequate.

16. *Nondiscrimination.* Provide copies of your organization's nondiscrimination policies covering staff and students. In the absence of a written policy, explain how you will ensure that staff and students are selected without regard to race, color, national origin, sex, age, or disability.

Where Should I Submit My Application?

Your application must be submitted to the OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018. The submission is to consist of one original and two copies of the application. Your application should not be bound or stapled and should only be printed on one side of the page.

When Must I Submit My Application?

Your application must be received no later than 4:30 pm CST on May 3, 2002.

How Will My Application Be Reviewed?

A panel of OSHA staff will review your application and will consider each of the factors listed below.

1. *Occupational Safety and Health Training Experience.* Evidence that occupational safety and health training or education has been an ongoing program of your organization. Reviewers will examine the number of different occupational safety and health courses offered by your organization, the number of students completing each course, and the number of times each course was offered. Successful applicants will also include samples of course announcements.

2. *Qualifications of Staff.* For personnel teaching occupational safety and health courses this includes academic training in occupational safety and health subjects, experience with the application of OSHA standards to hazards and hazard abatement, professional certification, practical experience in the field of occupational safety and health, and experience in training workers or managers in nonacademic situations.

3. *Outreach Training Program.* Plans for administering the Outreach Training Program and ensuring program integrity will be reviewed.

4. *Location.* A major airport with regular service to all parts of the Region should be within a reasonable driving time from the training location and the hotel. Interstate highways should also be within reasonable distance.

5. *Adequacy of Training Facilities.* Potential for accommodating classes of 25 to 40 students on a year-round basis in settings comparable to those of the OSHA Training Institute will be reviewed. Items considered will include classroom layout, availability of audiovisual equipment, reproduction facilities for handouts, and availability of appropriate laboratory and hands-on facilities. Accessibility for persons with disabilities will also be considered.

6. *Distance Learning.* Successful applicants will demonstrate the capability to identify satellite downlink sites in their Region for use by Federal and State employees and private sector employers and employees to receive satellite delivered training from the OSHA Training Institute. At a minimum, you should identify potential satellite downlink sites in all cities with a Federal or State compliance office or State Consultation office as well as other major population centers within your Region.

7. *Recruitment and Registration Procedures.* Reasonableness of your organization's procedures for recruiting and registering students including methods of reaching potential students, ease of registration, provisions for cancellations, and system for informing students of available accommodations are among the items that will be reviewed.

8. *Accommodations.* Accommodations, preferably national hotel/motel chains and restaurants, should be reasonably priced and should be within a few miles of the training facility.

9. *Tuition.* Conformance of proposed tuition or fees with the established

policies of the applicant and reasonableness of the charges will be considered.

10. *Off-site Courses.* Experience and the ability of your organization to conduct courses at sites other than its own facility will be considered.

11. *Nondiscrimination.* Adherence of your organization's policies with Federal requirements will be reviewed.

Who Will Select the OSHA Training Institute Education Centers?

The OSHA review panel will make recommendations to the Assistant Secretary, who will make the final decisions.

How Will I Be Notified If My Application Was Selected?

You will be notified by a representative of the Assistant Secretary if your organization is selected as an OSHA Training Institute Education Center. An organization may not conduct OSHA Training Institute Education Center activities until it has signed a nonfinancial cooperative agreement with OSHA.

How Will I Be Notified If My Application Is Not Selected?

You will be notified in writing if your organization is not selected to be an OSHA Training Institute Education Center.

Can I Appeal If I Am Not Selected?

There is no appeal procedure for unsuccessful applicants. You may request a copy of the documentation of the review of your application by writing to Ernest B. Thompson, Chief, Division of Training and Educational Programs, OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

Signed at Washington, DC, this 14th day of February.

John L. Henshaw,

Assistant Secretary of Labor.

Attachment

#*201A Hazardous Materials.* This course covers OSHA general industry standards and integrates materials from other consensus and proprietary standards that relate to hazardous materials. Included are flammable and combustible liquids, compressed gases, LP-gases, and cryogenic liquids. Related processes such as spraying and dipping are covered, as well as electrical equipment. (5 days)

#*204A Machinery and Machine Guarding Standards.* This course familiarizes the student with various types of common machinery and the related safety standards. Guidance is provided on the hazards associated with various kinds of machinery and the control of hazardous energy sources (lockout/tagout). The course presents an approach to machinery inspection that enables participants to recognize hazards and to provide options to achieve abatement. These hazards include mechanical motions and actions created by points of operation and other machinery processes. Also included is hands-on training in the laboratories. (5 days)

#*222A Respiratory Protection.* This course covers the requirements for the establishment, maintenance, and monitoring of a respirator program. Topics include terminology, OSHA standards, NIOSH certification, and medical evaluation recommendations. Course highlights include laboratories on respirator selection, qualitative fit testing, and the use of a large array of respiratory and support equipment for hands-on training. (4 days)

#*225 Principles of Ergonomics Applied to Work-Related Musculoskeletal and Nerve Disorders.* This course covers the use of ergonomic principles to prevent Musculoskeletal disorders. Topics include work physiology, anthropometry, Musculoskeletal disorders, video display terminals, and risk factors such as vibration, temperature, material handling, repetition, and lifting and transfers in health care. Course features industrial case studies covering analysis and design of work stations and equipment, laboratory sessions in manual lifting, and coverage of current OSHA compliance policies. (4 days)

#*226 Permit-Required Confined Space Entry.* This course is designed to enable students to recognize, evaluate, control, and abate safety and health hazards associated with permit-required confined space entry. The course focuses on the specific requirements of 29 CFR 1910.146 (a) through (l). Each paragraph of the standard is discussed with references to the OSHA directive, letters of interpretation, and preamble rationale. Technical topics include the recognition of confined space hazards, basic information about instrumentation used to evaluate atmospheric hazards, and general permit space ventilation techniques. Course features workshops on confined space classification permits and program evaluation. (4 days)

#*301 Excavation, Trenching and Soil Mechanics.* This course focuses on OSHA standards and on the safety aspects of excavation and trenching. Students are introduced to practical soil mechanics and its relationship to the stability of shored and unshored slopes and walls of excavations. Various types of shoring (wood timbers and hydraulic) are covered. Testing methods are demonstrated and a one-half-day field exercise is conducted, allowing students to use instruments such as penetrometers, torvane shears, and engineering rods. (4 days)

#*309A Electrical Standards.* This course is designed to provide the student with a survey of OSHA's electrical standards and the hazards associated with electrical installations and equipment. Topics include single- and three-phase systems, cord- and plug-connected and fixed equipment, grounding, ground fault circuit interrupters, and safety-related work practices. Emphasis is placed on electrical hazard recognition and OSHA inspection procedures. Hands-on training is provided using various types of electrical test equipment. (5 days)

#*311 Fall Arrest Systems.* This course provides an overview of state-of-the-art technology for fall protection and current OSHA requirements. Topics covered include the principles of fall protection, the components of fall arrest systems, the limitations of fall arrest equipment, and OSHA policies regarding fall protection. Course features a one-day field exercise demonstrating fall protection equipment. (4 days)

#*500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry.* This course is designed for personnel in the private sector interested in teaching the 10- and 30-hour construction safety and health outreach program to their employees and other interested groups. Special emphasis is placed on those topics that are required in the 10- and 30-hour programs as well as on those that are the most hazardous, using OSHA standards as a guide. Course participants are briefed on effective instructional approaches and the effective use of visual aids and handouts. This course allows the student to become a trainer in the Outreach Program and to conduct both a 10- and 30-hour construction safety and health course and to issue cards to participants verifying course completion. (5 days)

#*501 Trainer Course in Occupational Safety and Health Standards for General Industry.* This course designed for private sector personnel presents detailed information on how the provisions of the OSH Act may be implemented in the workplace. Rights and responsibilities under the OSH Act, the appeals process, and recordkeeping are covered. The course also includes an introduction to OSHA's general industry standards and an overview of the

requirements of the more frequently referenced standards. This course allows the student to become a trainer in the Outreach Program and to conduct both a 10- and 30-hour general industry course and issue cards to participants verifying course completion. (5 days)

#*502 Update for Construction Industry Outreach Trainers.* This course is designed for personnel in the private sector who have completed #500 Trainer Course in Occupational Safety and Health Standards for the Construction Industry and who are active trainers in the outreach program. It provides an update on such topics as OSHA construction standards, policies, and regulations. (3 days)

#*503 Update for General Industry Outreach Trainers.* This course is designed for private sector personnel who have completed course #501 Trainer Course in Occupational Safety and Health Standards for General Industry and who are active trainers in the outreach program. It provides an update on OSHA general industry standards and OSHA policies. (3 days)

#*510 Occupational Safety and Health Standards for the Construction Industry.* This course for private sector personnel covers OSHA policies, procedures, and standards, as well as construction safety and health principles. Topics include scope and application of the OSHA construction standards. Special emphasis is placed on those areas that are the most hazardous, using OSHA standards as a guide. Upon successful course completion, the student will receive an OSHA construction safety and health 30-hour course completion card. (5 days)

#*511 Occupational Safety and Health Standards for General Industry.* This course for private sector personnel covers OSHA policies, procedures, and standards, as well as general industry safety and health principles. Topics include scope and application of the OSHA general industry standards. Special emphasis is placed on those areas that are the most hazardous, using OSHA standards as a guide. Upon successful course completion, the student will receive an OSHA general industry safety and health 30-hour course completion card. (5 days)

#*521 OSHA Guide to Industrial Hygiene.* This course for private sector personnel covers industrial hygiene practices and related OSHA regulations and procedures. Topics include permissible exposure limits, OSHA health standards, respiratory protection, engineering controls, hazard communication, OSHA sampling procedures and strategy, workplace health program elements, and other industrial hygiene topics. Course highlights include workshops in health hazard recognition, OSHA health standards, and a safety and health program workshop. (5 days)

#*600 Collateral Duty Course for Other Federal Agencies.* This course introduces Federal agency collateral duty (part-time) safety and health personnel to the OSH Act, Executive Order 12196, 29 CFR part 1960, and 29 CFR part 1910. It enables them to recognize basic safety and health hazards in their own workplaces and to effectively assist agency safety and health officers in their inspection and abatement efforts. The course features a mock inspection of a government facility. (5 days)

[FR Doc. 02–4173 Filed 2–20–02; 8:45 am]
BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

1. *The title of the information collection:* Registration Certificate—*in vitro* Testing with Byproduct Material Under General License.

2. *Current OMB approval number:* 3150–0038.

3. *How often the collection is required:* There is a one-time submittal of information to receive a validated copy of NRC Form 483 with an assigned registration number. In addition, any changes in the information reported on NRC Form 483 must be reported in writing to the Commission within 30 days after the effective date of such change.

4. *Who is required or asked to report:* Any physician, veterinarian in the practice of veterinary medicine, clinical laboratory or hospital which desires a general license to receive, acquire, possess, transfer, or use specified units of byproduct material in certain *in vitro* clinical or laboratory tests.

5. *The number of annual respondents:* 364 (104 NRC licensees and 260 Agreement State licensees).

6. *The number of hours needed annually to complete the requirement or request:* 42 hours.

7. *Abstract:* Section 31.11 of 10 CFR establishes a general license authorizing any physician, clinical laboratory, veterinarian in the practice of veterinary medicine, or hospital to possess certain small quantities of byproduct material for *in vitro* clinical or laboratory tests not involving the internal or external administration of the byproduct material or the radiation therefrom to human beings or animals. Possession of byproduct material under 10 CFR 31.11 is not authorized until the physician, clinical laboratory, veterinarian in the practice of veterinary medicine, or hospital has filed NRC Form 483 and received from the Commission a validated copy of NRC Form 483 with a registration number.

Submit, by April 22, 2002, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, MD. OMB clearance requests are available at the NRC worldwide web site *(http://www.nrc.gov/NRC/PUBLIC/OMB/index.html).* The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T–6 E 6, Washington, DC 20555–0001, by telephone at (301) 415–7233, or by Internet electronic mail at *INFOCOLLECTS@NRC.GOV.*

Dated at Rockville, Maryland, this 14th day of February 2002.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–4191 Filed 2–20–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on March 7–9, 2002, in Conference Room T–2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, November 26, 2001 (66 FR 59034).

Thursday, March 7, 2002

8:30 A.M.—8:35 A.M.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.—10:30 A.M.: Clinton Nuclear Power Station Core Power Uprate (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the AmerGen Energy Company regarding the license amendment request to increase the core thermal power level for the Clinton Nuclear Power Station, Unit 1 and the associated NRC staff's Safety Evaluation Report (SER).

Note: A portion of this session may be closed to discuss GE Nuclear Energy proprietary information.

10:50 A.M.—12:15 P.M.: Proposed NEI 00–04, ''Option 2 Implementation Guideline,'' for Risk-Informing the Special Treatment Requirements of 10 CFR Part 50 (Open)—The Committee will hear presentations by and hold discussions with representatives of the Nuclear Energy Institute (NEI) and the NRC staff regarding proposed industry guidance in NEI 00–04 and related matters.

1:15 P.M.—3:15 P.M.: Arkansas Nuclear One, Unit 2 Core Power Uprate (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Entergy Operations, Inc. regarding the license amendment request to increase the core thermal power level for Arkansas Nuclear One, Unit 2 and the associated NRC staff's SER.

Note: A portion of this session may be closed to discuss Westinghouse proprietary information.

3:35 P.M.—7:00 P.M.: Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, March 8, 2002

8:30 A.M.—8:35 A.M.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.—10:30 A.M.: Phase 2 Pre-Application Review of the AP1000 Design (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Westinghouse regarding the results of the NRC staff's Phase 2 pre-application review of the AP1000 design.

Note: A portion of this session may be closed to discuss Westinghouse proprietary information.

10:45 A.M.—11:45 A.M.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.

11:45—12:00 Noon.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

1:00 P.M.—7:00 P.M.: Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports.

Saturday, March 9, 2002

8:30 A.M.—12:30 P.M.: Proposed ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

12:30 P.M.—1:00 P.M.: Miscellaneous (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 3, 2001 (66 FR 50462). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Dr. Sher Bahadur, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting Dr. Sher Bahadur prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Dr. Sher Bahadur if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) Public Law 92–463, I have determined that it is necessary to close portions of this meeting noted above to discuss proprietary information per 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting Dr. Sher Bahadur (telephone 301–415–0138), between 7:30 a.m. and 4:15 p.m., EST.

ACRS meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at *pdr@nrc.gov*, or by calling the PDR at 1–800–397–4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at *http://www.nrc.gov/NRC/ADAMS/index.html.*

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m., EST, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: February 14, 2002.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 02–4190 Filed 2–20–02; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 11Ab2–1 and Form SIP, SEC File No. 270–23, OMB Control No. 3235–0043.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities

and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 11Ab2–1 (Form of Application and Amendments) and Form SIP establish the procedures by which a Securities Information Processor (''SIP'') files and amends its SIP registration form. The information filed with the Commission pursuant to Rule 11Ab2–1 and Form SIP is designed to provide the Commission with the information necessary to make the required findings under the Securities Exchange Act of 1934 (''Act'') before granting the SIP's application for registration. In addition, the requirement that a SIP file an amendment to correct any inaccurate information is designed to assure that the Commission has current, accurate information with respect to the SIP. This information is also made available to members of the public.

Only exclusive SIPs are required to register with the Commission. An exclusive SIP is a SIP that engages on an exclusive basis on behalf of any national securities exchange or registered securities association, or any national securities exchange or registered securities association which engages on an exclusive basis on its own behalf, in collecting, processing, or preparing for distribution or publication, any information with respect to (i) transactions or quotations on or effective or made by means of any facility of such exchange or (ii) quotations distributed or published by means of any electronic quotation system operated by such association. The Federal securities laws require that before the commission may approve the registration of an exclusive SIP, it must make certain mandatory findings. It takes a SIP applicant approximately 400 hours to prepare documents which include sufficient information to enable the Commission to make those findings. Currently, there are only two exclusive SIPs registered with the Commission: The Securities Information Automation Corporation (''SIAC'') and The Nasdaq Stock Market, Inc. (''Nasdaq''). SIAC and Nasdaq are required to keep the information on file with the Commission current, which entails filing a form SIP annually to update information. Accordingly, the annual reporting and recordkeeping burden for Rule 11Ab2–1 and Form SIP is 400 hours. This annual reporting and recordkeeping burden does not include the burden hours or cost of amending a Form SIP because the Commission has already overstated the compliance burdens by assuming that the Commission will receive one initial registration pursuant to Rule 11Ab2–1 on Form SIP a year.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, N.W. Washington, DC 20549.

Dated: February 13, 2002.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4168 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45438; File No. SR–GSCC–2002–01]

Self-Regulatory Organizations; Government Securities Clearing Corporation; Notice of Filing of Proposed Rule Change to Establish a Cross-Margining Program With BrokerTec Clearing Company, L.L.C.

February 13, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on January 18, 2002, the Government Securities Clearing Corporation (''GSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by GSCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

[1] 15 U.S.C. 78s(b)(1).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

GSCC is seeking to establish a cross-margining program with BrokerTec Clearing Company, L.L.C. (''BCC'').

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, GSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. GSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On August 19, 1999, the Commission approved GSCC's proposed rule filing to establish a cross-margining program with other clearing organizations and to begin its program with the New York Clearing Corporation (''NYCC''). The GSCC-NYCC cross-margining program was implemented on February 25, 2000.[3] GSCC subsequently submitted a rule filing to the Commission to establish a similar cross-margining program with the Chicago Mercantile Exchange (''CME''). That program was approved on May 11, 2001.[4] On January 25, 2002, the Commission approved a cross-margining program between GSCC and the Board of Trade Clearing Corporation (''BOTCC'').[5] GSCC is now seeking to establish a similar cross-margining program with BCC.

BCC is the affiliated clearing organization for futures transactions

[2] The Commission has modified the text of the summaries prepared by GSCC.

[3] Securities Exchange Act Release No. 41766 (August 19, 1999), 64 FR 46737 (August 26, 1999) [File No. SR–GSCC–98–04]. The requisite rule changes necessary for GSCC to engage in cross-margining programs with other clearing organizations were made in the NYCC cross-margining rule filing.

[4] Securities Exchange Act Release No. 44301 (May 11, 2001), 66 FR 28207 (May 22, 2001) [File No. SR–GSCC–00–13]. In addition to approving GSCC's cross-margining program with the CME, the order granted approval to change GSCC Rule 22, Section 4, to clarify that before GSCC credits an insolvent member for any profit realized on the liquidation of the member's final net settlement positions, GSCC will fulfill its obligations with respect to that member under cross-margining agreements.

[5] Securities Exchange Act Release No. 45335 (January 25, 2002), 67 FR 4768 (January 31, 2001) [File No. SR–GSCC–2001–03].

executed on BrokerTec Futures Exchange, L.L.C. (''BTEX''). On June 18, 2001, the Commodities Futures Trading Commission approved the application of BTEX for contract market designation and approved registration of BCC as a derivatives clearing organization. BCC currently clears futures contracts on U.S. Treasury securities traded on BTEX.[6] It is expected that, in the future, BTEX intends to offer trading in other U.S. fixed-income futures contracts and options on futures contracts traded on BTEX. BCC will provide clearing services for these products.

A. GSCC's Cross-Margining Program

GSCC believes that the most efficient and appropriate approach for establishing cross-margining links for fixed-income and other interest rate products is to do so on a multilateral basis with GSCC as the ''hub.'' Each clearing organization that participates in a cross-margining program with GSCC (''Participating CO'') enters into a separate cross-margining agreement between itself and GSCC, as in the case of NYCC, CME, BOTCC, and now proposed for BCC. Each of the agreements do and will continue to have similar terms, and no preference will be given by GSCC to one Participating CO over another. Under GSCC's arrangement, cross-margining occurs between GSCC and each Participating CO and not between Participating COs.

Cross-margining is available to any GSCC netting member (with the exception of inter-dealer broker netting members) that is or that has an affiliate that is a member of a Participating CO. Any such member (or pair of affiliated members) may elect to have its margin requirements at both clearing organizations calculated based upon the net risk of its cash and repo positions at GSCC and its offsetting and correlated positions in certain futures contracts carried at the Participating CO. Cross-margining is intended to lower the cross-margining member's (or pair of affiliated members'') overall margin requirement, as inter-market hedges are taken into consideration in the margining process. The GSCC member (and its affiliate, if applicable) sign an agreement under which it (or they) agree to be bound by the cross-margining agreement between GSCC and the Participating CO and which allows GSCC or the Participating CO to apply the member's (or its affiliate's) margin collateral to satisfy any obligation of GSCC to the Participating CO or the Participating CO to GSCC that results from a default of the member (or its affiliate).

Margining based on the combined net risk of correlated positions is based on an arrangement under which GSCC and each Participating CO agree to accept the offsetting correlated positions in lieu of supporting collateral. Under this arrangement, each clearing organization holds and manages its own positions and collateral and independently determines the amount of margin that it will collect from its member and that it will make available for cross-margining. This available margin is referred to as the ''residual margin amount.'' [7]

GSCC computes the amount by which the cross-margining member's margin requirement can be reduced at each clearing organization by comparing the member's positions and the related margin requirements at GSCC against those submitted to GSCC by each Participating CO. This reduction amount is referred to as the ''cross margin reduction.'' GSCC offsets each cross-margining member's residual margin amount (based on related positions) at GSCC against the offsetting residual margin amounts of the member (or its affiliate) at each Participating CO. If, within a given pair of offset classes, the margin that GSCC has available for a participant is greater than the combined margin submitted by the Participating COs, GSCC will allocate a portion of its margin equal to the combined margin at the Participating COs. If, within a given pair of offset classes, the combined margin submitted by the Participating COs is greater than the margin that GSCC has available for that member, GSCC will first allocate its margin to the Participating CO with the most highly correlated position. If, within a given pair of offset classes, the positions are equally correlated, GSCC will allocate pro rata based upon the residual margin amount submitted by each Participating CO. GSCC and each Participating CO may then reduce the amount of collateral that they collect to reflect the offsets between the cross-margining member's positions at GSCC and its (or its affiliate's) positions at the Participating CO(s).[8] In the event of the default and liquidation of a cross-margining participant, the loss sharing between GSCC and each of the Participating COs will be based upon the foregoing allocations and the cross-margin reduction.

GSCC will guarantee the cross-margining member's (or its affiliate's) performance to each Participating CO up to a specified maximum amount based on the loss sharing formula contained in the Cross-Margining Agreement. Each Participating CO will provide the same guaranty to GSCC. The amount of the guarantee is the lowest of: (1) The cross-margin loss of the worse off party; (2) the higher of the cross-margin reduction or the cross-margin gain of the better off party; (3) the amount required to equalize the parties' cross-margin results; or (4) the amount by which the cross-margining reduction exceeds the better off party's cross-margin loss if both parties have cross-margin losses.

B. Information Specific to the Current Agreement Between GSCC and BCC

1. *Participation in the cross-margining program:* Any netting member of GSCC other than an inter-dealer broker will be eligible to participate.[9] Any clearing member of BCC will be eligible to participate.[10]

2. *Products subject to cross-margining:* The products that will be eligible for the GSCC–BCC cross-margining program are the Treasury and non-mortgage-backed Agency securities of certain remaining maturities that fall into GSCC's Offset Classes A through G and a through g as defined in the cross-margining agreement that are cleared by GSCC and the 2-year Note, 5-year Note, 10-year Note, and the 30-year Bond futures contracts cleared by BCC.[11] In addition, it is anticipated that the GSCC products specified above will be cross-margined with the 5-year and 10-year Agency futures and options on futures when these products are traded on the BTEX and cleared by BCC.[12] All eligible positions maintained by a cross-margining member in its account at GSCC and in its (or its affiliate's) proprietary account at BCC will be

[6] Currently, BTEX offers trading in futures contracts on the 5-year Note, 10-year Note, and 30-year Bond.

[7] The residual margin amount is the long margin amount or the short margin amount in each offset class that is available for cross-margining after all internal offsets are conducted within and between offset classes at a particular clearing organization.

[8] GSCC and each Participating CO unilaterally have the right not to reduce a member's margin requirement by the cross-margin reduction or to reduce it by less than the cross-margin reduction. However, the clearing organizations may not reduce a participant's margin requirement by more than the cross-margin reduction.

[9] Because inter-dealer brokers should not and generally do not have positions at GSCC at the end of the day, they should have no margin requirement to be reduced.

[10] The GSCC–BCC cross-margining agreement requires ownership of 50 percent or more of the common stock of an entity to be deemed ''control'' of that entity for purposes of the definition of ''affiliate.''

[11] GCF Repo products will not be included in the program.

[12] GSCC will notify the Commission when additional securities are added to the cross-margining program.

eligible for cross-margining.[13] An appropriate disallowance factor[14] based on correlation studies and a minimum margin factor[15] will be applied.[16]

3. *Margin Rates:* Margin reductions in the GSCC–BCC cross-margining program will always be computed based on the lower of GSCC's and BCC's margin rates. This methodology results in potentially less benefits to the members but ensures a more conservative result (*i.e.,* more collateral held at the clearing organization) for both GSCC and the Participating COs.

4. *Daily Procedures:* On each business day, it is expected that BCC will inform GSCC of the residual margin amounts it is making available for cross-margining by approximately 10:30 p.m. New York time. GSCC will inform BCC by approximately 12:30 a.m. New York time of how much of these residual margin amounts it will use (*i.e.,* the cross-margining reduction). The actual reductions which may be no greater than the cross-margining reduction, will be reflected in the daily clearing fund calculation.

C. Benefits of Cross-Margining

GSCC believes that its cross-margining program enhances the safety and soundness of the settlement process for the Government securities marketplace by: (1) Providing clearing organizations with more data concerning members' intermarket positions (which is especially valuable during stressed market conditions) to enable them to make more accurate decisions regarding the true risk of such positions to the clearing organizations; (2) allowing for enhanced sharing of collateral resources; and (3) encouraging coordinated liquidation processes for a joint member, or a member and its affiliate, in the event of an insolvency. GSCC further believes that cross-margining benefits participating clearing members by providing members with the opportunity to more efficiently use their collateral. More important from a regulatory perspective, however, is that cross-margining programs have long been recognized as enhancing the safety and soundness of the clearing system itself. Studies of the October 1987 market break gave support to the concept of cross-margining. For example, The Report of the President's Task Force on Market Mechanisms (January 1988) noted that the absence of a cross-margining system for futures and securities options markets contributed to payment strains in October 1987. The Interim Report of the President's Working Group on Financial Markets (May 1988) also recommended that the SEC and CFTC facilitate cross-margining programs among clearing organizations. This resulted in the first cross-margining arrangement between clearing organizations which was approved in 1988.[17]

GSCC believes that the proposed rule change is consistent with the requirements of Section 17A of the Act[18] and the rules and regulations thereunder applicable to GSCC because it will provide members with significant benefits such as greater liquidity and more efficient use of collateral in a prudent manner and will enhance GSCC's overall risk management process.

(B) Self-Regulatory Organization's Statement on Burden on Competition

GSCC does not believe that the proposed rule change will have any impact or impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not yet been solicited or received. GSCC will notify the Commission of any written comments received by GSCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of GSCC.

All submissions should refer to File No. SR–GSCC–2002–01 and should be submitted by March 8, 2002.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[19]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4170 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[13] The GSCC–BCC cross-margining program will be applicable, on the futures side, only to positions in a proprietary account of a cross-margining member (or its affiliate) at BCC. Positions in a customer account at BCC that would be subject to segregation requirements under the Commodity Exchange Act will not be included in the program. This is also the case with respect to the arrangements with NYCC, CME, and BOTCC.

[14] The disallowance factor is the haircut reflective of the correlation analysis done by GSCC for each offset class.

[15] The minimum margin factor is the contractually agreed upon cap on the amount of the margin reduction that the clearing organizations will allow. (In some of the documents submitted by GSCC, the minimum margin factor is referred to as the minimum disallowance factor.) Initially, the GSCC–BCC cross-margining program will employ a 25% minimum margin factor. Should GSCC decide to change the minimum margin factor, it will submit a proposed rule filing under Section 19(b) of the Act.

[16] GSCC will review the cross-margining parameters on a yearly basis unless market events dictate the need for more frequent reviews.

[17] Securities Exchange Act Release No. 26153 (October 3, 1988), 53 FR 39567 (October 7, 1988) [File No. SR–OCC–86–17] (order approving cross-margining program between OCC and The Intermarket Clearing Corporation).

[18] 15 U.S.C. 78q–1.

[19] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45444; File No. SR–NASD–2002–17]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Expand Program for Sharing Market Data Revenue With NASD Members, Reduce Charge for Automated Give-Up Trade Reports, and Delete Fee Schedule for the ReSource Service

February 14, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on February 5, 2002, the National Association of Securities Dealers, Inc. (''NASD'' or ''Association''), through its subsidiary, The Nasdaq Stock Market, Inc. (''Nasdaq''), filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

This is a proposed rule change to: (1) Expand Nasdaq's program for sharing market data revenue with NASD members; (2) reduce the charge for automated give-up (''AGU'') trade reports submitted to Nasdaq's Automated Confirmation Transaction Service (''ACT''); and (3) delete the fee schedule for the ReSource Service, a service that Nasdaq had proposed to assist NASD member market centers in meeting their reporting obligations under Rule 11Ac1–5,[1] but that Nasdaq has decided not to offer. Pursuant to Section 19(b)(3)(A)(ii) of the Act [2] and Rule 19b-4(f)(2) thereunder,[3] Nasdaq has designated this proposal as one establishing or changing a due, fee, or other charge imposed by a self-regulatory organization, and therefore the proposed rule change is effective upon filing as applied to NASD members. Nasdaq implemented the rule change as of February 11, 2002. The text of the proposed rule change is set forth below. Proposed new language is *italicized;* proposed deletions are in brackets.

* * * * *

7010. System Services

(a) (1) No change.

(2) Market Data Revenue Sharing

(A) For a pilot period [commencing on February 1, 2002 and] lasting until October 31, 2002, NASD members shall receive a market data revenue sharing credit. The total credit shall be calculated in accordance with the following formula:

Credit=(0.[6]*80*) × (Eligible Revenue) × (Member's Volume Percentage)

(B) Definitions. The following definitions shall apply to this Rule:

(i) ''Eligible Revenue'' shall mean:

a. the portion of the net distributable revenues that Nasdaq, through the NASD, is eligible to receive under the Nasdaq UTP Plan, that is attributed to the Nasdaq Level 1 Service for Eligible Securities, minus

b. the portion of the fee charged to Nasdaq by NASD Regulation, Inc. for regulatory services allocated to the Nasdaq Level 1 Service for Eligible Securities.

(ii) ''Eligible Securities'' shall mean all Nasdaq National Market securities and any other security that meets the definition of ''Eligible Security'' in the Nasdaq UTP Plan.

(iii) ''Member's Volume Percentage'' shall mean the average of:

a. the percentage derived from dividing the total number of trades in Eligible Securities [conducted on non-Nasdaq transaction systems] that the member reports in accordance with NASD trade reporting rules to the Automated Confirmation Transaction Service (''ACT'') by the total number of trades in Eligible Securities reported to ACT by NASD members, and

b. the percentage derived from dividing the total number of shares represented by trades in Eligible Securities [conducted on non-Nasdaq transaction systems] that the member reports in accordance with NASD trade reporting rules to ACT by the total number of shares represented by all trades in Eligible Securities reported to ACT by NASD members.

(iv) ''Nasdaq UTP Plan'' shall mean the Joint Self-Regulatory Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis.

(b)—(f) No change.

(g) Automated Confirmation Transaction Service.

The following charges shall be paid by the participant for use of the Automated Confirmation Transaction Service (ACT):

Transaction Related Charges:

Comparison—$0.0144/side per 100 shares (minimum 400 shares; maximum 7,500 shares)
Automated Give-Up—$[0.01]*0.029*/side [per 100 shares (minimum 400 shares; maximum 7,500 shares)]
Late Report—T+N—$0.288/side
Browse/query—$0.288/query *
Terminal fee—$57.00/month (ACT only terminals)
CTCI fee—$575.00/month
Nasdaq ACT—$300/month (full functionality) or $150/month (up to an average of twenty transactions per day each month) **
Trade reporting—$0.029/side (applicable only to reportable transaction not subject to trade comparison through ACT) ***
Risk Management Charges[:]—$0.035/side and $17.25/month per correspondent firm (maximum $10,000/month per correspondent firm)
Corrective Transaction[:]—$0.25/Cancel, Error, Inhibit, Kill, or ''No'' portion of
Charge—No/Was transaction, paid by reporting side; $0.25/Break, Decline transaction, paid by each party[;]

(h)—(p) No change.

[(q) Nasdaq ReSource SM Service]

[(1)(A) Subscribers to the Nasdaq ReSource SM Service shall be charged an Activation Fee and an Annual Subscription Fee, both of which generally will vary depending upon a subscriber's trading volume, as measured in accordance with paragraphs (B) through (D) below, and corresponding tier classification as follows:]

[Tier	Average monthly trade volume]
[1	500,000 or greater]
[2	100,000–499,999]
[3	10,000–99,999]
[4	5,000–9,999]
[5	1,000–4,999]
[6	500–999]
[7	0–499]

* Each ACT query incurs the $0.288 fee; however, the first accept or decline processed for a transaction is free, to insure that no more than $0.288 is charged per comparison. Subsequent queries for more data on the same security will also be processed free. Any subsequent query on a different security will incur the $0.288 query charge.

** For the purposes of this service only, a transaction is defined as an original trade entry, either on trade date or as-of transactions per month.

*** The trade reporting service charge is applicable to those trades input into ACT for reporting purposes only, such as NSCC Qualified Special Representative reports and reports of internalized transactions.

[1] 17 CFR 240.11Ac1–5.

[2] 15 U.S.C. 78s(b)(3)(A)(ii).

[3] 17 CFR 240.19b–4(f)(2).

[(B) During the first year of the Resource SM Service (i.e., August 2001 through July 2002) Nasdaq will assign subscribers to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, for the period from September 1, 2000, through February 28, 2001, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(C) Members that subscribe to the Resource SM Service other than at the beginning of a ''Subscription Year,'' as the term is defined below, will be assigned to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, during the six month period preceding the date of their subscription, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(D) Beginning in July of 2002, and on an annual basis thereafter, Nasdaq will review each subscriber's average monthly trading volume and assign the subscriber to one of the tiers listed in paragraph (A) above based on their average monthly trading volume reported to the tape, during the preceding six month period, in Nasdaq National Market securities for which the subscriber is registered as a market maker.]

[(2)(A) Activation Fees and Annual Subscription Fees shall be as follows:]

[Tier	Activation Fee	Annual Subscription Fee]
[1	$3,000	$35,000]
[2	3,000	30,000]
[3	2,000	20,000]
[4	1,000	10,000]
[5	1,000	7,500]
[6	1,000	5,000]
[7	1,000	2,500]

[(B) The Activation Fee shall be billed after execution of the Addendum to Nasdaq Workstation II Subscriber Agreement for Nasdaq Resource SM (''Agreement'').]

[(C) The Annual Subscription Fee shall be charged after execution of the Agreement, and at the beginning of each Subscription Year thereafter. A ''Subscription Year'' shall mean a 12-month period from August 1st to July 31st. The Annual Subscription Fee will be pro-rated on a monthly basis for those firms that subscribe to the Service other than at the beginning of a Subscription Year. Nasdaq will offer no refunds of the Annual Subscription Fee.]

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of and basis for the proposed rule change and discussed comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth below in Sections A, B, and C, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On December 27, 2001, Nasdaq filed a proposed rule change to implement a mechanism for market data revenue sharing.[4] Nasdaq is now proposing amendments to these rules that will have the effect of providing additional market data revenue sharing. In addition, Nasdaq is proposing to lower the charge for AGU trade reports submitted to ACT. Finally, as a ''housekeeping'' matter, Nasdaq is deleting Rule 7010(q), which contains fees for a proposed service that Nasdaq has decided not to offer.

Market Data Revenue Sharing

Under its market data revenue sharing program, which went into effect on February 1, 2002, Nasdaq shares with NASD members a portion of the market data revenue that it receives, through the NASD, under the Joint Self-Regulatory Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis (the ''Nasdaq UTP Plan'' or the ''Plan''). Under the Plan, Nasdaq, through the NASD as a Plan participant, receives a share of market data revenues distributed by the Plan's securities information processor, based on reported trades attributable to Nasdaq under the Plan. Nasdaq, in turn, makes a portion of the revenue that it receives available to the members whose trade reporting activity generated the revenue. Under the revenue sharing program that went into effect on February 1, Nasdaq shares market data revenue solely on the basis of trades that were not effected through a Nasdaq transaction system, such as internalized trades, but that are reported to ACT. Nasdaq is now proposing to expand the credit to share a portion of the revenue associated with trades executed through Nasdaq transaction systems, such as SuperSOES and SelectNet.

Under the current program, a member's credit for non-Nasdaq transaction system trades was set at 60% of the net Level 1 revenue attributable to the member's reports of non-Nasdaq transaction system trades in securities covered by the Plan (''Eligible Securities''), with the pool of sharable revenue being comprised of Level 1 revenues distributable to Nasdaq under the Nasdaq UTP Plan minus an allocated portion of the NASDR regulation fee, and the member's non-Nasdaq transaction system trade report activity being measured by total number of trades and share volume. Nasdaq is now proposing to share on the basis of all trades that are reported to ACT and to increase the percentage of the pool of revenue shared to 80%.[5]

The original formula focused on the reporting of non-Nasdaq transaction system trades, such as internalized trades, because Nasdaq expects that members will have increasingly greater options to report such trades to UTP Exchanges in the future. In order to continue to provide an attractive environment for the reporting of these trades, Nasdaq concluded that it is appropriate to share a portion of the data revenue associated with these trades with members that report them to Nasdaq. Although all Nasdaq transaction system trades are automatically reported to Nasdaq through ACT, Nasdaq also faces competition for trade executions. Accordingly, Nasdaq believes that it is also appropriate to share a portion of the market data revenue associated with system trades, as a means of lowering the overall costs incurred by members to execute transactions through Nasdaq systems.

Automated Give-Up Fee

ACT is the Nasdaq system used by members to report and compare trades for clearance and settlement, and transmit trade reports for regulatory purposes and public dissemination. In a ''give-up'' arrangement, a member reports or accepts a trade in ACT on behalf of another member by identifying in the ACT screen give-up box the member on whose behalf the trade is being reported or accepted. The

[4] *See* Securities Exchange Act Release No. 45342 (Jan. 28, 2002), 67 FR 5109 (Feb. 1, 2002) (SR–NASD–2001–96).

[5] Nasdaq represents that it may file a proposed rule change with the Commission to increase this percentage further, as warranted by market conditions.

Automated Give-Up (''AGU'') feature allows a broker to enter and lock-in a trade when it is responsible for both sides of the trade. This occurs when two of its ''give-ups'' trade with each other or the broker trades with one of its own give-up firms. Without AGU, the broker would be required to submit an entry for one side and either accept the trade or submit an entry for the other side. By using AGU, the broker avoids the need to accept the trade or submit the second entry. Accordingly, use of AGU substantially reduces the use of Nasdaq system resources. The fee for AGU reports is currently $0.01 per side per 100 shares, with a minimum of 400 shares and a maximum of 7,500 shares (*i.e.,* $0.04 to $0.75 per side). In an effort to encourage greater use of ACT, Nasdaq is reducing the fee to a flat $0.029 per side, the same fee that is charged for ACT's basic trade report, and is eliminating the minimum and maximum restrictions.

Nasdaq ReSource *SM* Service

As a ''housekeeping'' matter, Nasdaq is deleting Rule 7010(q), which contains fees for the Nasdaq Resource SM Service, a service that Nasdaq had proposed to assist NASD member market centers in meeting their reporting obligations under SEC Rule 11Ac1–5,[6] but that Nasdaq has decided not to offer.

Nasdaq believes that the proposed rule change is consistent with the Act, including Section 15A(b)(5) of the Act,[7] which requires that the rules of the NASD provide for the equitable allocation of reasonable fees, dues, and other charges among members and issuers and other persons using any facility or system which the NASD operates or controls, and Section 15A(b)(6) of the Act,[8] which requires rules that are not designed to permit unfair discrimination between customers, issuers, brokers or dealers. Nasdaq believes that the fee reduction and revenue sharing credit increase implemented by this filing are allocated in an equitable fashion and will result in lower charges for members.

B. Self-Regulatory Organization's Statement on Burden on Competition

Nasdaq believes that the proposed rule change will not result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received on the proposed rule change contained in this filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [9] and subparagraph (f) of Rule 19b–4,[10] thereunder because it establishes or changes a due, fee or other charge imposed by the self-regulatory organization. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to file number SR–NASD–2002–17 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[11]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4172 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[6] 17 CFR 240.11Ac1–5.

[7] 15 U.S.C. 78*o*–3(b)(5).

[8] 15 U.S.C. 78*o*–3(b)(6).

[9] 15 U.S.C. 78s(b)(3)(A)(ii).

[10] 17 CFR 240.19b–4(f).

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45440; File No. SR–PHLX–2001–109]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Clarifying the Applicability of Phlx Rule 606 to Tethered Communication Devices

February 13, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1], and Rule 19b–4 thereunder,[2] notice is hereby given that on December 20, 2001, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Phlx. The Phlx submitted an amendment to the proposed rule change on February 7, 2002.[3] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx proposes to add new Supplementary Material .03 to Phlx Rule 606 (Wire and Other Connections, Communications and Equipment) to clarify that the rule and relevant policies apply to users of all communication and other electronic devices on the floors of the Exchange, including, but not limited to, tethered [4] as well as, wireless, wired, voice, and

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* letter from Jurij Trypupenko, Esquire, Phlx, to Sharon M. Lawson, Senior Special Counsel, Division of Market Regulation, Commission, dated February 6, 2002 (''Amendment No. 1''). Amendment No. 1 deletes the second sentence of proposed Supplementary Material .03 to Phlx Rule 606.

[4] A tether is a hardwire connection to an existing Exchange communication network. It augments the current wireless network on the options floor and allows users to connect their handheld devices to the existing Exchange communication network and thereby interface with member firm communication networks.

data devices. The proposed amendment to Phlx Rule 606 is proposed in conjunction with the Exchange's installation of tether connections and imposition of initial and monthly fees on the users of such tethers, namely registered options traders and floor brokers (but not specialists) on the options trading floor.[5]

The proposed rule change is set forth below. Additions are in italics.

Rule 606. Wire and Other Connections Rule Communications and Equipment

(a) No member or member organization shall establish or maintain any private wire connection, private radio, television or wireless system, between the Exchange Trading Floor and a non-member without application to and approval by the Committee.

* * * * *

Supplementary Material:

* * * * *

.03 This rule and any relevant Exchange policy are intended to apply to all communication and other electronic devices on the floor of the Exchange, including, but not limited to, wireless, wired, tethered, voice, and data.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Due to increases in bandwidth demands and the use of applications by traders, namely on the options floor, that are not designed to effectively operate on the Exchange's shared wireless network, the Exchange installed tether connections on its options floor. As a result, traders have a choice of how they access the Exchange's local area network (''LAN'') in order to receive and transmit non-trading data through hardwired tether connections or wireless connections. The Exchange believes that traders should be subject to consistent rules and disciplinary processes regardless of what type of access to the LAN or communication device they choose. Accordingly, the Exchange proposes to add new Supplementary Material .03 to its Rule 606 (Communications and Equipment) to clarify that the rule and relevant policies apply to users of all communication and other electronic devices on the floors of the Exchange, including, but not limited to, tethered as well as wireless, wired, voice, and data devices.

2. Statutory Basis

The Exchange believes that the proposed rule change, as amended, is consistent with Section 6(b) of the Act[6] in general, and furthers the objectives of Section 6(b)(5)[7] in particular, in that it is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and protect investors and the public interest by clarifying the applicability of the Exchange rules, and the disciplinary process thereunder, to member users of tethered communication devices on the options floor.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change, as amended, will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate,[8] provided that the Exchange has given the Commission written notice of its intention to file the proposed rule change at least five days prior to the date of filing, or such shorter time as designated by the Commission,[9] it has become effective pursuant to Section 19(b)(3)(A) of the Act[10] and Rule 19b–4(f)(6)[11] thereunder. At any time within 60 days of the filing of Amendment No. 1 to the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The Commission believes that it is consistent with the protection of investors and the public interest and therefore finds good cause to waive the 5 day pre-filing requirement and to designate the proposal to become immediately operative upon filing. Waiver of the 5 day requirement and acceleration of the operative date will further clarify without undue delay the applicability of Phlx Rule 606 to various types of communications devices, including those connected via tethers. For these reasons, the Commission finds good cause to waive the 5 day pre-filing requirement and to designate that the proposal become operative immediately upon filing.[12]

II. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference

[5] *See* Securities Exchange Act Release No. 44963 (October 19, 2001), 66 FR 64317 (October 26, 2001) (SR–Phlx–2001–84). Footnote 6 notes that the restrictions of Exchange Rule 606 and any other rules applicable to communications apply to all communications via tethers, and that the Exchange intends to propose a clarifying amendment to Rule 606.

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] The Exchange requested the Commission to waive the 30 day operative period.

[9] The Exchange requested, and the Commission agreed, to waive the five day pre-filing requirement

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19–4(f)(6).

[12] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx–2001–109 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[13]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4169 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–45443; File No. SR–Phlx–2001–103]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change and Amendment Nos. 1 and 2 Thereto by the Philadelphia Stock Exchange, Inc., to Amend Phlx Rule 229 to Allow Specialists to Establish a Proprietary Specialized Quote Feed Connection to the PACE System

February 14, 2002.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4[2] thereunder, notice is hereby given that on December 21, 2001, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. On January 16, 2002, the Phlx amended the proposal.[3] The Phlx again amended the proposal on February 12, 2002.[4] The Phlx filed the proposal pursuant to Section 19(b)(3)(A) of the Act[5] and Rule 19b–4(f)(5)[6] thereunder as a proposal effecting a change in an existing order-entry or trading system, rendering the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Phlx proposes to amend Phlx Rule 229, Philadelphia Stock Exchange Automated Communication and Execution System (PACE),[7] by adopting Supplementary Material .22, to provide specialists with the ability to establish a special proprietary connection to the PACE workstation called a Specialized Quote Feed (''SQF''). The proprietary connection, which is voluntary, would provide specialists on the Exchange's Equity Floor with an electronic interface that would allow specialists to price equity securities with their own quoting models. The ability to use the SQF is subject to the Exchange's prior approval. The text of the proposed rule change is below. Additions are in italics.

Rule 229. Philadelphia Stock Exchange Automated Communication and Execution System (PACE)

* * * * *

.22. In addition to the quoting capability in the Exchange's PACE workstation, a specialist may establish a special connection to price equity securities, which is known as a Specialized Quote Feed.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to provide specialists on the Exchange's Equity Floor with the ability to interface with PACE via a proprietary connection (an SQF) that would enable Exchange equity specialists to price equity securities with their own pricing models, subject to the Exchange's prior approval. Such approval would be required by the Exchange's Floor Procedure Committee, which has supervision over all connections or means of communication with the equity trading floor.[8]

The Exchange believes that the proposed rule change should enable Exchange specialists to provide their own stock quotations using their own proprietary systems. The Phlx believes that such proprietary systems should permit equity specialist units to price securities more precisely, and pursuant to their own business models. For instance, some specialist units may consider prices of related futures products when calculating a bid or offer for a security such as an Exchange Traded Fund (''ETF'') product.[9] The Exchange would continue to make available its quotation model on the PACE workstation, which only considers the price of the individual security in its quotation calculation. The Exchange believes that the SQF would make equity quotations disseminated by the Exchange more efficient.

2. Statutory Basis

The Phlx believes the proposed rule change is consistent with Section 6 of the Act[10] in general, and with Section 6(b)(5) of the Act[11] specifically, in that it is designed to perfect the mechanisms of a free and open market and the national market system, protect

[13] 7 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* January 15, 2002 letter from Richard S. Rudolph, Counsel, Phlx, to Joseph P. Morra, Special Counsel, Division of Market Regulation (''Division''), SEC (''Amendment No. 1''). In Amendment No. 1, the Phlx clarified the rationale behind offering specialists a voluntary alternative interface with the Philadelphia Stock Exchange Automated Communication and Execution System (PACE) that would allow them to deploy their own pricing models as an alternative to the PACE model.

[4] *See* February 11, 2002 letter from Richard S. Rudolph, Counsel, Phlx, to Nancy Sanow, Assistant Director, Division, SEC (''Amendment No. 2''). In Amendment No. 2, the Phlx deleted the phrase ''subject to Exchange approval'' from the proposed rule text, and clarified that the requirement of the Floor Procedure Committee approval set forth in Phlx Rule 444, Wire Connections Between Exchange and Members' Offices, applies to Specialized Quote Feed users on the Phlx's Equity Trading Floor. For purposes of calculating the 60-day abrogation period, the Commission considers the 60-day abrogation period to have commenced on February 12, 2002, the date on which the Phlx filed Amendment No. 2.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(5).

[7] PACE is the Exchange's automated order routing, delivery, execution and reporting system for the equity trading floor. PACE includes a system for the automatic execution of orders on the Exchange equity floor under predetermined conditions. Orders accepted under the system may be executed on a fully automated or manual basis in accordance with the provisions of Exchange Rule 229. Securities admitted to dealings on the equity floor are eligible for trading on the PACE System in which equity specialists and member organizations may choose to participate.

[8] *See* Exchange By-Law Article X, Section 10–16.

[9] The price of an ETF product is based on a number of factors. Although the Exchange offers its specialists a pricing system through PACE, specialists may wish to use their own proprietary pricing models that include their own calculations concerning the variables underlying the pricing of ETFs. For this reason, the Phlx has decided to provide specialists, on a voluntary basis, with an interface with PACE, or an SQF, that would allow them to deploy their own pricing models as an alternative to the PACE model. *See* Amendment No. 1.

[10] 15 U.S.C. 78f.

[11] 15 U.S.C. 78f(b)(5).

investors and the public interest and promote just and equitable principles of trade by providing Exchange equity specialists with an electronic interface that will allow them to provide their own proprietary quotations.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change would impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is effective upon filing pursuant to Section 19(b)(3)(A) of the Act,[12] and Rule 19b–4(f)(5) [13] thereunder, in that it effects a change in an existing order-entry or trading system of a self-regulatory organization that does not: (1) Significantly affect the protection of investors or the public interest, (2) impose any significant burden on competition, or (3) have the effect of limiting the access to or availability of the system.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exhange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filings will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR–Phlx–2001–103 and should be submitted by March 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[14]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02–4171 Filed 2–20–02; 8:45 am]

BILLING CODE 8010–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(5).

[14] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3394]

State of Oklahoma

Amendment #1

In accordance with information received from the Federal Emergency Management Agency, dated February 11, 2002, the above numbered declaration is hereby amended to establish the incident period for this disaster as beginning on January 30, 2002, and continuing through February 11, 2002.

All other information remains the same, i.e., the deadline for filing applications for economic injury is November 1, 2002.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: February 13, 2002.

Herbert L. Mitchell,

Associate Administrator for Disaster Assistance.

[FR Doc. 02–4104 Filed 2–20–02; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice No. 3886]

Advisory Committee on Historical Diplomatic Documentation; Notice of Meeting

The Advisory Committee on Historical Diplomatic Documentation will meet in the Department of State, 2201 ''C'' Street NW, Washington, DC, March 4–5, 2002, in Conference Room 1105. Prior notification and a valid photo are mandatory for entrance into the building. One week before the meeting, members of the public planning to attend must notify Gloria Walker, Office of the Historian (202–663–1124) to provide relevant dates of birth, Social Security numbers, and telephone numbers.

The Committee will meet in open session from 1:30 p.m. through 3:00 p.m. on Monday, March 4, 2002, to discuss declassification and transfer of Department of State electronic records to the National Archives and Records Administration and the modernization of the *Foreign Relations* series. The remainder of the Committee's sessions from 3:15 p.m. until 4:30 p.m. on Monday, March 4, 2002, and 9:00 a.m. until 1:00 p.m. on Tuesday, March 5, 2002, will be closed in accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92–463). The agenda calls for discussions of agency declassification decisions concerning the *Foreign Relations* series. These are matters not subject to public disclosure under 5 U.S.C. 552b(c)(1) and the public interest requires that such activities be withheld from disclosure.

Questions concerning the meeting should be directed to Marc J. Susser, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC, 20520, telephone (202) 663–1123, (e-mail: *history@state.gov*).

Dated: February 11, 2002.

Marc J. Susser,

Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State.

[FR Doc. 02–4167 Filed 2–20–02; 8:45 am]

BILLING CODE 4710–11–P

DEPARTMENT OF STATE

[Public Notice 3882]

Overseas Security Advisory Council (OSAC); Meeting Notice: Closed Meeting

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on March 5 and 6, in Ponte Vedra Beach, Florida. Pursuant to section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b[c] [1] and [4], it has been determined the meeting will be closed to the public. Matters relative to classified national security information as well as privileged commercial information will be discussed. The agenda will include updated committee reports, a world threat overview and a round table discussion that calls for the discussion of classified and corporate proprietary/security information as well as private sector physical and

procedural security policies and protective programs at sensitive U.S. Government and private sector locations overseas.

For more information contact Marsha Thurman, Overseas Security Advisory Council, Department of State, Washington, DC 20522–1003, phone: 202–663–0533.

Dated: January 29, 2002.

Peter E. Bergin,

Director of the Diplomatic Security Service, Department of State.

[FR Doc. 02–4166 Filed 2–20–02; 8:45 am]

BILLING CODE 4710–24–P

UNITED STATES TRADE REPRESENTATIVE

Notice of Meeting of the Industry Sector Advisory Committee on Small and Minority Business (ISAC–14)

AGENCY: Office of the Untied States Trade Representative.

ACTION: Notice of an opened meeting.

SUMMARY: The Industry Sector Advisory Committee on Small and Minority Business (ISAC–14) will hold a meeting on March 6, 2002, from 2 p.m. to 4 p.m. The meeting will be opened to the public from 2 p.m. to 4 p.m.

DATES: The meeting is scheduled for March 6, 2002, unless otherwise notified.

ADDRESSES: The meeting will be held in Conference Room 2015B of the Department of Commerce, located at 14th Street and Constitution Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Pam Wilbur or Kelly Parsons (principal contacts), at (202) 482–4792, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230 or myself on (202) 395–6120.

SUPPLEMENTARY INFORMATION: During the meeting the agenda items to be addressed will be:

- A vote on Chairman Jon Weinstein's letter to Secretary Evans discussing TPA legislation;
- Report on the results of the June OECD meeting of the SME Working Party;
- Preparations for the upcoming APEC SME Ministerial in Mexico;
- Input for WTO negotiators; and
- Possible cooperation with Canadian advisory groups.

Christina Sevilla,

Acting Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Liaison.

[FR Doc. 02–4188 Filed 2–20–02; 8:45 am]

BILLING CODE 3190–01–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Procurement Thresholds for Implementation of Trade Agreements Act

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of procurement thresholds under the WTO Government Procurement Agreement and Chapter 10 of the North American Free Trade Agreement.

SUMMARY: Executive Order 12260 requires the U.S. Trade Representative to set the U.S. dollar thresholds for application of Title III of the Trade Agreements Act of 1979 (19 U.S.C. 2511 *et seq.*), which implements U.S. obligations under the World Trade Organization Government Procurement Agreement (GPA) and Chapter 10 of the North American Free Trade Agreement (NAFTA). These obligations apply to covered procurements valued at or above the specified U.S. dollar thresholds. The U.S. Trade Representative has determined that, for the calendar years 2002–2003, the thresholds are as follows:

I. WTO Government Procurement Agreement

A. Central Government Entities Listed in U.S. Annex 1

(1) Procurement of goods and services—$169,000.

B. Sub-Central Government Entities Listed in U.S. Annex 2

(1) Procurement of goods and services—$460,000.
(2) Procurement of construction services—$6,481,000.

C. Other Entities Listed in U.S. Annex 3

(1) Procurement of goods and services—$518,000.
(2) Procurement of construction services—$6,481,000.

II. Chapter 10 of the NAFTA

A. Federal Government Entities Listed in the U.S. Schedule to Annex 1001.1a–1

(1) Procurement of goods and services—$56,190.
(2) Procurement of construction services—$7,304,733.

B. Government Enterprises Listed in the U.S. Schedule to Annex 1001.1a–2

(1) Procurement of goods and services—$280,951.
(2) Procurement of construction services—$8,990,862.

FOR FURTHER INFORMATION CONTACT: Questions relating to the implementation of NAFTA Chapter 10 may be directed to Karissa Kovner, USTR Director for International Procurement Negotiations (202/395–3063), Office of the U.S. Trade Representative, 600 Seventeenth Street, NW, Washington, DC 20508.

Carmen Suro-Bredie,

Chairman, Trade Policy Staff Committee.

[FR Doc. 02–4120 Filed 2–20–02; 8:45 am]

BILLING CODE 3190–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Submission Deadline for International Slots For the Winter 2002/2003 Scheduling Season

AGENCY: Department of Transportation, FAA.

ACTION: Notice of submission deadline.

SUMMARY: On October 1, 1999, the FAA amended the regulations governing takeoff and landing slots and slot allocation procedures at certain High Density Traffic Airports as a result of the ''Open Transborder'' Agreement between the Government of the United States and the Government of Canada. One element of this final rule established that the deadline for submission of requests for international slots will be published in a Federal Register notice for each scheduling season. The purpose of the amendment is for the FAA deadline for international slot requests to coincide with the International Air Transport Association deadline for submission of international requests. For the Winter 2002/2003 Scheduling Season, the IATA submission deadline is May 12, 2002, which falls on a Sunday. Therefore, the FAA announces in this notice that the deadline for submitting requests for international slots for allocation under 14 CFR 93.217 is May 13, 2002.

DATES: Requests for international slots must be submitted no later than May 13, 2002.

ADDRESSES: Requests may be submitted by mail to Slot Administration Office, AGC–220, Office of the Chief Counsel, 800 Independence Ave., SW., Washington, DC 20591; facsimile: 202–267–7668; ARINC:DCAYAXD; e-mail address: 7–AWA–*slotadmin@faa.gov.*

FOR FURTHER INFORMATION CONTACT: Lorelei Peter, Operations and Air Traffic Law Branch, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW.,

Washington, DC 20591; telephone number: 202–267–3073.

Issued in Washington, DC on February 15, 2002,

David G. Leitch,

Chief Counsel.

[FR Doc. 02–4203 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 194: Air Traffic Management (ATM) Data Link Implementation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 194 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 194: Air Traffic Management (ATM) Data Link Implementation.

DATES: The meeting will be held March 4–6, 2002, starting at 1 pm on March 4 and at 9 am on March 5 and 6.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Washington, DC 20036; telephone (202) 833–9339; fax (202) 833–9434; Web site *http://www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 194 meeting. The agenda will include:

- March 4:
- Opening Plenary Session (Welcome and Introductory Remarks, Review Agenda, Review/Approve Minutes of Previous Meeting, Working Group Reports)
- Review and Update revised Controller-Pilot Data Link Communication (CPDLC) Program
- Determine need for proposed changes, if any, to SC–194 Terms of Reference
- Determine near and mid-term SC–194 activities
- Other Business
- March 5:
- Working Group 1, Data Link Ops Concepts and Implementation Plan
- Working Group 2, Flight Operations and Air Traffic Management (ATM) Integration
- Working Group 3, Human Factors
- Working Group 4, Service Provider Interface
- March 6:
- Working Group 1, Data Link Ops Concept & Implementation Plan
- Working Group 2, Flight Operations and ATM Integration
- Working Group 3, Human Factors
- Disposition of Final Review and Comments (FRAC) on DO–XXX Plans and Principles for the Implementation of Aeronautical Data Link System (ADLS) Build II (Spiral A)
- Closing Plenary Session (Review Agenda, Working Group Reports, Other Business, Date and Place of Next Meeting)

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 14, 2002.

Janice L. Peters,

FAA Special Assistant, RTCA Advisory Committee.

[FR Doc. 02–4200 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 197: Rechargeable and Starting Batteries

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 197 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 197: Rechargeable and Starting Batteries.

DATES: The meeting will be held March 12, 2002, starting at 9 a.m.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Washington, DC 20036; telephone (202) 833–9339; fax (202) 833–9434; Web site *http//www.rtca.org.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 197 meeting. The agenda will include:

- March 12
- Opening Session (Welcome and Introductory Remarks, Review of Agenda)
- Review of RTCS and Federal Advisory Committee Procedures
- Review of FAA Aircraft Battery Requirements
- Review of SC–197 Terms of Reference
- Identify Goals; Develop Work Program; Examine Milestone
- Determine and Assign Tasks; Establish Interim Milestone
- Closing Session (Establish Agenda For Next Meeting, Date and Place of Next Meeting)

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 14, 2002.

Janice L. Peters,

FAA Special Assistant, RTCA Advisory Committee.

[FR Doc. 02–4201 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In December 2001, there were four applications approved. Additionally, eight approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals 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). This notice is published pursuant to paragraph d of § 158.29.

PFC Applications Approved

Public Agency: Fort Dodge Airport Commission, Fort Dodge, Iowa.

Application Number: 01–03–C–00–FOD.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved in this Decision: $284,903.

Earliest Charge Effective Date: January 1, 2002.

Estimated Charge Expiration Date: April 1, 2008.

Class of Air Carriers Not Required to Collect PFC's: Those air carriers operating under part 135 air taxi/commercial operators filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Fort Dodge Regional Airport.

Brief Description of Projects Approved for Collection and Use:

Reconstruct taxiways A and C.

Runway protection zone land, acquisition and relocation.

Decision Date: December 3, 2001.

FOR FURTHER INFORMATION CONTACT: Lorna Sandridge, Central Region Airports Division, (816) 329–2641.

Public Agency: Great Falls International Airport Authority, Great Falls, Montana.

Application Number: 01–03–C–00–GTF.

Application Type: Impose and use a PFC.

PFC Level: $4.50.

Total PFC Revenue Approved in This Decision: $8,481,340.

Earliest Charge Effective Date: July 1, 2002.

Estimated Charge Expiration Date: September 1, 2018.

Class of Air Carriers Not Required to Collect PFC'S: On demand non-scheduled air taxi/commercial operators filing FAA Form 1800–31.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Great Falls International Airport.

Brief Description of Projects Approved for Collection and Use:

Pavement condition index survey and drainage study.

Snow removal equipment.

Planning studies.

Mobility impaired loading device.

Brief Description of Projects Partially Approved for Collection and Use:

Design and construct cargo apron.

Determination: Partially approved. The approved amount represents basic design costs only. The proposed development costs were not approved because this project is not shown on the currently approved *airport layout plan* an thus do not meet the requirements of § 158.25(c)(1)(ii)(A).

Airport drainage.

Determination: Partially approved. All work except the detention pond is approved. The detention ponds are not shown on the currently approved *airport layout plan* and thus do not meet the requirements of § 158.25(c)(1)(ii)(A).

Decision Date: December 20, 2001.

FOR FURTHER INFORMATION CONTACT: David P. Gabbert, Helena Airports District Office, (406) 449–5271.

Public Agency: Port of Pasco, Pasco, Washington.

Application Number: 01–04–C–00–PSC.

Application Type: Impose and use of PFC

PFC Level: $4.50.

Total PFC Revenue Approved in This Decision: $1,059,136.

Earliest Charge Effective Date: December 1, 2002.

Estimated Charge Expiration Date: April 1, 2004.

Class of Air Carriers Not Required to Collect PFC's: None.

Brief Description of Projects Approved for Collection and use:

Snow removal equipment.

Navigation aids.

Runway safety area improvements.

Security access control system.

Runway reconstruction.

Decision Date: December 20, 2001.

FOR FURTHER INFORMATION CONTACT: Suzanne Lee-Pang, Seattle Airports District Office, (425) 227–2654.

Public Agency: City of Cleveland, Ohio.

Application Number: 01–08–C–00–CLE.

Application Type: Impose and use of PFC.

PFC Level: $3.00.

Total PFC Revenue Approved in This Decision: $82,106,000.

Earliest Charge Effective Date: November 1, 2003.

Estimated Charge Expiration Date: December 1, 2007.

Class of Air Carriers Not Required to Collect PFC's: Air taxis.

Determination: Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less then 1 percent of the total annual enplanements at Cleveland Hopkins International Airport.

Brief Description of Projects Approved for Collection and use: Runway 6L/23R (formerly 5L/23R).

Decision Date: December 28, 2001.

FOR FURTHER INFORMATION CONTACT: Arlene B. Draper, Detroit Airports District Office, (734) 487–7282.

AMENDMENTS TO PFC APPROVALS

Amendment No. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
98–03–C–02–TLH, Tallahassee, FL.	11/8/01	$6,012,047	$6,848,703	04/01/02	10/01/02
00–04–C–01–DLH, Duluth, MN.	12/03/01	577,702	651,295	02/01/02	04/01/02
*98–01–C–01–MHK, Manhattan, KS.	12/07/01	401,978	401,978	01/01/04	04/01/05
*99–01–C–01–HGR, Hagerstown, MD.	12/07/01	360,000	308,867	11/01/03	01/01/04
*99–06–C–02–CLE, Cleveland, OH.	12/13/01	100,101,915	100,101,915	10/01/04	11/01/03
*93–03–C–02–BPT, Beaumont, TX.	12/13/01	1,607,764	1,966,490	12/01/03	03/01/05
*00–02–C–02–SWF, Newburgh, NY.	12/20/01	6,308,000	6,308,000	02/01/05	08/01/05
*99–02–C–01–RST, Rochester, MN.	12/21/01	3,912,987	4,771,743	12/01/09	07/01/07

Note: The amendments denoted by an asterisk (*) include a change to the PCF level charged from $3.00 per enplaned passenger to $4.50 per enplaned passenger. For Manhattan, KS, Hagerstown, MD, Rochester, MN, Newburgh, NY, Cleveland, OH and Beaumont, TX, this change is effective on March 1, 2002.

Issued in Washington, DC, on January 30, 2002.

Barry Molar,

Manager, Airports Financial Assistance Division.

[FR Doc. 02–4202 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement Number PS–ACE100–2002–002]

Proposed Issuance of Policy Statement, Installation Approval of Multi-Function Displays Using the Approved Model List (AML) Supplemental Type Certification (STC) Process

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of policy statement; request for comments.

SUMMARY: This document proposes to encourage use of the Approved Model List (AML) Supplemental Type Certification (STC) Process for installation approval of multi-function displays (MFD's).

DATES: Comments sent must be received by April 22, 2002.

ADDRESSES: Send all comments on this proposed policy statement to the individual identified under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Barry Ballenger, Aerospace Engineer, FAA, Small Airplane Directorate, Standards Office, ACE–110, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4152; facsimile: (816) 329–4149; e-mail: <barry.ballenger@faa.gov>.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on the proposed policy?

We invite your comments on this proposed policy statement PS–ACE100–2002–002. You may send whatever written data, views, or arguments you choose. We will consider all comments received by the closing date. We may change proposed policy statement because of the comments received.

Please send comments to the individual identified under **FOR FURTHER INFORMATION CONTACT.** Comments sent using the Internet must contain ''Comments to Policy Statement Number PS–ACE100–2002–002'' in the subject line. Commenters should format in Microsoft Word 97 or ASCII any file attachments that are sent using the Internet.

Send comments using the following format:

—Organize comments issue-by-issue. For example, discuss a comment about the analysis and a comment about speed limits as two separate issues.

—For each issue, state what specific change you are requesting to the proposed policy memorandum.

—Include justification (for example, reasons or data) for each request.

If sending your comments using the Internet will cause you extreme hardship, you may send comments using the U.S. Mail, overnight delivery, or facsimile machine. You should mark your comments, ''Comments to Policy Statement PS-ACE100–2002–002'' and send two copies to the above address in the section **FOR FURTHER INFORMATION CONTACT.**

What would be the general effect of this proposed policy?

The FAA is presenting this information as a set of guidelines suitable for use. However, we do not intend for this proposed policy to become a binding norm; it does not form a new regulation, and the FAA would not apply or rely on it as a regulation.

The FAA Aircraft Certification Offices (ACO's) and Flight Standards District Offices (FSDO's) that certify changes in type design and approve alterations in normal, utility, and acrobatic category airplanes should try to follow this policy when appropriate. In addition, as with all advisory material, this statement of policy identifies one means, but not the only means, of compliance.

Because this proposed general statement of policy only announces what the FAA seeks to establish as policy to encourage use, the FAA considers it an issue for which public comment is appropriate. Therefore, the FAA requests comments on the following proposed general statement of policy relevant to use of the AML STC process for installation approval of MFD's.

Discussion

You may download a copy from the FAA web site at <http://www.faa.gov/certification/aircraft/small _airplane_ directorate_news_proposed.html>, or request a copy by contacting the person named above under **FOR FURTHER INFORMATION CONTACT.**

This proposed policy statement does not introduce new policy or regulation but provides a compilation of existing regulation, guidance and procedures in the application of the AML STC process for certification projects. This policy focuses on the use of the AML STC for installation of MFD's in Civil Air Regulations (CAR) 3 or of the Federal Aviation Regulations (14 CFR) part 23 airplanes or sailplanes, balloons, or airships operating under part 91, and/or part 135 rules. The AML STC process may be used whenever the ACO and applicant agree that it is appropriate. The AML STC process may also be effective for a certification project of an aircraft under another certification basis. The applicant should coordinate with the appropriate ACO for final determination.

Issued in Kansas City, Missouri, on February 11, 2002.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02–4197 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Supplemental Draft Environmental Impact Statement; Duval County, FL

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Supplemental Draft Environmental Impact Statement (SDEIS) will be prepared for a proposed highway project in Duval County, Florida concerning the Branan Field/Chaffee Road extension and realignment.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Williams, Transportation Engineer, Federal Highway Administration, 227 N Bronough Street, Room 2015, Tallahassee, Florida 32301–2015; Telephone: (850) 942–9650 extension 3038.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Florida Department of Transportation will prepare a SDEIS to improve Branan Field/Chaffee Road in Duval County. The proposed reconstruction would involve extending and realigning Branan Field/Chaffee Road from 103rd Street to Interstate 10, and the construction of a new interchange at I–10. The study corridor is 6.1 km (3.8 miles) long. The proposed improvements are considered necessary to provide for projected traffic demands.

Alternatives under consideration include: (1) taking no action; and (2) a new four lane alignment between 103rd Street and I–10 located west of Chaffee

Road, connecting to I–10 with a new interchange.

Coordination with appropriate Federal, State, and local agencies, and private organizations and citizens who have expressed interest in this proposal has been undertaken and will continue. A series of public meetings have been held and additional meetings are planned for the future in Duval County. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The Draft SEIS will be made available for public and agency review and comment. An interagency coordination meeting was held June 29, 2000. There are no plans to holding a formal scoping meeting.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the DSEIS should be directed to the FHWA at the above address.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: February 12, 2002.

J. Chris Richter,

Director of Engineering and Operations, Tallahassee, Florida.

[FR Doc. 02–4008 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioners arguments in favor of relief.

Little Kanawah River Rail

[Docket Number FRA–2001–9717]

The Little Kanawha River Rail (LKRR) located at 400 Buckeye Street, Parkersburg, West Virginia 26101, seeks a waiver of compliance for one locomotive, specifically, one 1955 SW–1200 GM Electro-Motive Division model, from certain provisions of the Safety Glazing Standards, 49 CFR 223.11 (Requirements for existing locomotives). The current glazing installed in the locomotive has no identifying marks. The LKRR states that they operate on 1¾ miles of level track at speeds not exceeding 10 miles per hour as a yard type system. The LKRR interchanges directly with CSXT and is a shortline operation which moves cars only for loading and unloading of CSX railcars.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number 2001–9717) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL–401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at *http://dms.dot.gov.*

Issued in Washington, DC, on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator, for Safety Standards and Program Development.

[FR Doc. 02–4195 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. App. 26, the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket No. FRA–2001–11370]

Applicant: Burlington Northern and Santa Fe Railway, Mr. William G. Peterson, Director Signal Engineering, 4515 Kansas Avenue, Kansas City, Kansas 66106.

Burlington Northern and Santa Fe Railway (BNSF) seeks approval of the proposed removal of Interlocking Signals over Crescent Bridge at Rock Island, Illinois, on the Illinois Division, Barstow Subdivision, LS 7, M.P. 253.89. The proposed changes consist of the following:

1. *Remove Interlocking at Crescent Bridge.*

The reason given for the proposed changes is that this bridge was acquired by the BNSF when it took over operation of this industry track from the DRI&NW. The bridge is very old and utilizes un-conventional bridge alignment detection circuitry that does not meet current requirements for bridge interlocking signals. BNSF does not believe that the level of train operation justifies the massive capital expenditures required to bring the bridge interlocking equipment to current standards.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the Protestant in the proceeding. The original and two copies of the protest shall be filed with the Associate Administrator for Safety, FRA, 400 Seventh Street, SW, Mail Stop 25, Washington, DC 20590 within 45 calendar days of the date of publication of this notice. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4193 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket Number FRA–2001–11368]

Applicants: Norfolk Southern Corporation, Mr. Brian L. Sykes, Chief Engineer C&S Engineering, 99 Spring Street, SW., Atlanta, Georgia 30303. National Railroad Passenger Corporation, Mr. Gary Reinoehl, Senior Director of Contract Management, 60 Massachusetts Avenue, NE., Washington, DC 20002.

Norfolk Southern Corporation (NS) and the National Railroad Passenger Corporation (Amtrak) jointly seek approval of the proposed discontinuance and removal of the power switches and restricting signals on the depot tracks in Toledo, Ohio, at CP–287; M.P. CD–287.9. The proposed changes consist of removal of Signals 4EA, 4EB, 4EC, 4ED, 4W and Power Switches 1, 2, and 3.

The reason given for the proposed changes is that the switches and signals proposed to be removed are primarily used to allow Amtrak to switch in the depot. By removing the power switches and signals, Amtrak would be able to make their switching moves without contacting the NS Dearborn dispatcher, thus reducing radio traffic as well.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at *http://dms.dot.gov.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4196 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

[Docket Number FRA–2001–11369]

Applicant: Union Pacific Railroad Company, Mr. Phil M. Abaray, Chief Engineer—Signals, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179–1000.

Union Pacific Railroad Company seeks approval of the proposed removal of two controlled signals; an approach ''D'' signal, two power-operated derails and interlocking signal circuitry at the Missouri River turntable bridge located at St. Joseph, Missouri, M.P. 0.30 on the St. Joseph Industrial Lead, on the Falls City Subdivision, Kansas City Area. The proposed changes consist of the following:

1. Two controlled signals, L8 and R4, an approach ''D'' signal, 8D, two power-operated derails, and interlocking signal circuitry will be retired.

2. Two power-operated rail locks will be converted to manual with hand-throw stands.

3. Signals will be replaced by stop signs placed braking distance from each end of the rotating span of the bridge and facing approaching train traffic.

4. Trains using the bridge will be governed by special instructions.

5. Electrical span turning mechanism and powered wedge locks with associated control panel will be left in place.

The reason given for the proposed changes is due to removal of a bridge, ending the line at M.P. 42.1, the former branch line no longer carries significant traffic. The bridge is presently used less than once every three months for a train moving cars to or from storage tracks at Elwood, M.P. 1.5 on the St. Joseph Industrial lead.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PI–401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590–0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at *http://dms.dot.gov.*

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC on February 14, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02–4194 Filed 2–20–02; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Customs Service

Notice of Cancellation of Customs Broker License

AGENCY: Customs Service, Department of the Treasury.

ACTION: General notice.

SUMMARY: Pursuant to section 641 of the Tariff Act of 1930, as amended, (19 USC 1641) and the Customs Regulations (19 CFR 111.51), the following Customs broker license is canceled without prejudice.

Name	License No.	Port name
Kamden International Shipping, Inc	11431	New York

Dated: February 14, 2002.

Bonni G. Tischler,

Assistant Commissioner, Office of Field Operations.

[FR Doc. 02–4124 Filed 2–13–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Customs Service

Notice of Availability of Draft Environmental Assessment for Public Review Concerning Proposed Construction of Advanced Training Center at Harpers Ferry, WV

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: The Customs Service is issuing this notice to announce the availability for public review and comment of a draft Environmental Assessment (EA) for the proposed construction of an advanced training center at Harpers Ferry, West Virginia. The training center will provide firearms and tactical training for Customs officers. The draft EA has been prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality Regulations for Implementing the NEPA, and Treasury Department requirements. Significant public comments will assist in the agency's evaluation of the proposed project and will be reflected in the final EA.

DATES: The draft Environmental Assessment will be available for public review from February 21, 2002, through March 25, 2002. Written comments must be received by March 25, 2002.

ADDRESSES: Written comments may be submitted to Mr. Lee Sullivan, Contracting Officer, c/o Harpers Ferry Project, U.S. Customs Service, 6026 Lakeside Blvd., Field Procurement Services Branch, Indianapolis, IN 46278. The draft Environmental Assessment will be available for public review at the following locations:

1. Bolivar-Harpers Ferry Library, 600 Polk St., Harpers Ferry, West Virginia 25425.

2. Old Charles Town Library, 200 East Washington St., Charles Town, West Virginia 25414.

3. U.S. Customs Service, National Place, Procurement Division, Room 1310, 1331 Pennsylvania Ave., NW., Washington, DC 20229.

FOR FURTHER INFORMATION CONTACT: Mr. Lee Sullivan at 317/298–1180 (ext. 1119) or at *lee.a.sullivan@customs.treas.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Customs Service, pursuant to the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (40 CFR parts 1500–1508), and Department of the Treasury Directive 75–02 (Department of the Treasury Environmental Quality Program), has prepared a draft Environmental Assessment (EA) related to the proposed construction of an advanced training center for Customs officers at Harpers Ferry, West Virginia. The proposed training center will expand Customs training capability and provide firearms and tactical training tailored to the unique roles, requirements, and environments in which Customs officers perform their mission.

The draft EA addresses various project alternatives, their potential impacts on the environment, and proposed methods to mitigate impacts. The draft EA document will be available for public review between February 21 and March 25, 2002, at the following locations: (1) Bolivar-Harpers Ferry Library, 600 Polk St., Harpers Ferry, West Virginia 25425; (2) Old Charles Town Library, 200 East Washington St., Charles Town, West Virginia 25414; and (3) U.S. Customs Service, National Place, Procurement Division (Mr. Jim Lieberman), Room 1310, 1331 Pennsylvania Ave., NW., Washington, DC 20229.

Significant comments received from the public and agencies during the review and comment period will be addressed in the final EA and included in an Appendix to the final EA. Should Customs determine, based on comments received and the information presented in the draft EA, that the design, new construction, and operation of the facility will not have a significant impact on the environment, Customs will prepare a Finding of No Significant Impact (FONSI) for publication in the **Federal Register** and in a newspaper in general circulation at the project location. Should Customs determine that significant environmental impacts exist due to the project, Customs will proceed with preparation of an Environmental Impact Statement as required under the NEPA, the Council on Environmental Quality Regulations for Implementing the NEPA, and the Department of the Treasury's environmental policies and procedures.

Dated: February 15, 2002.

Jo Ellen Cohen,

Acting Assistant Commissioner, Office of Finance.

[FR Doc. 02–4123 Filed 2–20–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Customs Service

Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of Customs duties. For the calendar quarter beginning January 1, 2002, the interest rates for overpayments will be 5 percent for corporations and 6 percent for non-corporations, and the interest rate for underpayments will be 6 percent. This notice is published for the convenience of the importing public and Customs personnel.

EFFECTIVE DATE: January 1, 2002.

FOR FURTHER INFORMATION CONTACT: Ronald Wyman, Accounting Services Division, Accounts Receivable Group,

6026 Lakeside Boulevard, Indianapolis, Indiana 46278, (317) 298–1200, extension 1349.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85–93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of Customs duties shall be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 was amended (at paragraph (a)(1)(B) by the Internal Revenue Service Restructuring and Reform Act of 1998, Public Law 105–206, 112 Stat. 685) to provide different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2001–63 (*see*, 2001–52 IRB 1, dated December 24, 2001), the IRS determined the rates of interest for the calendar quarter beginning January 1, 2002, and ending March 31, 2002. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (3%) plus three percentage points (3%) for a total of six percent (6%). For corporate overpayments, the rate is the Federal short-term rate (3%) plus two percentage points (2%) for a total of five percent (5%). For overpayments made by non-corporations, the rate is the Federal short-term rate (3%) plus three percentage points (3%) for a total of six percent (6%). These interest rates are subject to change for the calendar quarter beginning April 1, 2002, and ending June 30, 2002.

For the convenience of the importing public and Customs personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of Customs duties, is published in summary format.

Beginning date prior to	Ending date	Underpayments (percent)	Overpayments (percent)	Corporate overpayments (Eff. 1–1–99) (percent)
070174	063075	6	6	
070175	013176	9	9	
020176	013178	7	7	
020178	013180	6	6	
020180	013182	12	12	
020182	123182	20	20	
010183	063083	16	16	
070183	123184	11	11	
010185	063085	13	13	
070185	123185	11	11	
010186	063086	10	10	
070186	123186	9	9	
010187	093087	9	8	
100187	123187	10	9	
010188	033188	11	10	
040188	093088	10	9	
100188	033189	11	10	
040189	093089	12	11	
100189	033191	11	10	
040191	123191	10	9	
010192	033192	9	8	
040192	093092	8	7	
100192	063094	7	6	
070194	093094	8	7	
100194	033195	9	8	
040195	063095	10	9	
070195	033196	9	8	
040196	063096	8	7	
070196	033198	9	8	
040198	123198	8	7	
010199	033199	7	7	6
040199	033100	8	8	7
040100	033101	9	9	8
040101	063001	8	8	7
070101	123101	7	7	6
010102	033102	6	6	5

Dated: February 15, 2002.

Robert C. Bonner,

Commissioner of Customs.

[FR Doc. 02–4125 Filed 2–20–02; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Revenue Procedure 2002–16

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Revenue Procedure 2002–16, Optional Election to Make Monthly Section 706 Allocatons.

DATES: Written comments should be received on or before April 22, 2002, to be assured of consideration.

ADDRESSES: Direct all written comments to George Freeland, Internal Revenue Service, room 5575, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the Revenue Procedure should be directed to Carol Savage, (202) 622–3945, or through the Internet (*CAROL.A.SAVAGE@irs.gov.*), Internal Revenue Service, room 5242, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Optional Election to Make Monthly Section 706 Allocations.

OMB Number: 1545–1768.

Revenue Procedure Number: Revenue Procedure 2002–16.

Abstract: Revenue Procedure 2002–16 allows certain partnerships with money market fund partners to make an optional election to close the partnership's books on a monthly basis with respect to the money market fund partners.

Current Actions: There are no changes being made to the revenue procedure at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents/Recordkeepers: 1,000.

Estimated Average Time Per Respondent/Recordkeeper: 12 hours.

Estimated Total Annual Reporting/Recordkeeping Hours: 12,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 14, 2002.

George Freeland,

IRS Reports Clearance Officer.

[FR Doc. 02–4192 Filed 2–20–02; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0075]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to provide self-certified statements.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0075'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Statement in Support of Claim, VA Form 21–4138.

OMB Control Number: 2900–0075.

Type of Review: Extension of a currently approved collection.

Abstract: Claimants use VA Form 21–4138 to provide self-certified statements

that the information provided to VA is true and correct in support of various types of claims processed by the agency.

Affected Public: Individuals or households.

Estimated Annual Burden: 188,000 hours.

Estimated Average Burden Per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 752,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4129 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0503]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine continuing entitlement to Veterans Mortgage Life Insurance.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0503'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Veterans Mortgage Life Insurance—Change of Address Statement, VA Form 29–0563.

OMB Control Number: 2900–0503.

Type of Review: Extension of a currently approved collection.

Abstract: The form is used to inquire about a veteran's continued ownership of the property issued under Veterans Mortgage Life Insurance when an address change for the veteran is received. The information collected is used in determining whether continued Veterans Mortgage Life Insurance coverage is applicable since the law granting this insurance provides that coverage terminates if the veteran no longer owns the property.

Affected Public: Individuals or households.

Estimated Annual Burden: 20 hours.

Estimated Average Burden Per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 240.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4130 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0115]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine if marital relationship is established and benefits are payable in cases when common law marriage is claimed.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0115'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the

information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Supporting Statement Regarding Marriage, VA Form 21–4171.

OMB Control Number: 2900–0115.

Type of Review: Extension of a currently approved collection.

Abstract: The data collected is used to determine if a marital relationship has been established and benefits are payable based on a claim of common law marriage.

Affected Public: Individuals or households.

Estimated Annual Burden: 800 hours.

Estimated Average Burden Per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 2,400.

Dated: February 8, 2002.
By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4131 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0027]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on the information needed to determine a claimant's entitlement to accrued benefits withheld during a veteran's hospitalization or domiciliary care.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0027'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Public Law 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application for Accrued Benefits by Veteran's Surviving Spouse, Child, or Dependent Parent, (Prior Law Pension Due at the Veteran's Death Which Was Withheld From the Veteran's Payments During Hospitalization, Institutional or Domiciliary Care), VA Form 21–551.

OMB Control Number: 2900–0027.

Type of Review: Extension of a currently approved collection.

Abstract: VA Form 21–551 is used by a surviving spouse, child, children, or dependent parent in applying for lump sum payment of pension authorized but withheld from the veteran during hospital treatment, institutional, or domiciliary care. The information is used to determine a claimant's entitlement to such benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 33 hours.

Estimated Average Burden Per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 100.

Dated: February 8, 2002.
By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4132 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0270]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to help veteran-borrowers who are seriously delinquent on guaranteed or insured VA home loans.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0270'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites

comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Financial Counseling Statement, VA Form 26–8844.

OMB Control Number: 2900–0270.

Type of Review: Extension of a currently approved collection.

Abstract: The form is part of VA's supplemental servicing program for helping veteran-borrowers who are seriously delinquent on guaranteed or insured VA home loans. In VA's supplemental servicing effort, financial counseling is performed in appropriate cases to afford veteran-borrowers the maximum assistance possible to retain their homes during periods of temporary financial difficulty. The information collected is used by VA to make recommendations to the borrower in an effort to help the borrower cure the default status of the loan.

Affected Public: Individuals or households.

Estimated Annual Burden: 3,750 hours.

Estimated Average Burden Per Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 5,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4133 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0463]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information provided by veterans receiving military pay for Reserve and National Guard participation to waive either VA benefits or military pay and allowances.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before April 22, 2002.

ADDRESSES: Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420 or e-mail: *irmnkess@vba.va.gov.* Please refer to ''OMB Control No. 2900–0463'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C., 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Notice of Waiver of VA Compensation or Pension to Receive Military Pay and Allowances, VA Form 21–8951.

OMB Control Number: 2900–0463.

Type of Review: Extension of a currently approved collection.

Abstract: The data collected is information provided by veterans receiving military pay for Reserve and National Guard participation to waive either VA benefits or military pay and allowances.

Affected Public: Individuals or households.

Estimated Annual Burden: 700 hours.

Estimated Average Burden Per Respondent: 2 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 21,000.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4134 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0570]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0570.''

SUPPLEMENTARY INFORMATION:

Title: Generic Clearance for the Veterans Health Administration Customer Satisfaction Surveys.

OMB Control Number: 2900–0570.

Type of Review: Revision of a currently approved collection.

Abstract: Executive Order 12862, Setting Customer Service Standards,

requires Federal agencies and departments to identify and survey its customers to determine the kind and quality of services they want and their level of satisfaction with existing services. VHA uses customer surveys to gauge customer perceptions of VA services as well as customer expectations and desires. The results of these information collections lead to improvements in the quality of VHA service delivery by helping to shape the direction and focus of specific programs and services.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on December 10, 2001, on pages 63747–63748.

Affected Public: Individuals or households.

Listing of Survey Activities

I. Special Emphasis Programs

The following list of activities is a compendium of customer satisfaction survey plans by VHA. Different special emphasis programs will be surveyed annually; however, program selections have not been made for FYs 2002–2004. Burden hours for the out-years are based on FY 2001 estimates (Burden hours per respondent: 15 minutes).

Year	Number of respondents	Estimated annual burden	Frequency
2002	50,000	12,500 hours	Annually.
2003	50,000	12,500 hours	Annually.
2004	50,000	12,500 hours	Annually.

II. Local Facilities Surveys

Year	Number of respondents	Estimated annual burden	Frequency
2002	288,780	62,569 hours	One-time.
2003	288,780	62,569 hours	One-time.
2004	288,780	62,569 hours	One-time.

Most customer satisfaction surveys will be recurring so that VHA can create ongoing measures of performance and to determine how well the Agency meets customer service standards. Each collection of information will consist of the minimum amount of information necessary to determine customer needs and to evaluate VHA's performance. VHA expects to distribute written surveys with a total annual burden of approximately 75,069 hours in FYs 2002, 2003, and 2004 (Burden hours per respondent: 13 minutes).

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0570'' in any correspondence.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4126 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0128]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 8l0 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0128.''

SUPPLEMENTARY INFORMATION:

Titles: a. Notice of Lapse—Government Life Insurance, VA Form 29–389.

b. Application for Reinstatement, VA Form 29–389–1.

c. Notice of Past Due Payment, VA Form 29–389e.

OMB Control Number: 2900–0128.

Type of Review: Extension of a currently approved collection.

Abstract: The forms are used to inform veterans of their lapsed Government Life Insurance policy; application for reinstatement of insurance and notice of past due insurance payments.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 23, 2001, at pages 58781–58782.

Affected Public: Individuals or households.

Estimated Annual Burden: 4,943 hours.

a. VA Form 29–389–3,399 hours.

b. VA Form 29–389–1–1,060 hours.

c. VA Form 29–389e–484 hours.

Estimated Average Burden Per Respondent:

a. VA Form 29–389–12 minutes.

b. VA Form 29–389–1–10 minutes.

c. VA Form 29–389e–15 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 25,288.

a. VA Form 29–389–16,993.

b. VA Form 29–389–1–6,359.

c. VA Form 29–389e–1,936.

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0128'' in any correspondence.

Dated: February 7, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4127 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0605]

Agency Information Collection Activities Under OMB Review

AGENCY: Office of General Counsel, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Office of General Counsel (OGC), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before March 25, 2002.

FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT: Denise McLamb, Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273–8030, FAX (202) 273–5981 or e-mail: *denise.mclamb@mail.va.gov.* Please refer to ''OMB Control No. 2900–0605.''

SUPPLEMENTARY INFORMATION:

Title: Application for Accreditation as a Claims Agent, VA Form 21a.

OMB Control Number: 2900–0605.

Type of Review: Extension of a currently approved collection.

Abstract: Applicants for accreditation as claims agents to represent benefit claimants before VA are required to file VA Form 21a with VA Office of General Counsel to establish initial eligibility for accreditation. The information requested includes basic identifying information, information concerning past representation, military service, employment, criminal activity and mental health and is necessary to establish that statutory and regulatory eligibility requirement; e.g., good character and reputation are met. The form further ensures that VA has the information necessary to make decisions concerning an applicant's potential eligibility for accreditation as a claims agent.

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. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 8, 2001, at pages 56591 and 56592.

Affected Public: Individuals or households.

Estimated Annual Burden: 15 hours.

Estimated Average Burden Per Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 20.

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395–7316. Please refer to ''OMB Control No. 2900–0605'' in any correspondence.

Dated: February 8, 2002.

By direction of the Secretary.

Barbara H. Epps,

Management Analyst, Information Management Service.

[FR Doc. 02–4128 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Medical Research Service Merit Review Committee, Notice of Meetings

The Department of Veterans Affairs gives notice under the Federal Advisory Committee Act, 5 U.S.C. App., of the following meetings to be held from 8 a.m. to 5 p.m. as indicated below:

Subcommittee for	Date	Location
Surgery	March 18, 2002	Holiday Inn Central.
Mental Hlth & Behav Sciences	March 18–19, 2002	Holiday Inn Central.
Nephrology	March 19, 2002	Holiday Inn Central.
Cardiovascular Studies	March 21, 2002	Holiday Inn Central.
Alcoholism & Drug Dependence	March 22, 2002	Holiday Inn Central.
Epidemiology	March 22, 2002	1400 I St, NW, Ste 400.
Gastroenterology	March 25–26, 2002	Holiday Inn Central.
Endocrinology	April 4–5, 2002	Marriott Residence Inn.
Neurobiology-C	April 5, 2002	Holiday Inn Central.
Respiration	April 5, 2002	Holiday Inn Central.
General Medical Science	April 8–9, 2002	Holiday Inn Central.
Hematology	April 11, 2002	Holiday Inn Central.
Immunology & Dermatology	April 11, 2002	Holiday Inn Central.
Oncology	April 15–16, 2002	Marriott Residence Inn.
Aging and Clinical Geriatrics	April 19, 2002	1400 I St, NW, Ste 400.
Neurobiology-D	April 25–26,2002	Holiday Inn Central.
Infectious Diseases	April 29–30, 2002	Holiday Inn Central.
Medical Research Service Merit Review Committee	June 6, 2002	Marriott Residence Inn.

The addresses of the hotels are:

Holiday Inn Central Hotel, 1501 Rhode Island Avenue, NW, Washington, DC 20005

Marriott residence Inn Washington—Thomas Circle, 1199 Vermont Avenue, Washington, DC 20005

These subcommittee meetings are for the purpose of evaluating the scientific merit of research conducted in each specialty by Department of Veterans Affairs (VA) investigators working in VA Medical Centers and Clinics.

The subcommittee meetings will be open to the public for approximately one hour at the start of each meeting to discuss the general status of the program. The remaining portion of each subcommittee meeting will be closed to the public for the review, discussion, and evaluation of initial and renewal projects.

The closed portion of the meetings involves discussion, examination, reference to, and oral review of site visits, staff and consultant critiques of research protocols and similar documents. During this portion of the subcommittee meetings, discussion and recommendations will deal with qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, as well as research information, the premature disclosure of which could significantly frustrate implementation of proposed agency action regarding such research projects.

As provided by subsection 10(d) of Public Law 92–463, as amended by Public Law 94–409, closing portions of these subcommittee meetings is in accordance with 5 U.S.C., 552b(c)(6) and (9)(B). Those who plan to attend or would like to obtain a copy of minutes of the subcommittee meetings and rosters of the members of the subcommittees should contact LeRoy G. Frey, Ph.D., Chief, Program Review Division, Medical Research Service, Department of Veterans Affairs, Washington, DC, (202) 408–3630.

Dated: February 13, 2002.

Nora E. Egan,

Committee Management Officer.

[FR Doc. 02–4135 Filed 2–20–02; 8:45 am]

BILLING CODE 8320–01–M

Federal Register

Thursday,
February 21, 2002

Part II

Department of Health and Human Services

Administration for Children and Families

Request for Applications Under the Office of Community Services' Fiscal Year 2002 Job Opportunities for Low-Income Individuals (JOLI) Program; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. OCS–2002–06]

Request for Applications Under The Office of Community Services' Fiscal Year 2002 Job Opportunities for Low-income Individuals (JOLI) Program

AGENCY: Office of Community Services, Administration for Children and Families, Department of Health and Human Services.

ACTION: Announcement of availability of funds and request for applications under the Office of Community Services' FY 2002 Job Opportunities for Low-income Individuals (JOLI) Program.

SUMMARY: The Administration for Children and Families (ACF), Office of Community Services (OCS), announces that, based on availability of funds, competing applications will be accepted for new grants pursuant to the Secretary's discretionary authority under section 505 of the Family Support Act of 1988, as amended.

DATES: To be considered for funding, applications must be postmarked on or before April 22, 2002. Applications postmarked after that date will not be accepted for consideration. Detailed application submission instructions including the addresses to which applications must be submitted are found in Part IV–B, Application Submission.

FOR FURTHER INFORMATION, CONTACT: Ros Relaford, Technical Assistance Manager, OCS Operations Center, Call: 1–800–281–9519

or E-mail: *OCS@lcgnet.com.*

For a copy of this announcement, contact: OCS Operations Center, 1815 North Fort Meyer Drive, Suite 300, Arlington, Virginia 22209, 1–800–281–9519.

In addition, this announcement is accessible on the OCS website for reading or downloading at: *http://www.acf.dhhs.gov/programs/ocs/kits1.htm.*

If this Program Announcement is not available at these sources, it may be obtained by telephoning or writing the office listed under **FOR FURTHER INFORMATION, CONTACT.**

The Catalog of Federal Domestic Assistance number for this program is 93.593. The title is Job Opportunities for Low-income Individuals (JOLI) Program.

SUPPLEMENTARY INFORMATION: This program announcement consists of seven parts plus Attachments.

Part I—Background Information

A. Legislative Authority
B. Program Purpose
C. Project Goals
D. Definitions of Terms

Part II—Program Objectives and Requirements

A. Eligible Applicants
B. Project and Budget Periods
C. Availability of Funds and Grant Amounts
D. Mobilization of Resources
E. Program Participants/Beneficiaries
F. Prohibition and Restrictions on the Use of Funds
G. Multiple Submittals
H. Re-Funding
I. Sub-Contracting or Delegating Projects
J. Maintenance of Effort
K. Program Focus
L. Creation of Jobs and Employment Opportunities
M. Cooperative Partnership Agreement with the Designated Agency Responsible for the Temporary Assistance for Needy Families (TANF) Program
N. Third Party Project Evaluation
O. Economic Development Strategy
P. Training and Support for Micro-Business Development
Q. Cooperative Partnership Agreement with the Designated Agency Responsible for the Child Support Enforcement(CSE)Program Support for Non-custodial Parents
R. Technical Assistance to Employers
S. Applicant Experience and Cost-per-Job
T. Loan Funds
U. Business Plan
V. Dissemination of Project Results
W. Third Party Agreements

Part III—The Project Description, Program Proposal Elements and Review Criteria

A. Purpose
B. Project Summary/Abstract
C. Objectives and Need for Assistance
D. Results or Benefits Expected
E. Approach
F. Organizational Profiles
G. Budget and Budget Justification
H. Non-Federal Resources
I. Evaluation Criteria

Part IV—Application Procedures

A. Availability of Forms
B. Application Submission
C. Intergovernmental Review
D. Application Consideration
E. Criteria for Screening Applications

Part V—Instructions for Completing Forms SF–424

A. SF–424—Application for Federal Assistance
B. SF–424A—Budget Information—Non-Construction Programs
C. SF–424B—Assurances for Non-Construction

Part VI—Contents of Application and Receipt Process

A. Contents of Application
B. Application Format
C. Acknowledgement of Receipt

Part VII—Post Award Information and Reporting Requirements

A. Notification of Grant Award
B. Attendance at Evaluation Workshops
C. Reporting Requirements
D. Audit Requirements
E. Prohibitions and Requirements with Regard to Lobbying
F. Applicable Federal Regulations

Attachments

Application forms and required Attachments.

Paperwork Reduction Act of 1995

Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information. The project description is approved under Office of Management and Budget (OMB) Control Number 0970–0139 which expires 12/31/2003. 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.

Part I—Background Information

A. Legislative Authority

Section 505 of the Family Support Act of 1988, Public Law 100–485, as amended, authorizes the Secretary of HHS to enter into agreements with nonprofit organizations (including community development corporations) for the purpose of conducting projects designed to create employment opportunities for certain low-income individuals (42 U.S.C. 9926).

B. Program Purpose

The purpose of the JOLI program is to test and evaluate ways of creating employment and business opportunities for individuals receiving Temporary Assistance for Needy Families (TANF) assistance and other low-income individuals through self-employment, micro-enterprise, new business ventures, expansion of existing businesses through technical and financial assistance and non traditional initiatives.

C. Project Goals

The ultimate goals of the projects to be funded under the JOLI Program are:

(1) To achieve through project activities and interventions, the creation of new employment opportunities for TANF recipients and other low-income

individuals which can lead to economic self-sufficiency of members of the communities served;

(2) To evaluate the effectiveness of these interventions and of the project design through which they were implemented; and

(3) To make possible the replication of successful programs.

D. Definitions of Terms

For purposes of this Program Announcement, the following definitions apply:

(1) *Budget period*: The interval of time into which a multi-year period of assistance (project period) is divided for budgetary and funding purposes.

(2) *Community-level data:* Key information to be collected by each grantee that will allow for a national-level analysis of common features of JOLI projects. This consists of data on the population of the target area, including the percentage of TANF recipients and others on public assistance, and the percentage whose incomes fall below the poverty line; the unemployment rate; the number of new business starts and business closings; and a description of the major employers and average wage rates and employment opportunities with those employers.

(3) *Community development corporation:* A private, nonprofit entity, governed by a board of directors consisting of residents of the community and business and civic leaders, that has as a principal purpose planning, developing, or managing low-income housing or community development projects.

(4) *Hypothesis:* An assumption made in order to test its validity. It should assert a cause-and-effect relationship between a program intervention and its expected result. Both the intervention and result must be measured in order to confirm the hypothesis. For example, the following is a hypothesis: ''Eighty hours of classroom training in small business planning will be sufficient for participants to prepare a successful loan application.'' In this example, data would be obtained on the number of hours of training actually received by participants (the intervention), and the quality of loan applications (the result), to determine the validity of the hypothesis (that eighty hours of training is sufficient to produce the result).

(5) *Intervention:* Any planned activity within a project that is intended to produce changes in the target population and/or the environment and that can be formally evaluated. For example, assistance in the preparation of a business plan and loan package are planned interventions.

(6) *Job creation:* To bring about, by activities and services funded under this program, new jobs, that is, jobs that were not in existence before the start of the project. These activities can include self-employment/micro-enterprise training, the development of new business ventures or the expansion of existing businesses.

(7) *Nonprofit organization:* Any organization (including a community development corporation) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 by reason of paragraph (3) or (4) of Section 501(c) of such Code.

(8) *Non-traditional employment for women or minorities:* Employment in an industry or field where women or minorities currently make up less than twenty-five percent of the work force.

(9) *Outcome evaluation:* An assessment of project results as measured by collected data which define the net effects of the interventions applied in the project. An outcome evaluation will produce and interpret findings related to whether the interventions produced desirable changes and their potential for replicability. It should answer the question: Did this project work?

(10) *Private employers:* Third party nonprofit organizations or third party for-profit businesses operating or proposing to operate in the same community as the applicant, and which are proposed or potential employers of project participants.

(11) *Process evaluation:* The ongoing examination of the implementation of a program. It focuses on the effectiveness and efficiency of the program's activities and interventions (for example, methods of recruiting participants, quality of training activities, or usefulness of follow-up procedures). It should answer questions such as: Who is receiving what services and are the services being delivered as planned? It is also known as formative evaluation, because it gathers information that can be used as a management tool to improve the way a program operates while the program is in progress. It should also identify problems that occurred and how they were dealt with and recommend improved means of future implementation. It should answer the question: ''How was the program carried out?'' In concert with the outcome evaluation, it should also help explain, ''Why did this program work/not work?''; and, ''What worked and what did not?''

(12) *Program participant/beneficiary:* An individual eligible to receive TANF assistance under Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Part A of Title IV of the Social Security Act) and any other individual whose income level does not exceed 100 percent of the official poverty line as found in the most recent revision of the Poverty Income Guidelines published by the Department of Health and Human Services. (See Attachment A.)

(13) *Project period:* The total time a project is approved for support, including any extensions.

(14) *Self-sufficiency:* A condition where an individual or family, by reason of employment, does not need and is not eligible for public assistance.

(15) *Third party:* Any individual, organization, or business entity that is not the direct recipient of grant funds.

(16) *Third party agreement:* A written agreement entered into by the grantee and an organization, individual or business entity (including a wholly-owned subsidiary), by which the grantee makes an equity investment or a loan in support of grant purposes.

(17) *Third party in-kind contributions:* The value of non-cash contributions provided by non-federal third parties which may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefitting and specifically identifiable to the project or program.

Part II—Program Objectives and Requirements

The objective of the JOLI program is to conduct projects to create new employment and business opportunities for certain low-income individuals through the provision of technical and financial assistance to private employers in the community, self-employment/micro-enterprise programs, and/or new business development programs.

A. Eligible Applicants

Organizations eligible to apply for funding under this program are nonprofit organizations (including community development corporations and charitable organizations) that are exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 by reason of paragraph (3) or (4) of section 501(c) of such Code. Applicants must provide documentation of their tax exempt status. The applicant can accomplish this by providing a copy of the applicant's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations described in section 501(c)(3) of the IRS Code or by providing a copy of the currently valid IRS tax exemption certificate. Failure to

provide evidence of Section 501(c)(3) or (4) tax exempt status will result in rejection of the application.

B. Project and Budget Periods

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104–193, reauthorized and modified Section 505 of the Family Support Act of 1988, the JOLI authorizing legislation. Among the modifications effected was the deletion of sub-section (e) that had legislatively-mandated project duration. Applicants are therefore free to apply for projects from one to three year durations, depending on the proposed work program and the applicant's assessment of the time required to achieve the proposed project goals.

OCS has made the programmatic determination that the nature of job creation and career development projects which meet the funding criteria set forth in this announcement is such that it is not feasible to divide funding into 12-month increments, and that completion of the entire project is in each case necessary to achieve the purposes of the JOLI program. Consequently, budget periods for grants under this announcement may be up to three years.

C. Availability of Funds and Grant Amounts

All grant awards are subject to the availability of appropriated funds. It is anticipated that approximately $4,750,000 will be available in FY 2002 for JOLI for new grants.

The 1996 amendments to the JOLI authorizing legislation also deleted the limitation on the number of grants to be made in any one fiscal year. Thus, OCS expects to award up to 7 new grants in FY 2002, based on the amounts requested and contingent on the availability of funds. Given the limited funds available for the JOLI program, applicants should make a realistic assessment of the time and funds needed to achieve the goals set forth in their proposal, and design a work program and budget accordingly. The grant request should be for an amount needed, up to a maximum of $700,000, to implement that part of the project plan supported by OCS funds, taking into consideration other cash and in-kind resources mobilized by the applicant in support of the proposed project. (See Paragraph D, below, Mobilization of Resources, and Part III, Element VI: Budget Appropriateness and Reasonableness.)

In summary, grants of up to $700,000 in OCS funds for project periods and budget periods of up to three years will be awarded to selected organizations under this program in FY 2002.

D. Mobilization of Resources

OCS will give favorable consideration in the review process to applicants who mobilize cash and/or third party in-kind contributions for direct use in the project. The firm commitment of these resources must be documented and submitted with the application in order to be given credit in the review process under the Public-Private Partnerships project element (Part III, Element V). Except in unusual situations, this documentation must be in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received. Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part III, Element V, and Part V, Instructions for Completing the SF–424, Section C, Non-Federal Resources.)

E. Program Participants/Beneficiaries

A low-income individual eligible to participate in a project conducted under this program is any individual eligible to receive TANF assistance under a State program funded under Part A of Title IV of the Social Security Act, or any other individual whose income level does not exceed 100 percent of the official poverty line. Within these categories, emphasis should be on individuals who are receiving TANF assistance or its equivalent under State auspices; those who are unemployed; those residing in public housing or receiving housing assistance; non-custodial parents, and those who are homeless.

Attachment A to this announcement is an excerpt from the current poverty guidelines. Annual revisions of these guidelines are normally published in the **Federal Register** in February or early March. Grantees will be required to apply the most recent guidelines throughout the project period. These revised guidelines also may be obtained at public libraries, Congressional offices, by writing the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or by accessing the following website: *''http://aspe.os.dhhs.gov/poverty/poverty.htm''.*

No other government agency or privately-defined poverty guidelines are applicable for the determination of low-income eligibility for this program.

F. Prohibition and Restrictions on the Use of Funds

The use of funds for new construction or the purchase of real property is prohibited. Costs incurred for the rearrangement and alteration of facilities required specifically for the grant program are allowable when specifically approved in advance by ACF in writing.

If the applicant is proposing a project which will affect a property listed in, or is eligible for inclusion in, the National Register of Historic Places, it must identify this property in the narrative and explain how it has complied with the provisions of section 106 of the National Historic Preservation Act of 1966 as amended. If there is any question as to whether the property is listed in, or is eligible for inclusion in, the National Register of Historic Places, the applicant should consult with the State Historic Preservation Officer. (See Attachment D: SF–424B, Item 13 for additional guidelines.) Failure to comply with the cited Act will result in the application being ineligible for funding consideration.

G. Multiple Submittals

Due to the limited amount of funds available under this program, only a single proposal from any one eligible applicant will be funded by OCS from FY 2002 JOLI funds pursuant to this announcement.

H. Re-funding

OCS will not provide funding to a previously funded grantee to carry out the same work plan in the same target area.

I. Sub-Contracting or Delegating Projects

An applicant will not be funded where the proposal indicates that the applicant, if funded, will serve as a straw-party, that is, act as a mere conduit of funds to a third party without performing a substantive role itself. This prohibition does not bar sub-contracting or sub-awarding for specific services or activities needed to conduct the project.

J. Maintenance of Effort

The application must include an assurance that activities funded under this Program Announcement are in addition to, and not in substitution for, activities previously carried out without Federal assistance. (See Part VI, Section A.8 and Attachment M.)

K. Program Focus

The Congressional Conference Report on the 1992 appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies directed the ACF to

require economic development strategies as part of the application process to ensure that highly qualified organizations participate in the program. [H.R. Conf. Rep. No. 282, 102nd Cong., 1st Sess. 39 (1991)]

Priority will be given to applicants proposing to serve those areas containing the highest percentage of individuals receiving TANF assistance under a State program, which is funded under Part A of Title IV of the Social Security Act.

While projected employment in future years may be included in the application, it is essential that the focus of the project concentrate on the creation of new full-time, permanent jobs and/or new business development opportunities for TANF recipients and other low-income individuals during the grant project period. OCS is particularly interested in receiving innovative proposals that grow out of the experience and creativity of applicants and the needs of their clientele and communities.

Applicants should include strategies which seek to integrate projects financed and jobs created under this program into a larger effort of broad community revitalization which will promote job and business opportunities for eligible program participants and impact the overall economic environment.

OCS will only fund projects that create new employment and/or business opportunities for eligible program participants. That is, new, full-time permanent jobs through the expansion of a pre-identified business or new business development, or by providing opportunities for self-employment. In addition, projects should enhance the participants' capacities, abilities and skills and thus contribute to their progress toward self-sufficiency.

With national welfare reform a reality, and many States implementing ''welfare-to-work'' programs, the need for well-paying jobs with career potential for TANF recipients becomes ever more pressing. In this context, the role of JOLI as a vehicle for exploring new and promising areas of employment opportunity for the poor is more important than ever.

Within the JOLI Program framework of job creation through new or expanding businesses or self-employment, OCS would welcome proposals offering business or career opportunities to eligible participants in a variety of fields. For instance, these might include day care and transportation, which are not only opportunities for employment, but when not available can be serious barriers to employment for TANF recipients; environmental justice initiatives involving activities such as toxic waste clean-up, water quality management, or Brownfields remediation; health-related jobs such as home health aides or medical support services; and non-traditional jobs for women and minorities.

L. Creation of Jobs and Employment Opportunities

The requirement for creation of new, full-time permanent employment opportunities (jobs) applies to all applications. OCS has determined that the creation of non-traditional job opportunities for women or minorities in industries or activities where they currently make up less than twenty-five percent of the work force meets the requirements of the JOLI legislation for the creation of new employment opportunities. OCS continues to solicit other JOLI applications that propose the creation of jobs through the expansion of existing businesses, the development of new businesses, or the creation of employment opportunities through self-employment/micro-enterprise development.

Proposed projects must show that the jobs and/or business/self employment opportunities to be created under this program will contribute to achieving self-sufficiency among the target population. The employment opportunities should provide hourly wages that exceed the minimum wage and also provide benefits such as health insurance, child care, and career development opportunities.

M. Cooperative Partnership Agreement With the Designated Agency Responsible for the TANF Program

A formal, cooperative relationship between the applicant and the designated State agency responsible for administering the TANF program (as provided for under Part A of Title IV of the Social Security Act) in the area served by the project is a requirement for funding. The application should include a signed, written agreement between the applicant and the designated State agency responsible for administering the TANF program, or a letter of commitment to such an agreement within 6 months of a grant award (contingent only on receipt of OCS funds). The agreement must describe the cooperative relationship, including specific activities and/or actions each of these entities propose to carry out over the course of the grant period in support of the project.

The agreement, at a minimum, must cover the specific services and activities that will be provided to the target population. (See Attachment I for a list of the State Human Services Administrators administering TANF.)

N. Third Party Project Evaluation

Proposals must include provision for an independent methodologically sound evaluation of the effectiveness of the activities carried out with the grant and their efficacy in creating new jobs and business opportunities. There must be a well-defined process evaluation and an outcome evaluation whose design will permit tracking of project participants throughout the proposed project period. The evaluation must be conducted by an independent evaluator, i.e., a person with recognized evaluation skills who is organizationally distinct from, and not under the control of, the applicant. It is important that each successful applicant should have a third party evaluator selected and performing at the very latest by the time the work program of the project is begun, and if possible before that time, so that he or she can participate in the final design of the program in order to assure that data necessary for the evaluation will be collected and available.

O. Economic Development Strategy

As noted in A. above, the Congress, in the Conference Report on the FY 1992 appropriation, directed ACF to require economic development strategies as part of the application process for JOLI to ensure that highly qualified organizations participate in the program. Accordingly, applicants must include in their proposal an explanation of how the proposed project is integrated with and supports a larger economic development strategy within the target community. Where appropriate, applicants should document how they were involved in the preparation and planned implementation of a comprehensive community-based strategic plan, such as that required for applying for Empowerment Zone/Enterprise Community (EZ/EC) status, to achieve both economic and human development in an integrated manner, and how the proposed project supports the goals of that plan. (See Part III, Sub-Element III(b).)

P. Training and Support for Micro-Business Development

In the case of proposals for creating self-employment micro-business opportunities for eligible participants, the applicant must detail how it will provide training and support services to potential entrepreneurs. The assistance to be provided to potential

entrepreneurs must include, at a minimum: (1) Technical assistance in basic business planning and management concepts; (2) assistance in preparing a business plan and loan application; and, (3) access to business loans.

Q. Support for Noncustodial Parents

OCS and the Office of Child Support Enforcement (OCSE), both part of the ACF, signed a Memorandum of Understanding (MOU) to foster and enhance partnerships between OCS grantees and local Child Support Enforcement (CSE) agencies. (See Attachment N for the list of CSE State Offices that can identify local CSE agencies.) In the words of the MOU:

''The purpose of these partnerships will be to develop and implement innovative strategies in States and local communities to increase the capability of low-income parents and families to fulfill their parental responsibilities. Too many low-income parents are without jobs or resources needed to support their children. A particular focus of these partnerships will be to assist low-income, non-custodial parents of children receiving TANF to achieve a degree of self-sufficiency that will enable them to provide support that will free their families of the need for such assistance.''

Accordingly, a rating factor and a review criterion have been included in this Program Announcement that will award two points to applicants who have entered into partnership agreements with their local CSE agency to provide for referrals to their project in accordance with provisions of the OCS–OCSE MOU. (See Part III, Sub-Element III(c).)

R. Technical Assistance to Employers

Technical assistance should be specifically addressed to the needs of the private employer in creating new jobs to be filled by eligible individuals and/or to the individuals themselves in areas such as job-readiness, literacy and other basic skills training, job preparation, self-esteem building, etc. Financial assistance may be provided to the private employer as well as to the individual.

If the technical and/or financial assistance is to be provided to pre-identified businesses that will be expanded or franchised, written commitments from the businesses to create the planned jobs must be included with the application.

S. Applicant Experience and Cost-per-Job

In the review process, favorable consideration will be given to applicants with a demonstrated record of achievement in promoting job and enterprise opportunities for low-income people.

In view of inflation and other economic factors, OCS considers the cost of creating a job under the JOLI program to be $10,000 or less.

Favorable consideration will be given to those applicants who show the lowest cost-per-job created for low-income individuals. For this program, OCS views $15,000 in OCS funds as the maximum amount for the creation of a job and, unless there are extenuating circumstances, will not fund projects where the cost-per-job in OCS funds exceeds this amount. Only those jobs created and filled by low-income people will be counted in the cost-per-job formula. (See Part III, Sub-Element III (d).)

T. Loan Funds

The creation of a revolving loan fund with funds received under this program is an allowable activity. However, OCS encourages the use of funds from other sources for this purpose. Loans made to eligible beneficiaries for business development activities must be at or below market rate.

Note: Interest accrued on revolving loan funds may be used to continue or expand the activities of the approved project.

U. Business Plan

Where the applicant is proposing the development and startup of a new business or the expansion of an existing business, a business plan that follows the outline in Attachment L to this announcement must be submitted as an Appendix to the proposal.

V. Dissemination of Project Results

Applications should include a plan for disseminating the results of the project after expiration of the grant period. Applicants may budget up to $2,000 for dissemination purposes. Final project reports should include a description of dissemination activities with copies of any materials produced.

W. Third Party Agreements

Any applicant submitting a proposal for funding who proposes to use some or all of the requested OCS funds to enter into a third party agreement in order to make an equity investment (such as the purchase of stock) or a loan to an organization, or business entity (including a wholly-owned subsidiary), must include in the application, along with the business plan, a copy of the signed third party agreement for approval by OCS.

• A third party agreement covering an equity investment must contain, at a minimum, the following:

1. The type of equity transaction (e.g. stock purchase);
2. Purpose(s) for which the equity investment is being made;
3. Cost per share;
4. Number of shares being purchased;
5. Percentage of ownership of the business; and,
6. Number of seats on the board, if applicable.

• A third party agreement covering a loan transaction must contain, at a minimum, the following information:

1. Purpose(s) for which the loan is being made;
2. Rates of interest and other fees;
3. Terms of loan;
4. Repayment schedules;
5. Collateral security; and,
6. Default and collection procedures.

• All third party agreements must include written commitments as follows:

From the third party (as appropriate):

1. A minimum of 75% of the jobs to be created as a result of the infusion of grant funds will be filled by low-income individuals;
2. The grantee will have the right to screen applicants for jobs to be filled by low-income individuals and to verify their eligibility;
3. If the grantee's equity investment equals 25% or more of the business's assets, the grantee will have representation on the board of directors;
4. Reports will be made to the grantee regarding the use of grant funds no less than on a quarterly basis;
5. A procedure will be developed to assure that there are no duplicate counts of jobs created; and,
6. Detailed information should be provided on how the grant funds will be used by the third party by submitting a narrative Source and Use of Funds Statement. In addition, the agreement must provide details on how the grantee will provide support and technical assistance to the third party in areas of recruitment and retention of low-income individuals.

From the grantee:

Detailed information on how the grantee will provide support and technical assistance to the third party in areas of recruitment and retention of low-income individuals.

• All third party agreements should be accompanied by:

1. A signed statement from a Certified or Licensed Public Accountant as to the sufficiency of the third party's financial management system in accordance with 45 CFR 74, to protect adequately any federal funds awarded under the application;
2. Financial statements for the third party organization for the prior three

years. (If not available because the organization is a newly-formed entity, include a statement to this effect.); and,

3. Specifications as to how the grantee will provide oversight of the third party for the life of the agreement. Also, the agreement will specify that the third party will maintain documentation related to the expenditure of grant funds loaned to or invested in the third party and grant objectives as specified in the agreement and will provide the grantee and HHS access to that documentation.

If a signed third party agreement is not available when the application is submitted, the applicant must submit, as part of the narrative, as much of the above-mentioned information as possible in order to enable reviewers to evaluate the proposal.

Note: The funds for a third party agreement will not be released until the agreement has been approved by OCS.

Part III—The Project Description, Program Proposal Elements and Review Criteria

A. Purpose

The project description provides the major means by which an application is evaluated and ranked to compete with other applications for available assistance. The project description should be concise and complete and should address the activity for which Federal funds are being requested. Supporting documents should be included where they can present information clearly and succinctly. Applicants are encouraged to provide information on their organizational structure, staff, related experience, and other information considered to be relevant. Awarding offices use this and other information to determine whether the applicant has the capability and resources necessary to carry out the proposed project. It is important, therefore, that this information be included in the application. However, in the narrative the applicant must distinguish between resources directly related to the proposed project from those that will not be used in support of the specific project for which funds are requested.

B. Project Summary/Abstract

Provide a summary of the project description (a page or less) with reference to the funding request.

C. Objectives and Need for Assistance

Clearly identify the physical, economic, social, financial, instructional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated; and supporting documentation, such as letters of support and testimonials from concerned interests other than the applicant, may be included. Any relevant data based on planning studies should be included or referred to in the endnotes/footnotes, and incorporate demographic data and participant/beneficiary information, as needed. In developing the project description, the applicant may volunteer or be requested to provide information on the total range of projects currently being conducted and supported (or to be initiated), some of which may be outside the scope of the program announcement.

D. Results for Benefits Expected

Identify the results and benefits to be derived. For example, describe the population to be recruited into the JOLI program, how many jobs and/or businesses are projected to be created, and how the project will assist participants to move toward self-sufficiency.

E. Approach

Outline a plan of action which describes the scope and detail of how the proposed work will be accomplished. Account for all functions or activities identified in the application. Cite factors which might accelerate or decelerate the work and state your reason for taking the proposed approach rather than others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Provide quantitative monthly or quarterly projections of the accomplishments to be achieved for each function or activity in such terms as the number of people to be served and the number of jobs to be created, if applicable. When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

If any data are to be collected, maintained, and/or disseminated, clearance may be required from the OMB. This clearance pertains to any ''collection of information that is conducted or sponsored by ACF''.

List organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

F. Organization Profiles

Provide information on the applicant organization(s) and cooperating partners such as organizational charts, Board of Directors, Employer Identification Numbers, contact persons and telephone numbers, and other documentation of professional accreditation, information on compliance with Federal/State/local government standards, documentation of experience in the program area, and other pertinent information. Any non-profit organization must submit proof of its non-profit status with its application. The non-profit agency can accomplish this by providing a copy of one of the following: the applicant's listing in the IRS' most recent list of tax-exempt organizations described in Section 501(c)(3) or (4) of the IRS code; a copy of the currently valid IRS tax exemption certificate; a copy of the articles of incorporation bearing the seal of the State in which the corporation or association is domiciled.

G. Budget and Budget Justification

Provide a line item detail and detailed calculations for each budget object class identified on the Budget Information form, SF–424A. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. The detailed budget narrative must also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification that describes how categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

The following guidelines are for preparing the budget and budget justification. Both Federal and non-Federal resources shall be detailed and justified in the budget and the budget justification. For purposes of preparing the budget and budget justification, ''Federal resources'' refers only to the ACF grant applied for. ''Non-Federal resources'' are all other Federal and non-Federal resources. It is suggested that budget amounts and computations be presented in a columnar format: first column, object class categories; second column, Federal budget; next column(s), non-Federal budget(s), and last column, total budget.

The budget justification should be a narrative.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify the project director or principal investigator, if known. For each staff person, provide the title, time commitment to the project (in months), time commitment to the project (as a percentage or full-time equivalent), annual salary, grant salary, wage rates, etc. Do not include the costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement insurance, taxes, etc.

Travel

Description: Costs of project-related travel by employees of the applicant organization (does not include costs of consultant travel).

Justification: For each trip, show the total number of travelers, travel destination, duration of trip, per diem, mileage allowances, if privately owned vehicles will be used, and other transportation costs and subsistence allowances. Travel costs for key staff to attend ACF-sponsored workshops should be detailed in the budget.

Equipment

Description: ''Equipment'' means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of (a) the capitalization level established by the organization for the financial statement purposes, or (b) $5,000.

Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Include ancillary charges, such as taxes, duty, protective in-transit insurance, freight and installation with acquisition cost in accordance with the organization's regular written accounting practices.

Justification: For each type of equipment requested, provide a description, the cost per unit, the number of units, the total cost, and a plan for use in the project, as well as use or disposal after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those which belong under other categories such as equipment, supplies, construction, etc. Third-party evaluation contracts (if applicable) and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or businesses to be financed by the applicant, should be included under this category.

Justification: All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Recipients and subrecipients, other than States that are required to use Part 92 procedures, must justify any anticipated procurement action that is expected to be awarded without competition and exceed the simplified acquisition threshold fixed at 41 USC 403(11), (currently set at $100,000). Recipients might be required to make available to ACF pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and budget narrative for each delegate agency, by agency title, along with the required supporting information referred to in these instructions.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to insurance, food, medical and dental costs (non-contractual), professional services costs, space and equipment rentals, printing and publication, computer use, training costs, such as tuition and stipends, staff development costs, and administrative costs.

Justification: Provide computations, a narrative description and a justification for each cost under this category.

H. Non-Federal Resources

Amounts of non-Federal resources that will be used to support the project as identified in Block ''15'' of the SF–424. The firm commitment of these resources must be documented and submitted with the application for credit in the review process. A detailed budget must be prepared for each funding source.

I. Evaluation Criteria

Proposal Elements and Review Criteria for Applications

Each application which passes the initial screening will be assessed and scored by three independent reviewers. Each reviewer will give a numerical score for each application reviewed. These numerical scores will be supported by explanatory statements on a formal rating form describing major strengths and weaknesses under each applicable criterion published in the Announcement. Scoring will be based on a total of 100 points, and for each application will be the average of the scores of the three reviewers.

The competitive review of proposals will be based on the degree to which applicants:

(1) Adhere to the requirements in PART II and incorporate each of the Elements and Sub-Elements below into their proposals, so as to:

(2) Describe convincingly a project that will develop new employment or business opportunities for TANF recipients and other low-income individuals that can lead to a transition from dependency to economic self-sufficiency;

(3) Propose a realistic budget and time frame for the project that will support the successful implementation of the work plan to achieve the projects goals in a timely and cost effective manner; and,

(4) Provide for the collection and validation of relevant data to support the national evaluation.

In order to simplify the application preparation and review process, OCS seeks to keep grant proposals cogent and brief. Applications with project narratives (excluding Project Summaries, Budget Justifications and Appendices) of more than 30 letter-sized pages of 12 c.p.i. type or equivalent on a single side will not be reviewed for funding.

Applicants should prepare and assemble their project description using the following outline of required project elements. They should, furthermore, build their project concept, plans, and application description upon the guidelines set forth for each of the project elements.

Project descriptions are evaluated on the basis of substance, not length. Pages should be numbered and a table of contents should be included for easy

reference. For each of the Project Elements or Sub-Elements below there is at the end of the discussion a suggested number of pages to be devoted to the particular element or sub-element. These are suggestions only, but the applicant must remember that the overall Project Narrative must not be longer than 30 pages.

Evaluation Criteria 1: Organizational Profile

Element I—Organizational Experience in Program Area and Staff Skills, Resources and Responsibilities

Sub-Element I(a)—Agency's Experience and Commitment in Program Area

(Weight of 0–10 points in proposal review)

Applicants should cite their organization's capability and relevant experience in developing and operating programs which deal with poverty problems similar to those to be addressed by the proposed project. They should also cite the organization's experience in collaborative programming and operations which involve evaluations and data collection. Applicants should identify agency executive leadership in this section and briefly describe their involvement in the proposed project and provide assurance of their commitment to its successful implementation.

The application should include documentation that briefly summarizes two similar projects undertaken by the applicant agency and the extent to which the stated and achieved performance targets, including permanent benefits to low-income populations, have been achieved. The application should note and justify the priority that this project will have within the agency, including the facilities and resources that it has available to carry it out.

It is suggested that applicants use no more than 2 pages for this sub-element.

Note: The maximum number of points will be given only to those organizations with a demonstrated record of achievement in promoting job creation and enterprise opportunities for low-income people.

Sub-Element I(b)—Staff Skills, Resources and Responsibilities

(Weight of 0–10 points in proposal review)

The application must identify the two or three individuals who will have the key responsibility for managing the project, coordinating services and activities for participants and partners, and for achieving performance targets. The focus should be on the qualifications, experience, capacity and commitment to the program of the executive officials of the organization and the key staff persons who will administer and implement the project. The person identified as project director should have supervisory experience, experience in finance and business, and experience with the target population. Because this is a new project, within an already-established agency, OCS expects that the key staff person(s) would be identified, if not hired, or provide an estimated hiring time line for each individual to be on board.

The application must also include a resume of the third party evaluator, if identified or hired; or the minimum qualifications and position description for the third party evaluator, who must be a person with recognized evaluation skills who is organizationally distinct from and not under the control of the applicant. (See *Element IV: Project Evaluation,* below, for fuller discussion of evaluator qualifications.)

Actual resumes of key staff and position descriptions should be included in an appendix to the proposal.

It is suggested that applicants use no more than 3 pages for this sub-element.

Evaluation Criteria 2: Approach 1

Element II: Project Theory, Design, and Plan

OCS seeks to learn from the application why and how the project, as proposed, is expected to lead to the creation of new employment opportunities for low-income individuals, which can lead to significant improvements in individual and family self-sufficiency.

Applicants are urged to design and present their project in terms of a conceptual cause-effect framework. In the following paragraphs, a framework is described that suggests a way to present a project so as to show the logic of the cause-effect relations between project activities and project results. Applicants are not required to use the exact language described; but it is important to present the project in a way that makes clear the cause-effect relationship between what the project plans to do and the results it expects to achieve.

Sub-Element II(a)—Description of Target Population, Analysis of Need, and Project Assumptions

(Weight of 0–10 points in application review)

The project design or plan should begin by identifying the underlying program assumptions. These are the beliefs on which the proposed program is built. These assumptions include: the needs of the population to be served; the current services available to that population, and where and how they fail to meet their needs; why the proposed services or interventions are appropriate and will meet those needs; and the impact the proposed interventions will have on the project participants.

In other words, the underlying assumptions of the program are the applicant's analysis of the needs and problems to be addressed by the project, and the applicant's theory of how its proposed interventions will address those needs and problems to achieve the desired result. Thus a strong application is based upon a clear description of the needs and problems to be addressed and a persuasive understanding of the causes of those problems.

In this sub-element of the proposal, the applicant must precisely identify the target population to be served. The geographic area to be impacted should then be described briefly, citing the percentage of low-income individuals and TANF recipients, as well as the unemployment rate and other data relevant to the project design.

The application should include an analysis of the identified personal barriers to employment, job retention and greater self-sufficiency faced by the target population. (These might include such problems as illiteracy, substance abuse, family violence, lack of skills training, health or medical problems, need for childcare, lack of suitable clothing or equipment, or poor self-image.)

The application should also include an analysis of the identified community systemic barriers which the project will seek to overcome. These might include lack of jobs (high unemployment rate); lack of public transportation; lack of markets; unavailability of financing, insurance or bonding; inadequate social services (employment service, childcare, job training); high incidence of crime; inadequate health care; or environmental hazards (such as toxic dumpsites or leaking underground tanks).

Applicants should be sure not to overlook the personal and family services and support that might be needed by project participants after they are on the job which will enhance job retention and advancement.

If the jobs to be created by the proposed project are themselves designed to fill one or more of the needs, or remove one or more of the barriers so identified, this fact should be highlighted in the discussion, e.g., jobs

in child care, health care, or transportation.

It is suggested that applicants use no more than 4 pages for this sub-element.

Sub-Element II(b)—Project Strategy and Design: Interventions, Outcomes, and Goals

(Weight of 0–10 points in proposal review)

The work plan must describe the proposed project activities, or interventions, and explain how they are expected to result in outcomes which will meet the needs of the program participants and assist them to overcome the identified personal and systemic barriers to employment, job retention, and self-sufficiency. In other words, what will the project staff do with the resources provided to the project and how will what they do (interventions) assist in creating and sustaining employment and business opportunities for program participants in the face of the needs and problems that have been identified.

The underlying assumptions concerning client needs and the theory of how they can be effectively addressed, which are discussed above, lead in the project design to the conduct of a variety of project activities or interventions, each of which is assumed to result in immediate changes, or outcomes.

The immediate changes lead to intermediate outcomes; and the intermediate outcomes lead to the attainment of the final project goals.

The applicant should describe the major activities, or interventions, which are to be carried out to address the needs and problems identified in Sub-Element II(a); and should discuss the immediate changes, or outcomes, which are expected to result. These are the results expected from each service or intervention immediately after it is provided. For example, a job readiness training program might be expected to result in clients having increased knowledge of how to apply for a job, improved grooming for job interviews, and improved job interview skills; or business training and training in bookkeeping and accounting might be expected to result in project participants making an informed decision about whether they are suited for entrepreneurship.

At the next level are the intermediate outcomes, which result from these immediate changes. Often an intermediate project outcome is the result of several immediate changes resulting from a number of related interventions such as training and counseling. Intermediate outcomes should be expressed in measurable changes in knowledge, attitudes, behavior, or status/condition. In the above examples, the immediate changes achieved by the job readiness program, coupled with technical assistance to an employer in the expansion of a business, could be expected to lead to intermediate outcomes of creation of new job openings and in the participant applying for a job with the company. The acquisition of business skills, coupled with the establishment of a loan fund, could be expected to result in the actual decision by the participant to go into a particular business venture or seek the alternative track of pursuing job readiness and training.

Finally, the application should describe how the achievement of these intermediate outcomes will be expected to lead to the attainment of the project goals: employment in newly created jobs, new careers in non-traditional jobs, successful business ventures, or employment in an expanded business, depending on the project design. Applicants must remember that if the major focus of the project is to be the development and startup of a new business or the expansion of an existing business, then a business plan which follows the outline in Attachment L to this announcement must be submitted as an appendix to the proposal. (See Part II, U.)

Applicants do not have to use the exact terminology described above, but it is important to describe the project in a way that makes clear the expected cause-and-effect relationship between what the project plans to do: the activities or interventions, the changes that are expected to result, and how those changes will lead to attainment of the project goals of new employment opportunities and greater self-sufficiency. The competitive review of this sub-element will be based on the extent to which the application makes a convincing case that the activities to be undertaken will lead to the projected results.

It is suggested that applicants use no more than 4 pages for this sub-element.

Sub-Element II(c)—Work Plan

(Weight of 0–10 points in proposal review)

Once the project strategy and design framework is established, the applicant should present the highlights of a work plan for the project. The plan should explicitly tie into the project design framework and should be feasible, i.e., capable of being accomplished with the resources, staff, and partners available. The plan should briefly describe the key project tasks and show the time lines and major milestones for their implementation. Critical issues or potential problems that might affect the achievement of project objectives should be explicitly addressed, with an explanation of how they would be overcome, and how the objectives will be achieved notwithstanding any such problems. The plan should be presented in such a way that it can be correlated with the budget narrative included earlier in the application.

Applicants may be able to use a simple Gantt or time line chart to convey the work plan in minimal space.

The application contains a full and accurate description of the proposed use of the requested financial assistance.

If the applicant proposes to make an equity investment or a loan to an individual, organization, or business entity (including a wholly-owned subsidiary), the application must include: A signed third party agreement; a signed statement by a Certified or Licensed Public Accountant as to the sufficiency of the third party's financial management system; and financial statements for the third party's prior three years of operation. (If newly formed and unable to provide the information regarding the prior three years of operation, a statement to that effect should be included.) If the applicant states that an agreement is not currently in place, the application must contain in the narrative as much information required for third party agreements as is available.

Also, if the project proposes the development of a new or expanded business, service, physical or commercial activity, the application must address applicable elements of a business plan. Guidelines for a business plan are included in Attachment L.

Special attention should be given to assure that the financial plan element, which indicates the project's potential and timetable for financial self-sufficiency, is included. It must include for the applicant and the third party, if appropriate, the following exhibits for the first three years (on a quarterly basis) of the business' operations: Profit and Loss Forecasts, Cash Flow Projections, and Proforma Balance Sheets. Based on these documents, the application must also contain an analysis of the financial feasibility of the project. Also, a narrative ''Source and Use of Funds'' statement for all project funding must be included.

It is suggested that applicants use no more than 3 pages for this sub-element.

Evaluation Criteria 3: Results or Benefits Expected

Element III: Significant and Beneficial Impact

Sub-Element III (a)—Quality of Jobs/ Business Opportunities

(Weight of 0–10 points in proposal review)

The proposed project is expected to produce permanent and measurable results that will reduce the incidence of poverty in the community and lead welfare recipients from welfare dependency toward economic self-sufficiency. Results are expected to be quantifiable in terms of the creation of permanent, full-time jobs; the development of business opportunities; the expansion of existing businesses; or the creation of non-traditional employment opportunities. In developing business opportunities and self-employment for TANF recipients and low-income individuals, the applicant proposes, at a minimum, to provide basic business planning and management concepts, and assistance in preparing a business plan and loan package.

The application should document that:

The business opportunities to be developed for eligible participants will contribute significantly to their progress toward self-sufficiency; and/or jobs to be created for eligible participants will contribute significantly to their progress toward self-sufficiency. For example, they should provide salaries that exceed the minimum wage, plus benefits such as health insurance, child care and career development opportunities.

It is suggested that applicants use no more than 2 pages for this sub-element.

Sub-Element III(b)—Community Empowerment Consideration

(Weight of 0–3 points in proposal review)

Special consideration will be given to applicants located in areas characterized by conditions of extreme poverty and other indicators of socio-economic distress. Examples of such distress may include: a poverty rate of at least 20%, designation as an EZ/EC, high levels of violence, gang activity or drug use. Applicants should document that in response to these conditions, they have been involved in the preparation and planned implementation of a comprehensive community-based strategic plan to achieve both economic and human development in an integrated manner, and they should identify how the proposed project will support the goals of that plan.

It is suggested that applicants use no more than 2 pages for this sub-element.

Sub-Element III(c)—Support for Noncustodial Parents

(Weight of 0–2 points in proposal review)

Applicants who have entered into partnership agreements with local CSE Agencies will also receive special consideration upon demonstrating they have developed and implemented innovative strategies to increase the capability of low-income parents and families, which assists them to fulfill their parental responsibilities. In addition, such partnership agreements should include referrals of identified income eligible families and noncustodial parents economically unable to provide child support to the applicant's project.

To receive the full credit of two points, applicants should include, as an Appendix to the application, a signed letter of agreement with the local CSE Agency for referral of eligible noncustodial parents will be made to the proposed project.

It is suggested that applicants use no more than 1 page for this sub-element.

Sub-Element III(d)—Cost-Per-Job

(Weight of 0–5 points in proposal review)

The applicant should document that during the project period the proposed project will create new, permanent jobs through business opportunities or non-traditional employment opportunities for low-income residents. The cost-per-job should be calculated by dividing the total amount of grant funds requested (e.g., $500,000) by the number of jobs to be created (e.g., 50) which would equal the cost-per-job ($10,000). If any other calculations are used, include the methodology and rationale in this section. In making calculations of cost-per-job, only jobs filled by low-income project participants may be counted. (See Part II, Section S.)

Note: Except in those instances where independent reviewers identify extenuating circumstances related to business development activities, or high wage levels and living costs, such as in Hawaii or Alaska, the maximum number of points will be given only to those applicants proposing cost-per-job created estimates of $10,000 or less of OCS requested funds. The maximum cost-per-job under the JOLI program is $15,000 in OCS funds unless there are extenuating circumstances as described under this sub-element. Higher cost-per-job estimates will receive correspondingly fewer points.

It is suggested that applicants use no more than 1 page for this sub-element.

Evaluation Criteria 4: Approach II

Element IV: Project Evaluation

(Weight of 0–15 points in the proposal review)

Sound evaluations are essential to the JOLI Program. OCS requires each application to include a well thought through outline of an Evaluation Plan for the project. The outline should explain how the applicant proposes to answer the key questions about how effectively the project is being/was implemented; whether the project activities, or interventions, achieved the expected immediate outcomes, and why or why not (the process evaluation); and whether and to what extent the project achieved its stated goals, and why or why not (the outcome evaluation). Together, the process and outcome evaluations should answer the question: ''What did this program accomplish and why did it work/not work?''

Applicants are not being asked to submit a complete and final Evaluation Plan as part of their proposal, but they must include:

1. A well thought through Evaluation Plan outline that identifies the principal cause-and-effect relationships to be tested, and that demonstrates the applicant's understanding of the role and purpose of both process and outcome evaluations (see previous paragraph);

2. The identity and qualifications of the proposed independent third party evaluator, i.e., a person or organization with recognized evaluation skills organizationally distinct from and not under the control of, the applicant. Third party evaluator's qualifications must include successful experience in evaluating social service delivery programs, and the planning and/or evaluation of programs designed to foster self-sufficiency in low-income populations; and

3. A commitment to the selection of a third party evaluator approved by OCS and completion of a final evaluation design and plan, in collaboration with the approved evaluator and the OCS evaluation technical assistance contractor during the six-month startup period of the project, if funded.

Applicants should ensure, above all, that the evaluation outline presented is consistent with their project design. A clear project framework of the type recommended earlier identifies the key project assumptions about the target populations and their needs, as well as the hypotheses, or expected cause-effect relationships to be tested in the project; and the proposed project activities, or interventions, that will address those needs in ways that will lead to the

achievement of the project goals of self-sufficiency. It also identifies in advance the most important process and outcome measures that will be used to identify performance success and expected changes in individual participants, the grantee organization, and the community.

Finally, as noted above, the outline should provide for prompt reporting, concurrently with the semi-annual program progress reports, of lessons learned during the course of the project, so that they may be shared without waiting for the final evaluation report.

For all these reasons, it is important that each successful applicant have a third party evaluator selected and performing at the very latest by the time the work program of the project is begun, and if possible before that time so that he or she can participate in the final design of the program and assure that data necessary for the evaluation will be collected and available. Plans for selecting an evaluator should be included in the application narrative. A third party evaluator must have knowledge of and experience in conducting process and outcome evaluations in the job creation field, and have a thorough understanding of the range and complexity of the problems faced by the target population.

The competitive procurement regulations (45 CFR Part 74, Sections 74.40–74.48, esp. 74.43) apply to service contracts such as those for evaluators.

It is suggested that applicants use no more than 3 pages for this element, plus the resume or position description for the evaluator, which should be in an appendix.

Evaluation Criteria 5: Non-Federal Resources

Element V: Public/Private Partnerships and Resources

(Weight of 0–10 points in the proposal review)

The proposal should briefly describe any public/private partnerships, which will contribute to the implementation of the project. Where partners' contributions to the project are a vital part of the project design and work program, the narrative should describe undertakings of the partners. A partnership agreement specifying the roles of the partners and making a clear commitment to the fulfilling of the partnership role must be included in an appendix to the proposal. The firm commitment of mobilized resources must be documented and submitted with the application in order to be given credit under this element. The application should meet the following criteria:

- Where other resources are mobilized, the application must provide documentation that public and/or private sources of cash and/or third party-in-kind contributions will be available in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received. Applications that can document dollar for dollar contributions equal to the OCS funds, and demonstrate that the partnership agreement clearly relates to the objectives of the proposed project will receive the maximum number of points for this criterion. Lesser contributions will be given consideration based upon the value documented.

Note: Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part II, D—Mobilization of Resources.)

- Partners involved in the proposed project should be responsible for substantive project activities and services. Applicants should note that partnership relationships are not created via service delivery contracts.

It is suggested that applicants use no more than 4 pages for this element.

Evaluation Criteria 6: Budget and Budget Justification

Element VI: Budget Appropriateness and Reasonableness

(Weight of 0–5 points in proposal review)

Applicants are required to submit Federal budget forms with their proposals to provide basic applicant and project information (SF–424) and information about how Federal and other project funds will be used (424A). (See Part V.) Immediately following the completed Federal budget forms, (Attachments B and C), applicants must submit a budget narrative, or explanatory budget information which includes a detailed budget breakdown for each of the budget categories in the SF–424A. This budget narrative is not considered a part of the project narrative, and does not count as part of the 30 page limitation but rather should be included in the application following the budget forms.

The duration of the proposed project and the funds requested in the budget must be commensurate with the level of effort necessary to accomplish the goals and objectives of the project. The budget narrative should briefly explain how grant funds will be expended and show the appropriateness of the Federal funds and any mobilized resources to accomplish project purposes within the proposed time frame. The estimated cost to the government of the project should be reasonable in relation to the project's duration and to the anticipated results, and include reasonable administrative costs if an indirect cost rate has not been negotiated with a cognizant Federal agency.

Applicants are encouraged to use job titles and not specific names in developing the budget. However, the specific salary rates or amounts for staff positions identified must be included in the application budget.

Resources in addition to OCS grant funds are encouraged both to augment project resources and strengthen the basis for continuing partnerships to benefit the target community. The amounts of such resources, their appropriateness to the project design, and the likelihood that they will continue beyond the project time frame will be taken into account in judging the application. As noted in Element V, above, even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application.

Applicants should include funds in the project budget for travel by project directors and chief evaluators to attend two national evaluation workshops in Washington, DC (See Part VII, B, Attendance at Evaluation Workshops.)

The score for this element will be based on the budget form (SF–424A) and the associated detailed budget narrative.

Part IV—Application Procedures

A. Availability of Forms

Attachments B–F, H, J, and M contain all of the standard forms necessary for the application for awards under this OCS program. These Attachments and Parts III and V of this announcement contain all the instructions required for submittal of applications.

Additional copies may be obtained by writing or telephoning the office listed under the section entitled **FOR FURTHER INFORMATION CONTACT:** at the beginning of this announcement. In addition, this announcement is accessible on the Internet through the OCS web site for reading or downloading at the following address: *www.acf.dhhs.gov/programs/ocs/kits1.htm*

The applicant must be aware that in signing and submitting the application for this award, it certifies compliance with the Federal requirements covering the drug-free workplace, debarment

regulations and the Certification Regarding Environmental Tobacco Smoke, set forth in Attachments E, F and J.

Part III contains instructions for the substance and development of the project narrative. Part VI, Section A, describes the contents and format of the application as a whole.

B. Application Submission

Mailing Address: Job Opportunities for Low-income Individuals Program applications must be mailed to the OCS Operations Center: 1815 North Fort Meyer Drive, Suite 300, Arlington, Virginia 22209; Attention: Application for JOLI Program.

Number of Copies Required: One signed original application and two copies should be submitted at the time of initial submission. (OMB–0970–0139, expiration date 12/31/2003)

Submission Instructions: Mailed applications shall be considered as meeting an announced deadline if they are either received on or before the deadline date or sent on or before the deadline date and received by the OCS Operations Center in time for the independent review.

Applications that are mailed must bear a legibly dated U.S. Postal Service postmark or a legibly dated, machine produced postmark of a commercial mail service affixed to the envelope/package containing the application(s). To be acceptable as proof of timely mailing, a postmark from a commercial mail service must include the logo/emblem of the commercial mail service company and must reflect the date the package was received by the commercial mail service company from the applicant. Private metered postmarks shall not be acceptable as proof of timely mailing. (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.)

Applications that are hand carried by applicants, applicant couriers, or by other representatives of the applicant shall be considered as meeting an announced deadline, if they are received on or before the closing date, between the hours of 8:00 a.m. and 4:30 p.m., EST, at the OCS Operations Center,1815 North Fort Meyer Drive, Suite 300, Arlington, VA 22209, between Monday and Friday (excluding Federal holidays). (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.) The address must appear on the envelope/package containing the application with the note: ''Attention: Application for JOLI Program''.

ACF cannot accommodate transmission of applications by fax or through other electronic media. Therefore, applications transmitted to ACF electronically will not be accepted regardless of date or time of submission and time of receipt.

Late Applications: Applications that do not meet the criteria above are considered late applications. ACF shall notify each late applicant that its application will not be considered in the current competition.

Extension of Deadlines: ACF may extend application deadlines when circumstances such as acts of God (flood, hurricanes, etc.) occur, or when there are widespread disruptions of the mail service. Determinations to extend or waive deadline requirements rest with ACF's Chief Grants Management Officer.

C. Intergovernmental Review

This program is covered under Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR Part 100, ''Intergovernmental Review of Department of Health and Human Services Program and Activities.'' Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

Note: State/Territory Participation in the Intergovernmental Review Process does not signify applicant eligibility for financial assistance under a program. A potential applicant must meet the eligibility requirements of the program for which it is applying prior to submitting an application to its Single Point of Contact (SPOC), if applicable, or to ACF.

The following jurisdictions have elected not to participate in the Executive Order process:

Alabama, Alaska, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, Washington, American Samoa, and Palau.

Applicants from these 24 jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by Federally recognized Indian tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants should contact their SPOC as soon as possible to alert them of the prospective applications and receive any necessary instructions. Applicants must submit any required material to the SPOC as soon as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a. Under 45 CFR 100.8(a)(2), a SPOC has sixty (60) days from the application deadline to comment on proposed new or competing continuation awards.

SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to differentiate clearly between mere advisory comments and those official State process recommendations which may trigger the ''accommodate or explain'' rule.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and Human Services, Administration for Children and Families, Office of Grants Management/OCSE, 4th Floor West, Aerospace Center, 370 L'Enfant Promenade, SW., Washington, DC 20447.

A list of the Single Point of Contact for each State and Territory is included as Attachment G to this announcement.

D. Application Consideration

Applications that meet the screening requirements below will be reviewed competitively. Such applications will be reviewed by panel and given a numerical score and explanatory comments based solely on responsiveness to the guidelines and evaluation criteria published in this announcement.

Applications will be reviewed by three persons outside of the OCS unit. The results of these reviews will assist the Director and OCS program staff in considering competing applications. Reviewers' scores will weigh heavily in funding decisions, but will not be the only factors considered.

Applications generally will be considered in order of the average scores assigned by reviewers. However, highly ranked applications are not guaranteed funding since other factors are taken into consideration, including, but not limited to, the timely and proper completion of projects funded with OCS funds granted in the last five (5) years; comments of reviewers and government officials; staff evaluation and input; the amount and duration of the grant requested and the proposed project's consistency and harmony with OCS goals and policy; geographic distribution of applications; previous program performance of applicants; the limitations on project continuation or refunding (See Part II, Section H); the

number of previous JOLI grants made to applicants; compliance with grant terms under previous HHS grants, including the actual dedication to program of mobilized resources as set forth in project applications; audit reports; investigative reports; and applicant's progress in resolving any final audit disallowances on previous OCS or other Federal agency grants.

OCS reserves the right to discuss applications with other Federal or non-Federal funding sources to verify the applicant's performance record and the documents submitted.

E. Criteria for Screening Applications

All applications that meet the published deadline requirements as provided in this Program Announcement will be screened for completeness and conformity with the requirements. Only complete applications that meet the requirements listed below will be reviewed and evaluated competitively. Other applications will be returned to the applicant with a notation that they were unacceptable and will not be reviewed.

The following requirements must be met by all applicants:

1. The application must contain a Standard Form 424 ''Application for Federal Assistance'' (SF–424), a budget (SF–424A), and signed ''Assurances'' (SF–424B) completed according to instructions published in Part V and Attachments C and D of this Program Announcement.

2. All JOLI applications must include a signed cooperative partnership agreement with the designated State agency responsible for administering the TANF Program, or a letter of commitment to such an agreement within six months of a grant award, contingent only on receipt of OCS funds. This cooperative partnership agreement must fully describe the role and/or responsibilities of each partner for specific activities and/or services to be provided which must clearly relate to the objectives of the proposed project.

3. A project narrative must also accompany the standard forms. OCS requires that the narrative portion of the application be limited to 30 pages, typewritten on one side of the paper only with one-inch margins and type face no smaller than 12 characters per inch (c.p.i.) or equivalent. The table of contents, budget narrative charts, appendices, exhibits, resumes, position descriptions, letters of support, cooperative agreements, letters of collaboration or substantive commitments to the project by organizations other than designated TANF agency, and business plans (where required) are not counted against this page limit. *It is strongly recommended that applicants follow the format and content for the narrative set out in Part III.*

4. The SF–424 and the SF–424B must be signed by an official of the organization applying for the grant who has authority to obligate the organization legally. Applicants must also be aware that the applicant's legal name as required on the SF–424 (item 5) must match that listed as corresponding to the Employer Identification Number (item 6).

5. Application must contain documentation of the applicant's tax exempt status as required under Part II, section A.

6. The application must contain a written third party agreement, or a discussion of a proposed agreement, signed by the applicant and the third party that includes all of the elements required in Part II, section W, if the applicant proposes to make an equity investment or a loan.

Part V—Instructions for Completing the SF–424

(Approved by the OMB under control Number 0970–0139, expiration date 12/31/2003.)

The standard forms attached to this announcement shall be used to apply for funds under this program announcement.

It is suggested that you reproduce single-sided copies of the SF–424 and SF–424A and type your application on the copies. Please prepare your application in accordance with instructions provided on the forms (Attachments B and C) as modified by the OCS specific instructions set forth below:

Provide line item detail and detailed calculations for each budget object class identified on the Budget Information form. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. The detailed budget must also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification, which describes how the categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

A. SF–424—Application for Federal Assistance (Attachment B)

Where the applicant is a previous Department of Health and Human Services grantee, enter the Central Registry System Employee Identification Number (CRS/EIN) and the Payment Identifying Number, if one has been assigned, in the Block entitled Federal Identifier located at the top right hand corner of the form.

Item 1. For the purposes of this announcement, all projects are considered Applications; there are no Preapplications.

Item 7. Enter N in the box and specify nonprofit corporation on the line marked Other.

Item 9. Name of Federal Agency—Enter HHS–ACF/OCS.

Item 10. The Catalog of Federal Domestic Assistance number for OCS programs covered under this announcement is 93.593. The title is ''Job Opportunities for Low-Income Individuals Program''.

Item 13. ''Proposed Project''—The ending date should be based on the requested project period, not to exceed three years (36 months).

Item 15a. This amount should be no greater than $700,000.

Item 15b-e. These items should reflect both cash and third party in-kind contributions for the three year budget period requested.

B. SF–424A—Budget Information-Non-Construction Programs—(Attachment C)

In completing these sections, the Federal funds budget entries will relate to the requested OCS funds only, and Non-Federal will include mobilized funds from all other sources—applicant, state, local, and other. Federal funds other than requested OCS funding should be included as ''Non-Federal'' entries.

Section A, B, and C of SF–424A should reflect budget estimates for each year of the budget period for which funding is being requested.

Section A—Budget Summary

You need only fill in lines 1 and 5 (with the same amounts).

Column (a): Enter Job Opportunities for Low-Income Individuals Program.

Column (b): Catalog of Federal Domestic Assistance number is 93.593.

Columns (c) and (d): Not relevant to this program.

Column (e)–(g): Enter the appropriate amounts. (Column (e) should not be more than $700,000.)

Section B—Budget Categories

Note: That the following information supersedes the instructions provided with the Form SF–424A in Attachment C.

For each of the relevant Object Class Categories:

Column 1: Enter the OCS grant funds for the first year;

Column 2: Enter the OCS grant funds for the second year (where appropriate);

Column 3: Enter the OCS grant funds for the third year (where appropriate);

Column 4: Leave blank.

Column 5: Enter the total Federal OCS grant funds for the total budget period by Object Class Categories, showing a total budget of not more than $700,000.

Note: With regard to Object Class Categories: Only out-of-town travel should be entered under category c. Travel. Local travel costs should be entered under category h. Other. Equipment costing less than $5,000 should be included in category e. Supplies.

Section C—Non-Federal Resources

This section is to record the amounts of non-Federal resources that will be used to support the project. For the purposes of this application, non-Federal resources means other than the OCS funds for which the applicant is applying. Therefore, mobilized funds from other Federal programs, such as the Job Training Partnership Act program, should be entered on these lines. Provide a brief listing of these non-Federal resources on a separate sheet and describe whether it is a grantee-incurred cost or a third party cash or in-kind contribution. The firm commitment of these resources must be documented and submitted with the application in order to be given credit in the review process under the Public/Private Partnerships program element.

Except in unusual situations, this documentation must be in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received.

Note: Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part III, Element V.).

This section should be completed in accordance with the instructions provided.

Sections D, E, and F May Be Left Blank

A supporting budget narrative must be submitted providing details of expenditures under each budget category, and justification of dollar amounts which relate the proposed expenditures to the work program and goals of the project. (See Part III, Element VI.)

C. SF–424B Assurances-Non-Construction (Attachment D)

All applicants must fill out, sign, date and return the ''Assurances'' with the application.

Part VI—Contents of Application and Receipt Process

A. Contents of Application

Each JOLI application must include all of the following, in the order listed below:

1. Table of Contents.

2. An Abstract of the Proposed Project—very brief, not to exceed 250 words, that would be suitable for use in an announcement that the application has been selected for a grant award and which identifies the type of project(s), the target population, and the major elements of the work plan.

3. Completed Standard Form 424 that has been signed by an Official of the organization applying for the grant who has authority to obligate the organization legally.

Note: The original SF–424 must bear the original signature of the authorizing representative of the applicant organization.

4. Budget Information-Non-Construction Programs—(SF–424A).

5. A narrative budget justification for each object class category required under Section B, SF–424A.

6. Certifications and Assurances Required: Applicants requesting financial assistance for a non-construction project must sign and return Standard Form 424B, ''Assurances: Non-Construction Programs'' with their applications. (See Attachment D.)

Applicants must provide a Certification Regarding Lobbying. Prior to receiving an award in excess of $100,000, applicants shall furnish an executed copy of the lobbying certification. Applicants must sign and return the certification with their application. (See Attachment H.)

Applicants must make the appropriate certification of their compliance with the Drug-Free Workplace Act of 1988. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification with the applications. (See Attachment E.)

Applicants must make the appropriate certification that they are not presently debarred, suspended or otherwise ineligible for award. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification with the applications. (See Attachment F.)

Applicants must make the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination. By signing and submitting the applications, applicants are providing the certification and need not mail back a certification form.

Applicants must make the appropriate certification of their compliance with the requirements of the Pro-Children Act of 1994 as outlined in Certification Regarding Environmental Tobacco Smoke. (See Attachment J.)

7. A Project Narrative of no more than 30 pages consisting of the Elements described in Part IV of this announcement set forth in the order therein presented and preceded by a consecutively numbered table of contents.

The total number of pages for the narrative portion of the application package must not exceed 30 pages. (See Part IV.E.3. for pages that do not count against the 30-page limit.)

8. Appendices—proof of nonprofit tax-exempt status as outlined in Part II, Section A; proof that the organization is a community development corporation, commitments from officials of businesses that will be expanded or franchised, where applicable; partnership agreement with the designated State TANF agency and CSE agency; Single Point of Contact comments, if applicable; resumes and position descriptions; a business plan, where required; and, the Maintenance of Effort Certification (See Part II–J and Attachment M).

Pages should be numbered sequentially throughout, including appendices, beginning with the Abstract as page 1.

B. Application Format

Applications must be uniform in composition since OCS may find it necessary to duplicate them for review purposes. Therefore, applications must be submitted on white 8½ × 11 inch paper only. Applications must not include colored, oversized or folded materials. Applications should not include organizational brochures or other promotional materials, slides, films, clips, etc. Such material will be discarded if included.

Applications must be bound or enclosed in loose-leaf binder notebooks. Preferably, applications should be two-holed punched at the top center and fastened separately with a compressor slide paper fastener, or a binder clip.

C. Acknowledgement of Receipt

Applicants who meet the initial screening criteria outlined in Part IV, Section E, will receive an acknowledgement with an assigned identification number within ten days after the deadline date for submission of applications. This number must be referred to in all subsequent communications with OCS concerning the application. To facilitate receipt of

this acknowledgment from ACF, applicant is asked to include a cover letter with the application containing an E-mail address and facsimile (FAX) number if these items are available to applicant.

Applicants are requested to supply a self-addressed mailing label with their application which can be attached to this acknowledgement notice. This mailing label should reflect the mailing address of the authorizing official who is applying on behalf of the organization. If an acknowledgement is not received within three weeks after the closing date, please notify ACF by telephone at (202) 401–5103.

Part VII—Post Award Information and Reporting Requirements

A. Notification of Grant Award

Following approval of the application selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Financial Assistance Award which provides the amount of Federal funds approved for use in the project, the project and budget periods for which support is provided, the terms and conditions of the award, and the total project period for which support is contemplated.

B. Attendance at Evaluation Workshops

The Project Directors and third party evaluators will be required to attend two national evaluation workshops in Washington, DC. A three-day program development and evaluation workshop will be scheduled shortly after the effective date of the grant. They also will be required to attend, as presenters, the final evaluation workshop on utilization and dissemination to be held at the end of the project period. Project budgets must include funds for travel to and attendance at these workshops. (See Part III, Element VI, Budget Appropriateness and Reasonableness.)

C. Reporting Requirements

Grantees will be required to submit semi-annual program progress and financial reports SF–269) as well as final program progress and financial reports within 90 days of the expiration of the grant. An annual evaluation report will be due 30 days after each 12 months. A final evaluation report will be due 90 days after the expiration of the grant.

D. Audit Requirements

Grantees are subject to the audit requirements in 45 CFR Part 74 (nonprofit organization) and OMB Circular A–133.

E. Prohibitions and Requirements With Regard to Lobbying

Section 319 of Public Law 101–121, signed into law on October 23, 1989, imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans. It provides limited exemptions for Indian tribes and tribal organizations. Current and prospective recipients (and their subtier contractors and/or grantees) are prohibited from using appropriated funds for lobbying Congress or any Federal agency in connection with the award of a contract, grant, cooperative agreement or loan. In addition, for each award action in excess of $100,000 (or $150,000 for loans) the law requires recipients and their subtier contractors and/or subgrantees to: (1) Certify that they have neither used nor will use any appropriated funds for payment to lobbyists; (2) submit a declaration setting forth whether payments to lobbyists have been or will be made out of non-appropriated funds and, if so, the name, address, payment details, and purpose of any agreements with such lobbyists whom recipients or their subtier contractors or subgrantees will pay with the non-appropriated funds; and, (3) file quarterly updates about the use of lobbyists, if an event occurs that materially affects the accuracy of the information submitted by way of declaration and certification.

The law establishes civil penalties for noncompliance and is effective with respect to contracts, grants, cooperative agreements and loans entered into or made on or after December 23, 1989. See Attachment H for certification and disclosure forms to be submitted with the applications for this program.

F. Applicable Federal Regulations

Attachment K indicates the regulations that apply to all applicants/grantees under the Job Opportunities for Low-income Individuals Program.

Dated: February 7, 2002.

Clarence H. Carter,

Director, Office of Community Services.

Job Opportunities for Low-Income Individuals; List of Attachments

A. 2001 Poverty Income Guidelines
B. Standard Form 424
C. Standard Form 424A
D. Standard Form 424B
E. Certification Regarding Drug-Free Workplace
F. Certification of Debarment
G. E.O. 12372 State Single Point of Contact List
H. Certification Regarding Lobbying Activities and Disclosure of Lobbying Activities, SF–LLL
I. State Human Service Administrators Responsible for TANF
J. Certification Regarding Environmental Tobacco Smoke
K. DHHS Regulations Applying to All Applicants/Grantees Under the Job Opportunities for Low-Income Individuals (JOLI) Program
L. Business Plan
M. Certification Regarding Maintenance of Effort
N. State Child Support Enforcement Agencies
O. Applicant's Checklist

BILLING CODE 4184–01–P

ATTACHMENT A

2001 POVERTY INCOME GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Size of Family Unit	Poverty Guidelines
1	$ 8,590
2	11,610
3	14,630
4	17,650
5	20,670
6	23,690
7	26,710
8	29,730

For family units with more than 8 members, add $3,020 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY INCOME GUIDELINES FOR ALASKA

Size of Family Unit	Poverty Guidelines
1	$10,730
2	14,510
3	18,290
4	22,070
5	25,850
6	29,630
7	33,410
8	37,190

For family units with more than 8 members, add $3,780 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY INCOME GUIDELINES FOR HAWAII

Size of Family Unit	Poverty Guidelines
1	$ 9,890
2	13,360
3	16,830
4	20,300
5	23,770
6	27,240
7	30,710
8	34,180

For family units with more than 8 members, add $3,470 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

ATTACHMENT B, Page 1
OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application ☐ Construction ☐ Non-Construction	Preapplication ☐ Construction ☐ Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address *(give city, county, State, and zip code):*	Name and telephone number of person to be contacted on matters involving this application *(give area code)*

6. EMPLOYER IDENTIFICATION NUMBER *(EIN):*
☐☐ – ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. TYPE OF APPLICATION:
☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es) ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other*(specify):*

_____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:
☐☐ – ☐☐☐

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT *(Cities, Counties, States, etc.):*

13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project

15. ESTIMATED FUNDING:

a. Federal	$ .00
b. Applicant	$ .00
c. State	$ .00
d. Local	$ .00
e. Other	$ .00
f. Program Income	$ .00
g. TOTAL	$ .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Type Name of Authorized Representative	b. Title	c. Telephone Number
d. Signature of Authorized Representative		e. Date Signed

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Standard Form 424 (Rev. 7-97)
Prescribed by OMB Circular A-102

Attachment B

Instructions for the SF–424

Public reporting burden for this collection of of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry:

1. Self-explanatory.

2. Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).

3. State use only (if applicable).

4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.

5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.

6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.

7. Enter the appropriate letter in the space provided.

8. Check appropriate box and enter appropriate letter(s) in the spaces(s) provided:

—''New'' means a new assistance award.

—''Continuation'' means an extension for an additional funding/budget period for a project with a projected completion date.

—''Revision'' means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.

9. Name of Federal agency from which assistance is being requested with this application.

10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.

11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

12. List only the largest political entities affected (e.g., State, counties, cities).

13. Self-explanatory.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate *only* the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BILLING CODE 4184–01–P

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		$	$	$	$	$
2.						
3.						
4.						
5. Totals		$	$	$	$	$

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1)	(2)	(3)	(4)	(5)
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges *(sum of 6a-6h)*					
j. Indirect Charges					
k. TOTALS *(sum of 6i and 6j)*	$	$	$	$	$
7. Program Income	$	$	$	$	$

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

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SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTAL *(sum of lines 8-11)*	$	$	$	$

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. Non-Federal					
15. TOTAL *(sum of lines 13 and 14)*	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	$	$	$	$
17.				
18.				
19.				
20. TOTAL *(sum of lines 16-19)*	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

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Standard Form 424A (Rev. 7-97) Page

BILLING CODE 4184-01-C

Instructions for the SF–424A

Attachment C

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0044), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a–k of Section B.

Section A. Budget Summary Lines 1–4 Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and not requiring a functional or activity breakdown, enter on Line 1 under Column (a) the Catalog program title and the Catalog number in Column (b).

For applications pertaining to a single program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the Catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the Catalog program title on each line in Column (a) and the respective Catalog number on each line in Column (b).

For applications pertaining to multiple programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1–4, Columns (c) Through (g)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5

Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1–4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Line 6a–i

Show the totals of Lines 6a to 6h in each column.

Line 6j

Show the amount of indirect cost.

Line 6k

Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)–(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7

Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount.

Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8–11

Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12

Enter the total for each of Columns (b)–(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13

Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14

Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15

Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16–19

Enter in Column (a) the same grant program titles shown in column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20

Enter the total for each of the Columns (b)–(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21

Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22

Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23

Provide any other explanations or comments deemed necessary.

Attachment D

Assurances—Non-Construction Programs

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88–352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basic of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92–255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd–3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91–646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93–234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards, which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91–190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetland pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93–523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93–205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a–1 et seq.).

14. Will comply with P.L. 93–348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89–544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with the applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal

agency may designate a central receipt point for STATE–WIDE AND STATE AGENCY–WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517–D, 200 Independence Avenue, SW., Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instruction for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performs in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contedere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statues;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

(Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

Certification Regarding Debarment, Suspension and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this

transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Covered Transaction,'' provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transaction.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause.

The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion—Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that

neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ATTACHMENT G, PAGE 1

Intergovernmental Review (SPOC List)

It is estimated that in 2001 the Federal Government will outlay $305.6 billion in grants to State and local governments. Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. Below is the official list of those entities. For those States that have a home page for their designated entity, a direct link has been provided below.

States that are not listed on this page have chosen not to participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within one of these States, you may still send application materials directly to a Federal awarding agency.

Contact information for Federal agencies that award grants can be found in Appendix IV of the Catalog of Federal Domestic Assistance.

ARKANSAS

Tracy L. Copeland, Manager, State Clearinghouse, Office of Intergovernmental Services, Department of Finance and Administration, 1515 W. 7th St., Room 412, Little Rock, Arkansas 72203, Telephone: (501) 682–1074, Fax: (501) 682–5206, tlcopeland@dfa.state.ar.us

CALIFORNIA

Grants Coordination, State Clearinghouse, Office of Planning and Research, P.O. Box 3044, Room 222, Sacramento, California 95812–3044, Telephone: (916) 445–0613, Fax: (916) 323–3018, state.clearinghouse@opr.ca.gov

DELAWARE

Charles H. Hopkins, Executive Department, Office of the Budget, 540 S. Dupont Highway, 3rd Floor, Dover, Delaware 19901, Telephone: (302) 739–3323, Fax: (302) 739–5661, chopkins@state.de.us

DISTRICT OF COLUMBIA

Luisa Montero-Diaz, Office of Partnerships and Grants Development, Executive Office of the Mayor, District of Columbia Government, 441 4th Street, NW, Suite 530 South, Washington, DC 20001, Telephone: (202) 727–8900, Fax: (202) 727–1652, opgd.eom@dc.gov

FLORIDA

Jasmin Raffington, Florida State Clearinghouse, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399–2100, Telephone: (850) 922–5438, Fax: (850) 414–0479, clearinghouse@dca.state.fl.us

GEORGIA

Georgia State Clearinghouse, 270 Washington Street, SW, Atlanta, Georgia 30334, Telephone: (404) 656–3855, Fax: (404) 656–7901, gach@mail.opb.state.ga.us

ILLINOIS

Virginia Bova, Department of Commerce and Community Affairs, James R. Thompson Center, 100 West Randolph, Suite 3–400, Chicago, Illinois 60601, Telephone: (312) 814–6028, Fax: (312) 814–8485, vbova@commerce.state.il.us

IOWA

Steven R. McCann, Division of Community and Rural Development, Iowa Department of Economic Development, 200 East Grand Avenue, Des Moines, Iowa 50309, Telephone: (515) 242–4719, Fax: (515) 242–4809, steve.mccann@ided.state.ia.us

KENTUCKY

Ron Cook, Department of Local Government, 1024 Capital Center Drive, Suite 340, Frankfort, Kentucky 40601, Telephone: (502) 573–2382, Fax: (502) 573–2512, ron.cook@mail.state.ky.us

MAINE

Joyce Benson, State Planning Office, 184 State Street, 38 State House Station, Augusta, Maine 04333, Telephone: (207) 287–3261, (207) 287–1461 (direct), Fax: (207) 287–6489, joyce.benson@state.me.us

MARYLAND

Linda Janey, Manager, Clearinghouse and Plan Review Unit, Maryland Office of Planning, 301 West Preston Street—Room 1104, Baltimore, Maryland 21201–2305, Telephone (410) 767–4490, Fax: (410) 767–4480, linda@mail.op.state.md.us

MICHIGAN

Richard Pfaff, Southeast Michigan Council of Governments, 535 Griswold, Suite 300, Detroit, Michigan 48226, Telephone: (313) 961–4266, Fax: (313) 961–4869, pfaff@semcog.org

MISSISSIPPI

Cathy Mallette, Clearinghouse Officer, Department of Finance and Administration, 1301 Woolfolk Building, Suite E, 501 North West Street, Jackson, Mississippi 39201, Telephone: (601) 359–6762, Fax: (601) 359–6758

MISSOURI

Angela Boessen, Federal Assistance Clearinghouse, Office of Administration, P.O. Box 809, Truman Building, Room 840, Jefferson City, Missouri 65102, Telephone: (573) 751–4834, Fax: (573) 522–4395, igr@mail.oa.state.mo.us

NEVADA

Heather Elliott, Department of Administration, State Clearinghouse, 209 E. Musser Street, Room 200, Carson City, Nevada 89701, Telephone: (775) 684–0209, Fax: (775) 684–0260, helliott@govmail.state.nv.us

NEW HAMPSHIRE

Jeffrey H. Taylor, Director, New Hampshire Office of State Planning, Attn: Intergovernmental Review Process,
Mike Blake, 2–1/2 Beacon Street, Concord, New Hampshire 03301, Telephone: (603) 271–2155, Fax: (603) 271–1728, jtaylor@osp.state.nh.us

NEW MEXICO

Ken Hughes, Local Government Division, Room 201 Bataan Memorial Building, Santa Fe, New Mexico 87503, Telephone: (505) 827–4370, Fax: (505) 827–4948, khughes@dfa.state.nm.us

NORTH CAROLINA

Jeanette Furney, Department of Administration, 1302 Mail Service Center, Raleigh, North Carolina 27699–1302, Telephone: (919) 807–2323, Fax: (919) 733–9571, jeanette.furney@ncmail.net

NORTH DAKOTA

Jim Boyd, Division of Community Services, 600 East Boulevard Ave, Dept 105, Bismarck, North Dakota 58505–0170, Telephone: (701) 328–2094, Fax: (701) 328–2308, jboyd@state.nd.us

RHODE ISLAND

Kevin Nelson, Department of Administration, Statewide Planning Program, One Capitol Hill, Providence, Rhode Island 02908–5870, Telephone: (401) 222–2093, Fax: (401) 222–2083, knelson@doa.state.ri.us

SOUTH CAROLINA

Omeagia Burgess, Budget and Control Board, Office of State Budget, 1122 Ladies Street, 12th Floor, Columbia, South Carolina 29201, Telephone: (803) 734–0494, Fax: (803) 734–0645, aburgess@budget.state.sc.us

TEXAS

Denise S. Francis, Director, State Grants Team, Governor's Office of Budget and Planning, P.O. Box 12428, Austin, Texas 78711, Telephone: (512) 305–9415, Fax: (512) 936–2681, dfrancis@governor.state.tx.us

UTAH

Carolyn Wright, Utah State Clearinghouse, Governor's Office of Planning and Budget, State Capitol, Room 114, Salt Lake City, Utah 84114, Telephone: (801) 538–1535, Fax: (801) 538–1547, cwright@gov.state.ut.us

WEST VIRGINIA

Fred Cutlip, Director, Community Development Division, West Virginia Development Office, Building #6, Room 553, Charleston, West Virginia 25305, Telephone: (304) 558–4010, Fax: (304) 558–3248, fcutlip@wvdo.org

WISCONSIN

Jeff Smith, Section Chief, Federal/State Relations, Wisconsin Department of

Administration, 101 East Wilson Street—6th Floor, P.O. Box 7868, Madison, Wisconsin 53707, Telephone: (608) 266–0267, Fax: (608) 267–6931, jeffrey.smith@doa.state.wi.us

AMERICAN SAMOA

Pat M. Galea'i, Federal Grants/Programs Coordinator, Office of Federal Programs, Office of the Governor/Department of Commerce, American Samoa Government, Pago Pago, American Samoa 96799, Telephone: (684) 633–5155, Fax: (684) 633–4195, pmgaleai@samoatelco.com

GUAM

Director, Bureau of Budget and Management Research, Office of the Governor, P.O. Box 2950, Agana, Guam 96910, Telephone: 011–671–472–2285, Fax: 011–472–2825, jer@ns.gov.gu

PUERTO RICO

Jose Caballero/Mayra Silva, Puerto Rico Planning Board, Federal Proposals Review Office, Minillas Government Center, P.O. Box 41119, San Juan, Puerto Rico 00940–1119, Telephone: (787) 723–6190, Fax: (787) 722–6783

NORTH MARIANA ISLANDS

Ms. Jacoba T. Seman, Federal Programs Coordinator, Office of Management and Budget, Office of the Governor, Saipan, MP 96950, Telephone: (670) 664–2289, Fax: (670) 664–2272, omb.jseman@saipan.com

VIRGIN ISLANDS

Ira Mills, Director, Office of Management and Budget, #41 Norre Gade Emancipation Garden Station, Second Floor, Saint Thomas, Virgin Islands 00802, Telephone: (340) 774–0750, Fax: (340) 776–0069, irmills@usvi.org

Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to grants@omb.eop.gov. If you prefer, you may send correspondence to the following postal address: Attn: Grants Management, Office of Management and Budget, New Executive Office Building, Suite 6025, 725 17th Street, NW., Washington, DC 20503.

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the CFDA.

Attachment H

Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form–LLL, ''Disclosure Form to Report Lobbying,'' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form–LLL, ''Disclosure Form to Report Lobbying,'' in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____

Signature

_____

Title

_____

Organization

BILLING CODE 4184–01–M

Attachment H, Page 2

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action:	2. Status of Federal Action:	3. Report Type:
☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	☐ a. bid/offer/application b. initial award c. post-award	☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____

4. Name and Address of Reporting Entity:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:
☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*:	 **Congressional District**, *if known*:
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less that $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

BILLING CODE 4184–01–C

Instructions for Completion of SF–LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF–LLL–A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of the covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks ''subawardee,'' then enter the full name, address, city, state, and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 [e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency]. Include prefixes, e.g., ''RFP–DE–90–001.''

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 40 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348–0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0046), Washington, DC 20503.

Disclosure of Lobbying Activities Continuation Sheet

Reporting Entity: _____

Page _____ of _____

Attachment I

State Human Services Administrators

Last Updated: 10/31/2001

Indexed by State Name

A

Mr. Bill Fuller, Commissioner, **Alabama** State Department of Human Resource, 50 Ripley Street, Montgomery, AL 36130–4000, Phone: (334) 242–1160, FAX: (334) 242–0198

Mr. Jay Lively, Commissioner, **Alaska** Department of Health & Social Services, PO Box 110601, Juneau, AK 99811–0601, Phone: (907) 465–3030, FAX: (907) 465–3068

Dr. Uiagalelie Leaofi, Director, **American Samoa** Department of Human & Social Service, PO Box 997534, Pago Pago, AS 96799, Phone: 011 (684) 633–2969, FAX: 011 (684) 633–7449

Mr. John L. Clayton, Director, **Arizona** Department of Economic Security, PO Box 6123, Site Code 010A, Phoenix, AZ 85005, Phone: (602) 542–5678, FAX: (602) 542–5339

Mr. Kurt Knickrehm, Director, **Arkansas** Department of Human Services, 329 Donaghey Plaza South, Seventh & Main Streets, PO Box 1437, Little Rock, AR 72203–1437, Phone: (501) 682–8650, FAX: (501) 682–6836

Mr. Grantland Johnson, Secretary, **California** Health and Human Services Agency, 1600 Ninth Street, Room 460, Sacramento, CA 95814, Phone: (916) 654–3345, FAX: (916) 654–3343

Ms. Rita Saenz, Director, **California** Department of Social Services, 744 P Street, Mail Stop 17–11, Sacramento, CA 95814, (916) 657–2598, FAX: (916) 653–1695

Mrs. Marva Livingston Hammons, Executive Director, **Colorado** Department of Human Services, 1575 Sherman Street, 8th floor, Denver, CO 80203–1714, Phone: (303) 866–5096, FAX: (303) 866–4740

Ms. Patricia A. Wilson-Coker, Commissioner, **Connecticut** Department of Social Services, 25 Sigourney Street, Hartford, CT 06106–2055, Phone: (860) 424–5008, FAX: (860) 424–5129

D

Mr. Vincent P. Meconi, Secretary, **Delaware** Health & Social Services, Herman M. Holloway Sr., Campus, Main Administration Building, 1st floor, 1901 N. DuPont Highway, New Castle, DE 19720, Phone: (302) 577–4502, FAX: (302) 577–4510

Ms. Carolyn W. Colvin, Director, **District of Columbia** Department of Human Services, 801 East Building, 2700 Martin Luther King Jr. Ave., SE, Washington, DC 20032–0247, Phone: (202) 279–6016, FAX: (202) 279–6014

F

Judge Kathleen Kearney, Secretary, **Florida** Department of Children & Families, Building 1, Room 202, 1317 Winewood Boulevard, Tallahassee, FL 32399–0700, Phone: (850) 487–1111, FAX: (850) 922–2993

Mr. Ruben J. King-Shaw, Director, **Florida** Agency for Health Care Administration, Fort Knox Building 3, 2727 Mahan Drive, Suite 3116, Tallahassee, FL 32308, Phone: (850) 922–3809, FAX: (850) 488–0043

G

Mr. Jim Martin, Commissioner, **Georgia** Department of Human Resources, 2 Peach Tree Street, NW, Suite 29–250, Atlanta, GA 30303, Phone: (404) 656–5680, FAX: (404) 651–8669

Ms. Juanita Blout-Clark, Director, **Georgia** Department of Human Resources, Division of Family & Children Services, 2 Peachtree Street, Atlanta, GA 30303, Phone: (404) 657–7660, FAX: (404) 657–5105

Mr. Dennis G. Rodriguez, Director, **Guam** Department of Public Health & Social Services, PO Box 2816, Agana, GU 96932, Phone: 011 (671) 734–7102, FAX: 011 (671) 734–5910

H

Ms. Susan Chandler, Director, **Hawaii** Department of Human Services, PO Box 339, 1390 Miller Street, RM 209, Honolulu, HI 96813, Phone: (808) 586–4997, FAX: (808) 586–4890

I

Mr. Karl B. Kurtz, Director, **Idaho** Department of Health & Welfare, P.O. Box 83720, 450 West State Street, 10th Floor, Boise, ID 83720–0036, Phone: (208) 334–5500, FAX: (208) 334–6558

Ms. Linda Renee Baker, Secretary, **Illinois** Department of Human Services, Harris Building, 3rd floor, 210 South Grand Avenue, East, Springfield, IL 62762, Phone: (217) 557–1601, FAX: (217) 557–1647

Mr. John Hamilton, Secretary, **Indiana** Family & Social Services Administration, 402 West Washington Street, Room W–461, Indianapolis, IN 46204, Phone: (317) 233–4690, FAX: (317) 233–4693

Mr. James M. Hmurovich, Director, Division of Family & Children, **Indiana** Family & Social Services Administration, W392 Government Center South, 402 West Washington Street, P.O. Box 7083, Indianapolis, IN 46207–7083 Phone: (317) 232–4705, FAX: (317) 232–4490

Ms. Jessie Rasmussen, Director, **Iowa** Department of Human Services, East 13th Street and Walnut, Hoover State Office Building, Des Moines, IA 50319–0114, Phone: (515) 281–5452, FAX: (515) 281–4597

K

Ms. Janet Schalansky, Secretary, **Kansas** Department of Social and Rehabilitation Services, Docking State Office Building, 6th Floor, 915 SW Harrison, Topeka, KS 66612–1570, Phone: (913) 296–3271, FAX: (913) 296–4685

Ms. Viola P. Miller, Secretary, **Kentucky** Cabinet for Families & Children, 275 East Main Street, 4th floor West, Frankfort, KY 40621, Phone: (502) 564–7130, FAX: (502) 564–3866

L

Ms. J. Renea Austin-Duffin, Secretary, **Louisiana** Department of Social Services, P.O. Box 3776, 755 N. 3rd Street, RM 201, Baton Rouge, LA 70821, Phone: (225) 342–0286, FAX: (225) 342–8636

M

Mr. Kevin W. Concannon, Commissioner, **Maine** Department of Human Services, 11 State House Station, 211 State Street, Augusta, ME 04333, Phone: (207) 287–2736, FAX: (207) 287–3005

Ms. Emelda P. Johnson, Secretary, **Maryland** Department of Human Resources, Saratoga State Center, 311 West Saratoga Street, 10th Floor, Baltimore, MD 21201, Phone: (410) 767–7109, FAX: (410) 333–0099

Mrs. Claire McIntire, Commissioner, **Massachusetts** Department of Transitional Assistance, 600 Washington Street, Boston, MA 02111, Phone: (617) 348–8410, FAX: (617) 348–8475

Mr. Douglas Howard, Director, **Michigan** Family Independence Agency, 235 South Grand Avenue, Lansing, MI 48909, Phone: (517) 373–2000, FAX: (517) 335–6101

Mr. James K. Haveman, Director, **Michigan** Department of Community Health, Lewis Cass Building, 320 South Walnut Street, Lansing, MI 48913, Phone: (517) 335–0267, FAX: (517) 373–4288

Mr. Michael O'Keefe, Commissioner, **Minnesota** Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155–3815, Phone: (615) 296–2701, FAX: (651) 296–5868

Ms. Janice Broome Brooks, Executive Director, **Mississippi** Department of Human Services, 750 North State Street, Jackson, MS 39202, Phone: (601) 359–4480, FAX: (601) 359–4477

Mr. Steve Renne, Director, **Missouri** Department of Social Services, Broadway State Office Building, 221 W. High Street, Jefferson City, MO 65102, Phone: (573) 751–4815, FAX: (573) 751–3203

Ms. Gail Gray, Director, **Montana** Department of Public Health & Human Services, 111 North Sanders, P.O. Box 4210, Helena, MT 59604–4210, Phone: (406) 444–5622, FAX: (406) 444–1970

Mr. Hank G. Hudson, Administrator, Human & Community Services Division, **Montana** Department of Public Health, & Human Services, P.O. Box 202952, Helena, MT 59620–2952, Phone: (406) 444–5901, FAX: (406) 444–2547

N

Mr. Ron Ross, Director, **Nebraska** Department of Health & Human Services, P.O. Box 59604, Lincoln, NE 68509–5044, Phone: (402) 471–9106, FAX: (402) 471–0820

Mr. Steve Curtiss, Director, **Nebraska** Department of Health & Human Services, Finance & Support, 301 Centennial Mall South, P.O. Box 95026, Lincoln, NE 68509–5026, Phone: (402) 471–8553, FAX: (402) 471–9449

Mr. Michael J. Willden, Director, **Nevada** Department of Human Resources, 505 East King Street, Suite 600, Carson City, NV 89710, Phone: (775) 687–4730, FAX: (775) 687–4733

Mr. Donald J. Shumway, Commissioner, **New Hampshire** Department of Health & Human Services, State Office Park South, 129 Pleasant St., Brown Bldg., Concord, NH 03301–3857, Phone: (603) 271–4331, FAX: (603) 271–4232

Mr. Richard A. Chevrefils, Assistant Commissioner, Office of Family Services, **New Hampshire Department** Department of Health & Human Services, 129 Pleasant Street, Concord, NH 033011–6505, Phone: (603) 271–4321, FAX: (603) 271–4727

Mr. James W. Smith, Jr., Acting Commissioner, **New Jersey** Department of Human Services, P.O. Box 700, Trenton, NJ 08625–0700, Phone: (609) 292–3717, FAX: (609) 292–3824

Ms. Robin Dozier Otten, Deputy Secretary, **New Mexico** Human Services Department P.O. Box 2348, 2009 South Pacheco, Santa Fe, NM 87504–2348, Phone: (505) 827–7750, FAX: (505) 827–6286

Mr. Brian Wing, Commissioner, **New York** State Department of Family Assistance, Office of Temporary & Disability Assistance, 40 North Pearl Street, Albany, NY 12243, Phone: (518) 474–9475/4152, FAX: (518) 486–6255

Mr. John A. Johnson, Commissioner, **New York** State Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, Phone: (518) 473–8437, FAX: (518) 473–9131

Ms. Carmen Hooker Buell, Secretary, **North Carolina** Department of Health & Human Services, 101 Blair Drive, Raleigh, NC 27603, Phone: (919) 733–4534, FAX: (919) 715–4645

Ms. Carol K. Olson, Executive Director, **North Dakota** Department of Human Services, State Capitol—Judicial Wing, 600 East Boulevard, Bismarck, ND 58505, Phone: (701) 328–2310, FAX: (701) 328–1545

O

Mr. Thom Hayes, Director, **Ohio** Department of Jobs & Family Services, 30 East Broad Street, 32nd Floor, Columbus; OH 43266–0423, Phone: (614) 466–6282, FAX: (614) 466–2815

Ms. Sandy Blunt, Assistant Director, **Ohio** Department of Jobs & Family Service, 30 East Broad Street, 32nd Floor, Columbus, OH 43266–0423, Phone: (614) 466–6282, FAX: (614) 466–2815

Mr. Howard A. Hendrick, Director, **Oklahoma** Department of Human Services, P.O. Box 25352 Oklahoma City, OK 73125–0352, Phone: (405) 521–3646, FAX: (405) 521–6458

Mr. Mike Fogarty, Chief Executive Officer, **Oklahoma** Health Care Authority, 4545 North Lincoln Boulevard, Suite 124, Oklahoma City, OK 73105, Phone: (405) 522–7300, FAX: (405) 522–7471

Mr. Bobby Mink, Director, **Oregon** Department of Human Services, 500 Summer Street, N.E., Salem, OR 97310–1012, Phone: (503) 945–5944, FAX: (503) 378–2897

P

Ms. Feather O. Houstoun, Secretary, **Pennsylvania** Department of Public Welfare, P.O. Box 2675, Harrisburg, PA 17105–2675, Phone: (717) 787–2600, FAX: (717) 772–2062

Ms. Angie Varela-Llavona, Secretary, **Puerto Rico** Department of The Family, P.O. Box 11398, San Juan, PR 00910–1398, Phone: (787) 725–4511, FAX: (787) 723–1223

R

Ms. Christine Ferguson, Director, **Rhode Island** Department of Human Services, 600 New London Avenue, Cranston, RI 02920, Phone: (401) 462–2121, FAX: (401) 462–3677

S

Ms Elizabeth G. Patterson, Director, **South Carolina** Department of Social Services, 1535 Confederate Avenue, P.O. Box 1520, Columbia, SC 29202–1520, Phone: (803) 898–7360, FAX: (803) 898–7276

Mr. James Ellenbecker, Secretary, **South Dakota** Department of Human Services, 700 Governors Drive, Pierre, SD 57501–2291, Phone: (605) 773–3165, FAX: (605) 773–4855

T

Ms. Natasha Metcalf, Commissioner, **Tennessee** Department of Human Services, Citizens Plaza Building, 15th Floor, 400 Deaderick Street, Nashville, TN 37248–0200, Phone: (615) 313–4700, FAX: (615) 741–4165

Mr. Jim Hine, Commissioner, **Texas** Department of Human Services, 701 West 51st Street, P.O. Box 149030, Mail Code W–619, Austin, TX 78714–9030, Phone: (512) 438–3030, FAX: (512) 438–4220

Ms. Diane D. Rath, Chair & Commissioner Representing the Public, **Texas** Work Force Commission, 101 East 15th Street, Austin, TX 78778, Phone: (512) 463–2800, FAX: (512) 463–1289

U

Mrs. Robin Arnold-Williams, Executive Director, **Utah** Department of Human Services, 120 North 200 West, Room 319, Salt Lake City, UT 84145–0500, Phone: (801) 538–3998/4001, FAX: (801) 538–4016

Mr. Robert C. Gross, Executive Director, **Utah** Department of Workforce Services, 140 E. 300 South, Salt Lake City, UT 84103, Phone: (801) 526–9210, FAX: (801) 526–9211

Mr. Rod Betit, Executive Director, Department of Health, P.O. Box 141000, 2288 North 1460 West, Salt Lake City, UT 84114–1000, Phone: (801) 538–6111, FAX: (801) 538–3606

V

Ms. Eileen Elliot, Commissioner, **Vermont** Department of Social Welfare, 103 South Main Street, Waterbury, VT 05671–1201, Phone: (802) 241–2853, FAX: (802) 241–2830

Ms. Sedonia Halbert, Acting Commissioner, **Virgin Islands** Department of Human Services, Knud Hansen Complex Building A, 1303 Hospital Grounds, St. Thomas, VI 00802, Phone: (304) 774–0930, FAX: (304) 774–3466

Mr. Louis Rossiter, Secretary, **Virginia** Health & Human Resources, 202 North 9th Street, Suite 622, Richmond, VA 23219, Phone: (804) 786–7765, FAX: (804) 371–6984

Ms. Sonia Rivero, Commissioner, **Virginia** Department of Social Services, Theatre Row Building, 730 East Broad Street, 9th floor, Richmond, VA 23219–1849, Phone: (804) 692–1900, FAX: (804) 692–1949

W

Mr. Dennis Braddock, Secretary, **Washington** Department of Social & Health Services, 115 Washington Street, SE, P.O. Box 45010, Olympia, WA 98504–5010, Phone: (360) 902–7800, FAX: (360) 902–7848

Mr. Paul L. Nusbaum, Secretary, **West Virginia** Department of Health and Human Resources, State Capitol Complex Bldg. 3, Room 206, Charleston, WV 25305–0500, Phone: (304) 558–0684, FAX: (304) 558–1130

Mr. Frederick Boothe, Commissioner, Bureau of Children & Families, **West Virginia** Department of Health & Human Resources, 350 Capitol Street, Room 730, Charleston, WV 25301–3711, Phone: (304) 558–0999, FAX: (304) 558–4194

Ms. Phyllis J. Dubé, Secretary, **Wisconsin** Department of Health & Family Services, P.O. Box 7850, Madison, WI 53707–7850, Phone: (608) 266–9622, FAX: (608) 266–7882

Ms. Jennifer Reinert, Secretary, **Wisconsin** Department of Workforce Development, P.O. Box 7946, Madison, MI 53707–7946, Phone: (608) 266–7552

Ms. Susan Lehman, Director, **Wyoming** Department of Family Services, Hathaway Building, 2300 Capitol Avenue, Cheyenne, WY 82002–0490, Phone: (307) 777–7564, FAX: (307) 777–7747

Mr. Garry L. McKee, Director, **Wyoming** Department of Health, 117 Hathaway Building, 2300 Capitol Avenue, Cheyenne, WY 82002–0490, Phone: (307) 777–7656, FAX: (307) 777–7439

Certification Regarding Environmental Tobacco Smoke

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

DHHS Regulations Applying to All Applicants/Grantees Under the Job Opportunities for Low-Income Individuals (JOLI) Program

Title 45 of the Code of Federal Regulations:

Part 16—Department of Grant Appeals Process
Part 74—Administration of Grants (grants and subgrants to entities)
Part 75—Informal Grant Appeal Procedures
Part 76—Debarment and Suspension from Eligibility for Financial Assistance

SUBPART F—DRUG FREE WORKPLACE REQUIREMENTS

Part 80—Non-Discrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
Part 81—Practice and Procedures for Hearings Under Part 80 of this Title
Part 83—Regulation for the Administration and Enforcement of Sections 799A and 845 of the Public Health Service Act
Part 84—Non-discrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance
Part 85—Enforcement of Non-Discrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Health and Human Services
Part 86—Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance
Part 91—Non-discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance
Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments (*Federal Register*, March 11, 19880
Part 93—New Restrictions on Lobbying
Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities

Attachment L

Business Plan

The business plan is one of the major components that will be evaluated by OCS to determine the feasibility of a jobs creation project. A business plan must be included if, the applicant is proposing to establish a new identified business, or if the applicant will be providing assistance to a private third party employer for the development or expansion of a pre-identified business.

The following guidelines were written to cover a variety of possibilities regarding the requirements of a business plan. Rigid adherence to them is not possible nor even desirable for all projects. For example, a business plan for a service business would not require discussion of manufacturing nor product designs. Therefore, the business plans should be prepared in accordance with the following guidelines:

1. *The business and its industry.* This section should describe the nature and history of the business and include background on its industry.

a. *The Business:* as a legal entity; the general business category;

b. *Description and Discussion of Industry:* Current status and prospects for the industry.

2. *Products and Services:* This section deals with the following:

a. *Description:* Describe in detail the products or services to be sold;

b. *Proprietary Position:* Describe proprietary features, if any, of the product, e.g. patents, trade secrets; and,

c. *Potential:* Features of the product or service that may give it an advantage over the competition.

3. *Market Research and Evaluation:* This section should present sufficient information to show that the product or service has a substantial market and can achieve sales in the face of competition;

a. *Customers:* Describe the actual and potential purchasers for the product or service by market segment;

b. *Market Size and Trends:* State the size of the current total market for the product or service offered;

c. *Competition:* An assessment of the strengths and weaknesses of competitive products and services; and,

d. *Estimated Market Share and Sales:* Describe the characteristics of the product or service that will make it competitive in the current market.

4. *Marketing Plan:* The marketing plan must describe what is to be done, how it will be done and who will do it. The marketing plan should detail the product, pricing, distribution, and promotion strategies that will be used to achieve the estimated market share and sales projections. The plan should address the following topics—Overall Marketing Strategy, Packaging, Service and Warranty, Pricing, Distribution and Promotion.

5. *Design and Development Plans:* This section of the plan should cover items such as Development Status, Tasks, Difficulties and Risks, Product Improvement, New Products and Costs. If the product, process or service of the proposed venture requires any design and development before it is ready to be placed on the market, the nature and extent and cost of this work should be fully discussed.

6. *Manufacturing and Operations Plan:* A manufacturing and operations plan should describe the kind of facilities, plant location, space, capital equipment and labor force (part and/or full time and wage structure) that are required to provide the company's product or service.

7. *Management Team:* This section must include a description of: the key management personnel and their primary duties; compensation and/or ownership; the organizational structure; Board of Directors; management assistance and training needs; and, supporting professional services. The management team is key in starting and operating a successful business. The management team should be committed with a proper balance of technical, managerial and business skills, and experience in operating the proposed business.

8. *Overall Schedule:* This section must include a month-by-month schedule that shows the timing of such major events,

activities and accomplishments involving product development, market planning, sales programs, and production and operations. Sufficient detail should be included to show the correlation between the timing of the primary tasks required to accomplish each activity.

9. *Critical Risks and Assumptions:* This section should include a description of the risks and critical assumptions/problems relating to the industry, the venture, its personnel, the product's market appeal, and the timing and financing of the venture. Identify and discuss the critical assumptions/problems to overcome in the Business Plan. Major problems must clearly identify problems to be solved to develop the venture.

10. *Community Benefits:* The applicant should describe how the proposed project will contribute to the local economy, community and human economic development within the project's target area.

11. *The Financial Plan:* The Financial Plan is basic to the development of a Business Plan. Its purpose is to indicate the project's potential and the timetable for financial self-sufficiency of the business. In developing the Financial Plan, the following exhibits must be prepared for the first three years of business' operation:

a. Profit and Loss Forecasts-quarterly for each year;

b. Cash Flow Projections-quarterly for each year;

c. Pro forma balance sheets-quarterly for each year;

d. Initial sources of project funds;

e. Initial uses of project funds; and

f. Any future capital requirements and sources.

12. *Facilities:* If rearrangement or alteration of existing facilities is required to implement the project, the applicant must describe and justify such changes and related costs.

Attachment M

Certification Regarding Maintenance of Effort

In accordance with the applicable program statute(s) and regulation(s), the undersigned certifies that financial assistance provided by the Administration for Children and Families, for the specified activities to be performed under the _____Program by _____(Applicant Organization, will be in addition to, and not in substitution for, comparable activities previously carried on without Federal assistance.

_____

Signature of Authorized Certifying Official

_____

Title

_____

Date

Attachment N

State Child Support Enforcement Offices

Updated February 14th, 2001

A

Alabama

Department of Human Resources, Division of Child Support, 50 Ripley Street, Montgomery, AL 36130–1801, (334) 242–9300, FAX: (334) 242–0606, 1–800–284–4347 [1]

Alaska

Child Support Enforcement Division, 550 West 7th Avenue, Suite 310, Anchorage, AK 99501–6699, (907) 269–6900, FAX: (907) 269–6813, 1–800–478–3300 [1]

Arizona

Division of Child Support Enforcement, P.O. Box 40458, Phoenix, AZ 85067, (602) 252–4045 (non toll-free number)

Arkansas

Office of Child Support Enforcement, P.O. Box 8133, Little Rock, AR 72203, Street Address: 712 West Third, Little Rock, AR 72201, (501) 682–8398, FAX: (501) 682–6002, 1–800–264–2445 [2] (Payments), 1–800–247–4549 [2] (Program)

C

California

California Department of Child Support Services, Customer and Community Services Branch, P.O. Box 419064, MS–30, Rancho Cordova, CA 95741–9064, FAX: (916) 464–5065, 1–866–249–0773

Colorado

Division of Child Support Enforcement, Division of Human Services, 303 E. 17th Avenue, Suite 200, Denver, CO 80203–1241, (720) 947–5000, FAX: (720) 947–5006, (no toll-free number)

Connecticut

Department of Social Services, Bureau of Child Support Enforcement, 25 Sigourney Street, Hartford, CT 06105–5033, (860) 424–5251, FAX: (860) 951–2966 1–800–228–5437 [2] (problems), 1–800–647–8872 [2] (information), 1–800–698–0572 [2] (payments)

D

Delaware

Division of Child Support Enforcement, Delaware Health and Social Services, 1901 North Dupont Hwy., P.O. Box 904, New Castle, DE 19720, (302) 577–4863, 577–4800, FAX: (302) 577–4873, (800) 464–4357

District of Columbia

Office of Paternity and Child Support Enforcement, Department of Human Services, 800 9th Street, SW., 2nd Floor, Washington, DC 20024–2480, (202) 724–1444, (no toll-free number)

F

Florida

Child Support Enforcement Program, Department of Revenue, P.O. Box 8030, Tallahassee, FL 32314–8030, (850) 922–9590, FAX: (850) 488–4401, (no toll-free number)

G

Georgia

Child Support Enforcement, P.O. Box 38450, Atlanta, GA 30334–0450, (404) 657–3851, FAX: (404) 657–3851, 1–800–227–7993 [1] (for 706 & 912 area codes), (from area codes 404 & 770, dial code + 657–2780)

Guam

Department of Law, Child Support Enforcement Office, 238 Archbishop F.C. Flores, 7th Floor, Agana, GU 96910, 011 (671) 475–3360, (no toll-free number)

H

Hawaii

Child Support Enforcement Agency, Department of Attorney General, Kakuhihewa State Office Building, 601 Kamokila Boulevard, Suite 251, Kapolei, HI 96707, (808) 587–3695, (808) 692–7134, (no Toll Free Number)

I

Idaho

Bureau of Child Support Services, Department of Health and Welfare, P.O. Box 83720, Boise, ID 83720–0036, (208) 334–6535, FAX: (208) 334–0666, 1–800–356–9868 [2]

Illinois

Illinois Department of Public Aid, Division of Child Support Enforcement, Marriott Building, 509 South Sixth Street, Springfield, IL 62701–1825, (217) 524–4602, FAX: (217) 524–4608, 1–800–447–4278 [1]

Indiana

Child Support Bureau, 402 West Washington Street, RM W360, Indianapolis, IN 46204, (317) 233–5437, FAX: (317) 233–4932 [2], 1(800) 840–8757

Iowa

Bureau of Collections, Department of Human Services, Hoover Building—5th Floor, Des Moines, IA 50319, (515) 242–5530, FAX: (515) 281–8854, (888) 229–9223)

K

Kansas

Child Support Enforcement Program, Department of Social & Rehabilitation Services, P.O. Box 497, Topeka, KS 66601, Street Address: 300 S.W. Oakley Street, Biddle Building, Topeka, KS 66606, (785) 296–3237, FAX: (913) 296–5206, 1–800–432–0152 [2](Withholding), 1–800–570–6743 [2](Collections), 1–800–432–3913 [2](Fraud Hotline)

Kentucky

Division of Child Support Enforcement, Cabinet for Human Resources, P.O. Box 2150, Frankfort, KY 40602, (502) 564–2285, FAX: (502) 564–5988, (800) 248–1163 [2]

L

Louisiana

Support Enforcement Services, Office of Family Support, P.O. Box 94065, Baton Rouge, LA 70804–4065, (225) 342–4780, FAX: (504) 342–7397, 1–800–256–4650 [1](Payments)

M

Maine

Division of Support Enforcement and Recovery, Bureau of Income Maintenance, Department of Human Services, State House Station, 11 Whitten Road, Augusta, ME 04333, (207) 287–2886, FAX: (207) 287–5096, 1–800–371–3101 [1]

Maryland

Child Support Enforcement Administration, Department of Human Resources, 311 West Saratoga Street, Baltimore, MD 21201, (410) 767–7619, FAX: (410) 333–8992, 1–800–234–1528 [2]

Massachusetts

Child Support Enforcement Division, Department of Revenue, 141 Portland Street, Cambridge, MA 02139–1937, (617) 557–7200, FAX: (617) 621–4991, 1–800–332–2733 [2]

Michigan

Office of Child Support, Family Independence Agency, P.O. Box 30478, Lansing, MI 48909–7978, (517) 373–7570, FAX: (517) 373–4980, (no toll-free number)

Minnesota

Office of Child Support Enforcement, Department of Human Services, 444 Lafayette Road, 4th floor, St. Paul, MN 55155–3846, (651) 296–2542, FAX: (651) 297–4450, (no toll-free number)

Mississippi

Division of Child Support Enforcement, Department of Human Services, P.O. Box 352, Jackson, MS 39205, (601) 359–4861, FAX: (601) 359–4415, 1–800–434–5437 (Jackson)[2], 1–800–354–6039 (Hines, Rankin & Madison Cnties.)

Missouri

Department of Social Services, Division of Child Support Enforcement, P.O. Box 2320, Jefferson City, MO 65102–2320, (573) 751–4301, FAX: (573) 751–8450, 1–800–859–7999 [2]

Montana

Child Support Enforcement Division, Department of Public Health, and Human Services, P.O. Box 202943, Helena, MT 59620, (406) 442–7278, FAX: (406) 444–1370, 1–800–346–5437[1]

N

Nebraska

Nebraska Dept. of Health and Human Services, Child Support Enforcement Office, P.O. Box 94728, Lincoln, NE 68509–4728, (402) 479–5555, FAX: (402) 471–9455, 1–800–831–4573[1]

Nevada

Child Support Enforcement Program, Nevada State Welfare Division, 2527 North Carson Street, Carson City, NV 89710, (775) 687–4744, FAX: (702) 684–8026, 1–800–992–0900 x4744[1]

New Hampshire

Office of Child Support, Division of Human Services, Health and Human Services Building, 6 Hazen Drive, Concord, NH 03301–6531, (603) 271–4427, FAX: (603) 271–4787, 1–800–852–3345 ext. 4427[1]

New Jersey

Division of Family Development, Department of Human Services, Bureau of Child Support and Paternity Programs CN 716, Trenton, NJ 08625–0716, (609) 588–2915, FAX: (609) 588–2354, 1–800–621–5437[2]

New Mexico

Child Support Enforcement Bureau, Department of Human Services, P.O. Box 25109, Santa Fe, NM 87504, Street Address: 2025 S. Pacheco, Sante Fe, NM 87504, (505) 476–7040, FAX: (505) 827–7285, 1–800–288–7207[1], 1–800–585–7631

New York

Office of Child Support Enforcement, Department of Social Services, P.O. Box 14, Albany, NY 12260, Street Address: One Commerce Plaza, Albany, NY 12260, (518) 474–9081, FAX: (518) 486–3127, 1–800–342–3009

North Carolina

Child Support Enforcement Section, Division of Social Services, Department of Human Resources, 100 East Six Forks Road, Raleigh, NC 27609–7750, (919) 571–4114, FAX: (919) 571–4126, 1–800–992–9457[1]

North Dakota

Department of Human Services, Child Support Enforcement Agency, P.O. Box 7190, Bismarck, ND 58507–7190, (701) 328–3582, FAX: (701) 328–5497, 1–800–755–8530[1]

O

Ohio

Office of Child Support Enforcement, Department of Human Services, 30 East Broad Street—31st Floor, Columbus, OH 43266–0423, (614) 752–6561, FAX: (614) 752–9760, 1–800–686–1556[1]

Oklahoma

Department of Human Services, P.O. Box 53552, Oklahoma City, OK 73125, Street Address: 2409 N. Kelley Avenue, Annex Building, Oklahoma City, OK 73111, (405) 522–5871, FAX: (405) 522–2753, 1–800–522–2922[2]

Oregon

Department of Justice, Division of Child Support, 1495 Edgewater N.W., Suite 290, Salem, OR 97304, (503) 986–5950, FAX: (503) 391–5526, 1–800–850–0228[1], 1–800–850–0294[1] Rotary

P

Pennsylvania

Bureau of Child Support Enforcement, Department of Public Welfare, P.O. Box 8018, Harrisburg, PA 17105, (717) 783–5184, FAX: (717) 787–9706, 1–800–932–0211[2]

Puerto Rico

Child Support Enforcement, Department of Social Services, P.O. Box 3349, San Juan, PR 00902–9938, Street Address: Majagua Street, Bldg. 2, Wing 4, 2nd Floor, Miramar, PR 00902–9938, (787) 767–1500, FAX: (787) 723–6187, (no toll-free number)

R

Rhode Island

Rhode Island Child Support Services, Department of Human Services, 77 Dorrance Street, Providence, RI 02903, (401) 222–2847, FAX: (401) 277–6674, 1–800–638–5437[1]

S

South Carolina

Department of Social Services, Child Support Enforcement Division, P.O. Box 1469, Columbia, SC 29202–1469, (803) 898–9341, FAX: (803) 737–6032, 1–800–768–5858[2], 1–800–768–6779[1] (Payments)

South Dakota

Office of Child Support Enforcement, Department of Social Services, 700 Governor's Drive, Pierre, SD 57501, (605) 773–3641, FAX: (605) 773–5246, (no toll-free number)

T

Tennessee

Child Support Services, Department of Human Services, Citizens Plaza Building—12th Floor, 400 Deadrick Street, Nashville, TN 37248–7400, (615) 313–4880, FAX: (615) 532–2791, 1–800–838–6911 [2]

Texas

Office of the Attorney General, State Office, Child Support Division, P.O. Box 12017, Austin, TX 78711–2017, (512) 460–6000, FAX: (512) 834–9712, 1–800–252–8014 [2]

U

Utah

Bureau of Chief Support Services, Department of Human Services, P.O. Box 45011, Salt Lake City, UT 84145–0011, (801) 536–8500, FAX: (801) 536–8509, 1–800–257–9156 [2]

V

Vermont

Office of Child Support, 103 South Main Street, Waterbury, VT 05671–1901, (802) 241–2313, FAX: (802) 244–1483, 1–800–678–3214 [2]

Virgin Islands

Paternity and Child Support Division, Department of Justice, GERS Building, 2nd Floor, 48B–50C Krondprans Gade, St. Thomas, VI 00802, (340) 775–3070, FAX: (809) 774–9710 (no toll-free number)

Virginia

Division of Support Enforcement, Department of Social Services, 730 East Broad Street, Richmond, VA 23219, (804) 692–1428, FAX: (804) 692–1405, 1–800–468–8894 [1]

W

Washington

Division of Child Support, Department of Social and Health Services, P.O. Box 9162, Olympia, WA 98507–9162, Street address: 712 Pear Street, S.E., Olympia, WA 98507, (360) 664–5000, FAX: (206) 586–3274, 1–800–922–4306 [2]

West Virginia

Child Support Enforcement Division, Department of Health & Human Resources, 1900 Kanawha Boulevard East, Capitol Complex, Building 6, Room 817, Charles, WV 25305, (304) 558–3780, 1–800–249–3778 [2]

Wisconsin

Division of Economic Support, P.O. Box 7935, Madison, WI 53707–7935, Street Address: 1 West Wilson Street, Room 382, Madison, WI 53707, (608) 266–9909, FAX: (608) 267–2824 (no toll-free number)

Wyoming

Child Support Enforcement, Department of Family Services, Hathaway Building, 2300 Capital Avenue, 3rd Floor, Cheyenne, WY 82002–0490, (307) 777–6948, FAX: (307) 777–3693, 1–800–457–3659 [2]

BILLING CODE 4184–01–M

Attachment O

APPLICANT'S CHECKLIST

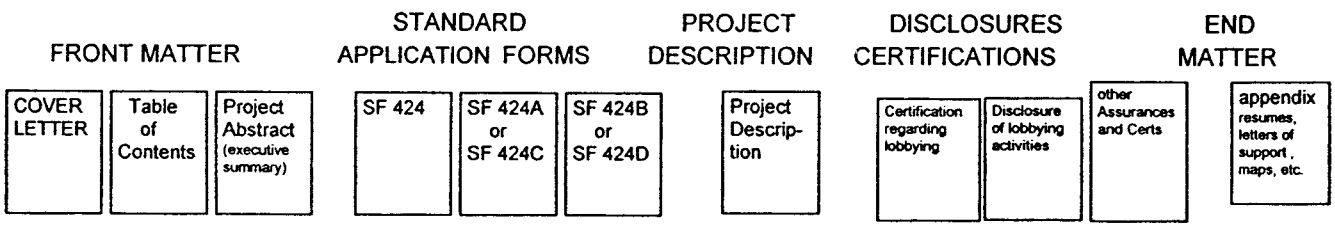
This checklist will assist you with preparing and assembling your application. Completing the checklist can help ensure that you do not omit key information. Because this checklist is used by many ACF programs, some of the information might not apply to your application. This checklist DOES NOT have to be completed and returned with your application.

	Yes	Included	N/A
Authorizing official read and understood Certification Regarding Debarment, Suspension, and Other Responsibility Matters?			
Authorizing official read and understood Certification Regarding Drug-Free Workplace Requirements--Grantees Other Than Individuals?			
Authorizing official read and understood Certification Regarding Environmental Tobacco Smoke?			
Application for Federal Assistance (SF 424) was completed? Proper Signature and Date for Line 18?			
Budget Information--Non-Construction Programs (SF 424A) or Budget Information--Construction Programs (SF 424C) was completed?			
Assurances-- Non-Construction Programs (SF 424B) or Assurances--Construction Programs (SF 424D) was completed? (Proper Signature and Date?)			
Certification Regarding Lobbying was completed? (Proper Signature and Date?)			
Disclosure of Lobbying Activities was completed? (Proper Signature and Date?)			
Other special certifications, assurances, and/or disclosures required under the program were completed (e.g., maintenance of effort certification)?			
Proof of nonprofit status was provided?			
Has additional information such as biographical sketch(es) with job description(s) and other additional information been attached, when required?			
For a Supplemental application, does the detailed budget only address the additional funds requested?			
Checked all budget computations for accuracy?			

FOLLOW-UP QUESTIONS

	YES	N/A
On the Application for Federal Assistance (SF 424),		
⇒ did you enter the application number issued by the sponsoring ACF office in the "Federal Identifier" block?		
⇒ did you type the 12 digit Payee EIN or PIN previously assigned to your organization by DHHS in the "Federal Identifier" block?		
⇒ is the EIN in Item #6 assigned to the organization and organizational unit named in Item #5?		
⇒ did you include city, county, state and zip code of the applicant did organization in Item #5?		
⇒ has the appropriate box been checked in Item #16?		
⇒ has the entire proposed project period been identified in Item #13?		
On the Budget Information form (SF 424A or SF 424C),		
⇒ do the totals in Section B match the totals provided in the budget and budget narrative?		

SUGGESTED ORDERING OF APPLICATION MATERIALS



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BILLING CODE 4184–01–C

Federal Register

Thursday,
February 21, 2002

Part II

Department of Health and Human Services

Administration for Children and Families

Request for Applications Under the Office of Community Services' Fiscal Year 2002 Job Opportunities for Low-Income Individuals (JOLI) Program; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. OCS–2002–06]

Request for Applications Under The Office of Community Services' Fiscal Year 2002 Job Opportunities for Low-income Individuals (JOLI) Program

AGENCY: Office of Community Services, Administration for Children and Families, Department of Health and Human Services.

ACTION: Announcement of availability of funds and request for applications under the Office of Community Services' FY 2002 Job Opportunities for Low-income Individuals (JOLI) Program.

SUMMARY: The Administration for Children and Families (ACF), Office of Community Services (OCS), announces that, based on availability of funds, competing applications will be accepted for new grants pursuant to the Secretary's discretionary authority under section 505 of the Family Support Act of 1988, as amended.

DATES: To be considered for funding, applications must be postmarked on or before April 22, 2002. Applications postmarked after that date will not be accepted for consideration. Detailed application submission instructions including the addresses to which applications must be submitted are found in Part IV–B, Application Submission.

FOR FURTHER INFORMATION, CONTACT: Ros Relaford, Technical Assistance Manager, OCS Operations Center, Call: 1–800–281–9519

or E-mail: *OCS@lcgnet.com.*

For a copy of this announcement, contact: OCS Operations Center, 1815 North Fort Meyer Drive, Suite 300, Arlington, Virginia 22209, 1–800–281–9519.

In addition, this announcement is accessible on the OCS website for reading or downloading at: *http://www.acf.dhhs.gov/programs/ocs/kits1.htm.*

If this Program Announcement is not available at these sources, it may be obtained by telephoning or writing the office listed under **FOR FURTHER INFORMATION, CONTACT.**

The Catalog of Federal Domestic Assistance number for this program is 93.593. The title is Job Opportunities for Low-income Individuals (JOLI) Program.

SUPPLEMENTARY INFORMATION: This program announcement consists of seven parts plus Attachments.

Part I—Background Information

A. Legislative Authority
B. Program Purpose
C. Project Goals
D. Definitions of Terms

Part II—Program Objectives and Requirements

A. Eligible Applicants
B. Project and Budget Periods
C. Availability of Funds and Grant Amounts
D. Mobilization of Resources
E. Program Participants/Beneficiaries
F. Prohibition and Restrictions on the Use of Funds
G. Multiple Submittals
H. Re-Funding
I. Sub-Contracting or Delegating Projects
J. Maintenance of Effort
K. Program Focus
L. Creation of Jobs and Employment Opportunities
M. Cooperative Partnership Agreement with the Designated Agency Responsible for the Temporary Assistance for Needy Families (TANF) Program
N. Third Party Project Evaluation
O. Economic Development Strategy
P. Training and Support for Micro-Business Development
Q. Cooperative Partnership Agreement with the Designated Agency Responsible for the Child Support Enforcement(CSE)Program Support for Non-custodial Parents
R. Technical Assistance to Employers
S. Applicant Experience and Cost-per-Job
T. Loan Funds
U. Business Plan
V. Dissemination of Project Results
W. Third Party Agreements

Part III—The Project Description, Program Proposal Elements and Review Criteria

A. Purpose
B. Project Summary/Abstract
C. Objectives and Need for Assistance
D. Results or Benefits Expected
E. Approach
F. Organizational Profiles
G. Budget and Budget Justification
H. Non-Federal Resources
I. Evaluation Criteria

Part IV—Application Procedures

A. Availability of Forms
B. Application Submission
C. Intergovernmental Review
D. Application Consideration
E. Criteria for Screening Applications

Part V—Instructions for Completing Forms SF–424

A. SF–424—Application for Federal Assistance
B. SF–424A—Budget Information—Non-Construction Programs
C. SF–424B—Assurances for Non-Construction

Part VI—Contents of Application and Receipt Process

A. Contents of Application
B. Application Format
C. Acknowledgement of Receipt

Part VII—Post Award Information and Reporting Requirements

A. Notification of Grant Award
B. Attendance at Evaluation Workshops
C. Reporting Requirements
D. Audit Requirements
E. Prohibitions and Requirements with Regard to Lobbying
F. Applicable Federal Regulations

Attachments

Application forms and required Attachments.

Paperwork Reduction Act of 1995

Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information. The project description is approved under Office of Management and Budget (OMB) Control Number 0970–0139 which expires 12/31/2003. 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.

Part I—Background Information

A. Legislative Authority

Section 505 of the Family Support Act of 1988, Public Law 100–485, as amended, authorizes the Secretary of HHS to enter into agreements with nonprofit organizations (including community development corporations) for the purpose of conducting projects designed to create employment opportunities for certain low-income individuals (42 U.S.C. 9926).

B. Program Purpose

The purpose of the JOLI program is to test and evaluate ways of creating employment and business opportunities for individuals receiving Temporary Assistance for Needy Families (TANF) assistance and other low-income individuals through self-employment, micro-enterprise, new business ventures, expansion of existing businesses through technical and financial assistance and non traditional initiatives.

C. Project Goals

The ultimate goals of the projects to be funded under the JOLI Program are:

(1) To achieve through project activities and interventions, the creation of new employment opportunities for TANF recipients and other low-income

individuals which can lead to economic self-sufficiency of members of the communities served;

(2) To evaluate the effectiveness of these interventions and of the project design through which they were implemented; and

(3) To make possible the replication of successful programs.

D. Definitions of Terms

For purposes of this Program Announcement, the following definitions apply:

(1) *Budget period*: The interval of time into which a multi-year period of assistance (project period) is divided for budgetary and funding purposes.

(2) *Community-level data:* Key information to be collected by each grantee that will allow for a national-level analysis of common features of JOLI projects. This consists of data on the population of the target area, including the percentage of TANF recipients and others on public assistance, and the percentage whose incomes fall below the poverty line; the unemployment rate; the number of new business starts and business closings; and a description of the major employers and average wage rates and employment opportunities with those employers.

(3) *Community development corporation:* A private, nonprofit entity, governed by a board of directors consisting of residents of the community and business and civic leaders, that has as a principal purpose planning, developing, or managing low-income housing or community development projects.

(4) *Hypothesis:* An assumption made in order to test its validity. It should assert a cause-and-effect relationship between a program intervention and its expected result. Both the intervention and result must be measured in order to confirm the hypothesis. For example, the following is a hypothesis: ''Eighty hours of classroom training in small business planning will be sufficient for participants to prepare a successful loan application.'' In this example, data would be obtained on the number of hours of training actually received by participants (the intervention), and the quality of loan applications (the result), to determine the validity of the hypothesis (that eighty hours of training is sufficient to produce the result).

(5) *Intervention:* Any planned activity within a project that is intended to produce changes in the target population and/or the environment and that can be formally evaluated. For example, assistance in the preparation of a business plan and loan package are planned interventions.

(6) *Job creation:* To bring about, by activities and services funded under this program, new jobs, that is, jobs that were not in existence before the start of the project. These activities can include self-employment/micro-enterprise training, the development of new business ventures or the expansion of existing businesses.

(7) *Nonprofit organization:* Any organization (including a community development corporation) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 by reason of paragraph (3) or (4) of Section 501(c) of such Code.

(8) *Non-traditional employment for women or minorities:* Employment in an industry or field where women or minorities currently make up less than twenty-five percent of the work force.

(9) *Outcome evaluation:* An assessment of project results as measured by collected data which define the net effects of the interventions applied in the project. An outcome evaluation will produce and interpret findings related to whether the interventions produced desirable changes and their potential for replicability. It should answer the question: Did this project work?

(10) *Private employers:* Third party nonprofit organizations or third party for-profit businesses operating or proposing to operate in the same community as the applicant, and which are proposed or potential employers of project participants.

(11) *Process evaluation:* The ongoing examination of the implementation of a program. It focuses on the effectiveness and efficiency of the program's activities and interventions (for example, methods of recruiting participants, quality of training activities, or usefulness of follow-up procedures). It should answer questions such as: Who is receiving what services and are the services being delivered as planned? It is also known as formative evaluation, because it gathers information that can be used as a management tool to improve the way a program operates while the program is in progress. It should also identify problems that occurred and how they were dealt with and recommend improved means of future implementation. It should answer the question: ''How was the program carried out?'' In concert with the outcome evaluation, it should also help explain, ''Why did this program work/not work?''; and, ''What worked and what did not?''

(12) *Program participant/beneficiary:* An individual eligible to receive TANF assistance under Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Part A of Title IV of the Social Security Act) and any other individual whose income level does not exceed 100 percent of the official poverty line as found in the most recent revision of the Poverty Income Guidelines published by the Department of Health and Human Services. (See Attachment A.)

(13) *Project period:* The total time a project is approved for support, including any extensions.

(14) *Self-sufficiency:* A condition where an individual or family, by reason of employment, does not need and is not eligible for public assistance.

(15) *Third party:* Any individual, organization, or business entity that is not the direct recipient of grant funds.

(16) *Third party agreement:* A written agreement entered into by the grantee and an organization, individual or business entity (including a wholly-owned subsidiary), by which the grantee makes an equity investment or a loan in support of grant purposes.

(17) *Third party in-kind contributions:* The value of non-cash contributions provided by non-federal third parties which may be in the form of real property, equipment, supplies and other expendable property, and the value of goods and services directly benefitting and specifically identifiable to the project or program.

Part II—Program Objectives and Requirements

The objective of the JOLI program is to conduct projects to create new employment and business opportunities for certain low-income individuals through the provision of technical and financial assistance to private employers in the community, self-employment/micro-enterprise programs, and/or new business development programs.

A. Eligible Applicants

Organizations eligible to apply for funding under this program are nonprofit organizations (including community development corporations and charitable organizations) that are exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 by reason of paragraph (3) or (4) of section 501(c) of such Code. Applicants must provide documentation of their tax exempt status. The applicant can accomplish this by providing a copy of the applicant's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations described in section 501(c)(3) of the IRS Code or by providing a copy of the currently valid IRS tax exemption certificate. Failure to

provide evidence of Section 501(c)(3) or (4) tax exempt status will result in rejection of the application.

B. Project and Budget Periods

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104–193, reauthorized and modified Section 505 of the Family Support Act of 1988, the JOLI authorizing legislation. Among the modifications effected was the deletion of sub-section (e) that had legislatively-mandated project duration. Applicants are therefore free to apply for projects from one to three year durations, depending on the proposed work program and the applicant's assessment of the time required to achieve the proposed project goals.

OCS has made the programmatic determination that the nature of job creation and career development projects which meet the funding criteria set forth in this announcement is such that it is not feasible to divide funding into 12-month increments, and that completion of the entire project is in each case necessary to achieve the purposes of the JOLI program. Consequently, budget periods for grants under this announcement may be up to three years.

C. Availability of Funds and Grant Amounts

All grant awards are subject to the availability of appropriated funds. It is anticipated that approximately $4,750,000 will be available in FY 2002 for JOLI for new grants.

The 1996 amendments to the JOLI authorizing legislation also deleted the limitation on the number of grants to be made in any one fiscal year. Thus, OCS expects to award up to 7 new grants in FY 2002, based on the amounts requested and contingent on the availability of funds. Given the limited funds available for the JOLI program, applicants should make a realistic assessment of the time and funds needed to achieve the goals set forth in their proposal, and design a work program and budget accordingly. The grant request should be for an amount needed, up to a maximum of $700,000, to implement that part of the project plan supported by OCS funds, taking into consideration other cash and in-kind resources mobilized by the applicant in support of the proposed project. (See Paragraph D, below, Mobilization of Resources, and Part III, Element VI: Budget Appropriateness and Reasonableness.)

In summary, grants of up to $700,000 in OCS funds for project periods and budget periods of up to three years will be awarded to selected organizations under this program in FY 2002.

D. Mobilization of Resources

OCS will give favorable consideration in the review process to applicants who mobilize cash and/or third party in-kind contributions for direct use in the project. The firm commitment of these resources must be documented and submitted with the application in order to be given credit in the review process under the Public-Private Partnerships project element (Part III, Element V). Except in unusual situations, this documentation must be in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received. Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part III, Element V, and Part V, Instructions for Completing the SF–424, Section C, Non-Federal Resources.)

E. Program Participants/Beneficiaries

A low-income individual eligible to participate in a project conducted under this program is any individual eligible to receive TANF assistance under a State program funded under Part A of Title IV of the Social Security Act, or any other individual whose income level does not exceed 100 percent of the official poverty line. Within these categories, emphasis should be on individuals who are receiving TANF assistance or its equivalent under State auspices; those who are unemployed; those residing in public housing or receiving housing assistance; non-custodial parents, and those who are homeless.

Attachment A to this announcement is an excerpt from the current poverty guidelines. Annual revisions of these guidelines are normally published in the **Federal Register** in February or early March. Grantees will be required to apply the most recent guidelines throughout the project period. These revised guidelines also may be obtained at public libraries, Congressional offices, by writing the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or by accessing the following website: *''http://aspe.os.dhhs.gov/poverty/poverty.htm''.*

No other government agency or privately-defined poverty guidelines are applicable for the determination of low-income eligibility for this program.

F. Prohibition and Restrictions on the Use of Funds

The use of funds for new construction or the purchase of real property is prohibited. Costs incurred for the rearrangement and alteration of facilities required specifically for the grant program are allowable when specifically approved in advance by ACF in writing.

If the applicant is proposing a project which will affect a property listed in, or is eligible for inclusion in, the National Register of Historic Places, it must identify this property in the narrative and explain how it has complied with the provisions of section 106 of the National Historic Preservation Act of 1966 as amended. If there is any question as to whether the property is listed in, or is eligible for inclusion in, the National Register of Historic Places, the applicant should consult with the State Historic Preservation Officer. (See Attachment D: SF–424B, Item 13 for additional guidelines.) Failure to comply with the cited Act will result in the application being ineligible for funding consideration.

G. Multiple Submittals

Due to the limited amount of funds available under this program, only a single proposal from any one eligible applicant will be funded by OCS from FY 2002 JOLI funds pursuant to this announcement.

H. Re-funding

OCS will not provide funding to a previously funded grantee to carry out the same work plan in the same target area.

I. Sub-Contracting or Delegating Projects

An applicant will not be funded where the proposal indicates that the applicant, if funded, will serve as a straw-party, that is, act as a mere conduit of funds to a third party without performing a substantive role itself. This prohibition does not bar sub-contracting or sub-awarding for specific services or activities needed to conduct the project.

J. Maintenance of Effort

The application must include an assurance that activities funded under this Program Announcement are in addition to, and not in substitution for, activities previously carried out without Federal assistance. (See Part VI, Section A.8 and Attachment M.)

K. Program Focus

The Congressional Conference Report on the 1992 appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies directed the ACF to

require economic development strategies as part of the application process to ensure that highly qualified organizations participate in the program. [H.R. Conf. Rep. No. 282, 102nd Cong., 1st Sess. 39 (1991)]

Priority will be given to applicants proposing to serve those areas containing the highest percentage of individuals receiving TANF assistance under a State program, which is funded under Part A of Title IV of the Social Security Act.

While projected employment in future years may be included in the application, it is essential that the focus of the project concentrate on the creation of new full-time, permanent jobs and/or new business development opportunities for TANF recipients and other low-income individuals during the grant project period. OCS is particularly interested in receiving innovative proposals that grow out of the experience and creativity of applicants and the needs of their clientele and communities.

Applicants should include strategies which seek to integrate projects financed and jobs created under this program into a larger effort of broad community revitalization which will promote job and business opportunities for eligible program participants and impact the overall economic environment.

OCS will only fund projects that create new employment and/or business opportunities for eligible program participants. That is, new, full-time permanent jobs through the expansion of a pre-identified business or new business development, or by providing opportunities for self-employment. In addition, projects should enhance the participants' capacities, abilities and skills and thus contribute to their progress toward self-sufficiency.

With national welfare reform a reality, and many States implementing ''welfare-to-work'' programs, the need for well-paying jobs with career potential for TANF recipients becomes ever more pressing. In this context, the role of JOLI as a vehicle for exploring new and promising areas of employment opportunity for the poor is more important than ever.

Within the JOLI Program framework of job creation through new or expanding businesses or self-employment, OCS would welcome proposals offering business or career opportunities to eligible participants in a variety of fields. For instance, these might include day care and transportation, which are not only opportunities for employment, but when not available can be serious barriers to employment for TANF recipients; environmental justice initiatives involving activities such as toxic waste clean-up, water quality management, or Brownfields remediation; health-related jobs such as home health aides or medical support services; and non-traditional jobs for women and minorities.

L. Creation of Jobs and Employment Opportunities

The requirement for creation of new, full-time permanent employment opportunities (jobs) applies to all applications. OCS has determined that the creation of non-traditional job opportunities for women or minorities in industries or activities where they currently make up less than twenty-five percent of the work force meets the requirements of the JOLI legislation for the creation of new employment opportunities. OCS continues to solicit other JOLI applications that propose the creation of jobs through the expansion of existing businesses, the development of new businesses, or the creation of employment opportunities through self-employment/micro-enterprise development.

Proposed projects must show that the jobs and/or business/self employment opportunities to be created under this program will contribute to achieving self-sufficiency among the target population. The employment opportunities should provide hourly wages that exceed the minimum wage and also provide benefits such as health insurance, child care, and career development opportunities.

M. Cooperative Partnership Agreement With the Designated Agency Responsible for the TANF Program

A formal, cooperative relationship between the applicant and the designated State agency responsible for administering the TANF program (as provided for under Part A of Title IV of the Social Security Act) in the area served by the project is a requirement for funding. The application should include a signed, written agreement between the applicant and the designated State agency responsible for administering the TANF program, or a letter of commitment to such an agreement within 6 months of a grant award (contingent only on receipt of OCS funds). The agreement must describe the cooperative relationship, including specific activities and/or actions each of these entities propose to carry out over the course of the grant period in support of the project.

The agreement, at a minimum, must cover the specific services and activities that will be provided to the target population. (See Attachment I for a list of the State Human Services Administrators administering TANF.)

N. Third Party Project Evaluation

Proposals must include provision for an independent methodologically sound evaluation of the effectiveness of the activities carried out with the grant and their efficacy in creating new jobs and business opportunities. There must be a well-defined process evaluation and an outcome evaluation whose design will permit tracking of project participants throughout the proposed project period. The evaluation must be conducted by an independent evaluator, i.e., a person with recognized evaluation skills who is organizationally distinct from, and not under the control of, the applicant. It is important that each successful applicant should have a third party evaluator selected and performing at the very latest by the time the work program of the project is begun, and if possible before that time, so that he or she can participate in the final design of the program in order to assure that data necessary for the evaluation will be collected and available.

O. Economic Development Strategy

As noted in A. above, the Congress, in the Conference Report on the FY 1992 appropriation, directed ACF to require economic development strategies as part of the application process for JOLI to ensure that highly qualified organizations participate in the program. Accordingly, applicants must include in their proposal an explanation of how the proposed project is integrated with and supports a larger economic development strategy within the target community. Where appropriate, applicants should document how they were involved in the preparation and planned implementation of a comprehensive community-based strategic plan, such as that required for applying for Empowerment Zone/Enterprise Community (EZ/EC) status, to achieve both economic and human development in an integrated manner, and how the proposed project supports the goals of that plan. (See Part III, Sub-Element III(b).)

P. Training and Support for Micro-Business Development

In the case of proposals for creating self-employment micro-business opportunities for eligible participants, the applicant must detail how it will provide training and support services to potential entrepreneurs. The assistance to be provided to potential

entrepreneurs must include, at a minimum: (1) Technical assistance in basic business planning and management concepts; (2) assistance in preparing a business plan and loan application; and, (3) access to business loans.

Q. Support for Noncustodial Parents

OCS and the Office of Child Support Enforcement (OCSE), both part of the ACF, signed a Memorandum of Understanding (MOU) to foster and enhance partnerships between OCS grantees and local Child Support Enforcement (CSE) agencies. (See Attachment N for the list of CSE State Offices that can identify local CSE agencies.) In the words of the MOU:

''The purpose of these partnerships will be to develop and implement innovative strategies in States and local communities to increase the capability of low-income parents and families to fulfill their parental responsibilities. Too many low-income parents are without jobs or resources needed to support their children. A particular focus of these partnerships will be to assist low-income, non-custodial parents of children receiving TANF to achieve a degree of self-sufficiency that will enable them to provide support that will free their families of the need for such assistance.''

Accordingly, a rating factor and a review criterion have been included in this Program Announcement that will award two points to applicants who have entered into partnership agreements with their local CSE agency to provide for referrals to their project in accordance with provisions of the OCS–OCSE MOU. (See Part III, Sub-Element III(c).)

R. Technical Assistance to Employers

Technical assistance should be specifically addressed to the needs of the private employer in creating new jobs to be filled by eligible individuals and/or to the individuals themselves in areas such as job-readiness, literacy and other basic skills training, job preparation, self-esteem building, etc. Financial assistance may be provided to the private employer as well as to the individual.

If the technical and/or financial assistance is to be provided to pre-identified businesses that will be expanded or franchised, written commitments from the businesses to create the planned jobs must be included with the application.

S. Applicant Experience and Cost-per-Job

In the review process, favorable consideration will be given to applicants with a demonstrated record of achievement in promoting job and enterprise opportunities for low-income people.

In view of inflation and other economic factors, OCS considers the cost of creating a job under the JOLI program to be $10,000 or less.

Favorable consideration will be given to those applicants who show the lowest cost-per-job created for low-income individuals. For this program, OCS views $15,000 in OCS funds as the maximum amount for the creation of a job and, unless there are extenuating circumstances, will not fund projects where the cost-per-job in OCS funds exceeds this amount. Only those jobs created and filled by low-income people will be counted in the cost-per-job formula. (See Part III, Sub-Element III (d).)

T. Loan Funds

The creation of a revolving loan fund with funds received under this program is an allowable activity. However, OCS encourages the use of funds from other sources for this purpose. Loans made to eligible beneficiaries for business development activities must be at or below market rate.

Note: Interest accrued on revolving loan funds may be used to continue or expand the activities of the approved project.

U. Business Plan

Where the applicant is proposing the development and startup of a new business or the expansion of an existing business, a business plan that follows the outline in Attachment L to this announcement must be submitted as an Appendix to the proposal.

V. Dissemination of Project Results

Applications should include a plan for disseminating the results of the project after expiration of the grant period. Applicants may budget up to $2,000 for dissemination purposes. Final project reports should include a description of dissemination activities with copies of any materials produced.

W. Third Party Agreements

Any applicant submitting a proposal for funding who proposes to use some or all of the requested OCS funds to enter into a third party agreement in order to make an equity investment (such as the purchase of stock) or a loan to an organization, or business entity (including a wholly-owned subsidiary), must include in the application, along with the business plan, a copy of the signed third party agreement for approval by OCS.

• A third party agreement covering an equity investment must contain, at a minimum, the following:

1. The type of equity transaction (e.g. stock purchase);
2. Purpose(s) for which the equity investment is being made;
3. Cost per share;
4. Number of shares being purchased;
5. Percentage of ownership of the business; and,
6. Number of seats on the board, if applicable.

• A third party agreement covering a loan transaction must contain, at a minimum, the following information:

1. Purpose(s) for which the loan is being made;
2. Rates of interest and other fees;
3. Terms of loan;
4. Repayment schedules;
5. Collateral security; and,
6. Default and collection procedures.

• All third party agreements must include written commitments as follows:

From the third party (as appropriate):

1. A minimum of 75% of the jobs to be created as a result of the infusion of grant funds will be filled by low-income individuals;
2. The grantee will have the right to screen applicants for jobs to be filled by low-income individuals and to verify their eligibility;
3. If the grantee's equity investment equals 25% or more of the business's assets, the grantee will have representation on the board of directors;
4. Reports will be made to the grantee regarding the use of grant funds no less than on a quarterly basis;
5. A procedure will be developed to assure that there are no duplicate counts of jobs created; and,
6. Detailed information should be provided on how the grant funds will be used by the third party by submitting a narrative Source and Use of Funds Statement. In addition, the agreement must provide details on how the grantee will provide support and technical assistance to the third party in areas of recruitment and retention of low-income individuals.

From the grantee:

Detailed information on how the grantee will provide support and technical assistance to the third party in areas of recruitment and retention of low-income individuals.

• All third party agreements should be accompanied by:

1. A signed statement from a Certified or Licensed Public Accountant as to the sufficiency of the third party's financial management system in accordance with 45 CFR 74, to protect adequately any federal funds awarded under the application;
2. Financial statements for the third party organization for the prior three

years. (If not available because the organization is a newly-formed entity, include a statement to this effect.); and,

3. Specifications as to how the grantee will provide oversight of the third party for the life of the agreement. Also, the agreement will specify that the third party will maintain documentation related to the expenditure of grant funds loaned to or invested in the third party and grant objectives as specified in the agreement and will provide the grantee and HHS access to that documentation.

If a signed third party agreement is not available when the application is submitted, the applicant must submit, as part of the narrative, as much of the above-mentioned information as possible in order to enable reviewers to evaluate the proposal.

Note: The funds for a third party agreement will not be released until the agreement has been approved by OCS.

Part III—The Project Description, Program Proposal Elements and Review Criteria

A. Purpose

The project description provides the major means by which an application is evaluated and ranked to compete with other applications for available assistance. The project description should be concise and complete and should address the activity for which Federal funds are being requested. Supporting documents should be included where they can present information clearly and succinctly. Applicants are encouraged to provide information on their organizational structure, staff, related experience, and other information considered to be relevant. Awarding offices use this and other information to determine whether the applicant has the capability and resources necessary to carry out the proposed project. It is important, therefore, that this information be included in the application. However, in the narrative the applicant must distinguish between resources directly related to the proposed project from those that will not be used in support of the specific project for which funds are requested.

B. Project Summary/Abstract

Provide a summary of the project description (a page or less) with reference to the funding request.

C. Objectives and Need for Assistance

Clearly identify the physical, economic, social, financial, instructional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated; and supporting documentation, such as letters of support and testimonials from concerned interests other than the applicant, may be included. Any relevant data based on planning studies should be included or referred to in the endnotes/footnotes, and incorporate demographic data and participant/beneficiary information, as needed. In developing the project description, the applicant may volunteer or be requested to provide information on the total range of projects currently being conducted and supported (or to be initiated), some of which may be outside the scope of the program announcement.

D. Results for Benefits Expected

Identify the results and benefits to be derived. For example, describe the population to be recruited into the JOLI program, how many jobs and/or businesses are projected to be created, and how the project will assist participants to move toward self-sufficiency.

E. Approach

Outline a plan of action which describes the scope and detail of how the proposed work will be accomplished. Account for all functions or activities identified in the application. Cite factors which might accelerate or decelerate the work and state your reason for taking the proposed approach rather than others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Provide quantitative monthly or quarterly projections of the accomplishments to be achieved for each function or activity in such terms as the number of people to be served and the number of jobs to be created, if applicable. When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

If any data are to be collected, maintained, and/or disseminated, clearance may be required from the OMB. This clearance pertains to any ''collection of information that is conducted or sponsored by ACF''.

List organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

F. Organization Profiles

Provide information on the applicant organization(s) and cooperating partners such as organizational charts, Board of Directors, Employer Identification Numbers, contact persons and telephone numbers, and other documentation of professional accreditation, information on compliance with Federal/State/local government standards, documentation of experience in the program area, and other pertinent information. Any non-profit organization must submit proof of its non-profit status with its application. The non-profit agency can accomplish this by providing a copy of one of the following: the applicant's listing in the IRS' most recent list of tax-exempt organizations described in Section 501(c)(3) or (4) of the IRS code; a copy of the currently valid IRS tax exemption certificate; a copy of the articles of incorporation bearing the seal of the State in which the corporation or association is domiciled.

G. Budget and Budget Justification

Provide a line item detail and detailed calculations for each budget object class identified on the Budget Information form, SF–424A. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. The detailed budget narrative must also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification that describes how categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

The following guidelines are for preparing the budget and budget justification. Both Federal and non-Federal resources shall be detailed and justified in the budget and the budget justification. For purposes of preparing the budget and budget justification, ''Federal resources'' refers only to the ACF grant applied for. ''Non-Federal resources'' are all other Federal and non-Federal resources. It is suggested that budget amounts and computations be presented in a columnar format: first column, object class categories; second column, Federal budget; next column(s), non-Federal budget(s), and last column, total budget.

The budget justification should be a narrative.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify the project director or principal investigator, if known. For each staff person, provide the title, time commitment to the project (in months), time commitment to the project (as a percentage or full-time equivalent), annual salary, grant salary, wage rates, etc. Do not include the costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement insurance, taxes, etc.

Travel

Description: Costs of project-related travel by employees of the applicant organization (does not include costs of consultant travel).

Justification: For each trip, show the total number of travelers, travel destination, duration of trip, per diem, mileage allowances, if privately owned vehicles will be used, and other transportation costs and subsistence allowances. Travel costs for key staff to attend ACF-sponsored workshops should be detailed in the budget.

Equipment

Description: ''Equipment'' means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of (a) the capitalization level established by the organization for the financial statement purposes, or (b) $5,000.

Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Include ancillary charges, such as taxes, duty, protective in-transit insurance, freight and installation with acquisition cost in accordance with the organization's regular written accounting practices.

Justification: For each type of equipment requested, provide a description, the cost per unit, the number of units, the total cost, and a plan for use in the project, as well as use or disposal after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those which belong under other categories such as equipment, supplies, construction, etc. Third-party evaluation contracts (if applicable) and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or businesses to be financed by the applicant, should be included under this category.

Justification: All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Recipients and subrecipients, other than States that are required to use Part 92 procedures, must justify any anticipated procurement action that is expected to be awarded without competition and exceed the simplified acquisition threshold fixed at 41 USC 403(11), (currently set at $100,000). Recipients might be required to make available to ACF pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and budget narrative for each delegate agency, by agency title, along with the required supporting information referred to in these instructions.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to insurance, food, medical and dental costs (non-contractual), professional services costs, space and equipment rentals, printing and publication, computer use, training costs, such as tuition and stipends, staff development costs, and administrative costs.

Justification: Provide computations, a narrative description and a justification for each cost under this category.

H. Non-Federal Resources

Amounts of non-Federal resources that will be used to support the project as identified in Block ''15'' of the SF–424. The firm commitment of these resources must be documented and submitted with the application for credit in the review process. A detailed budget must be prepared for each funding source.

I. Evaluation Criteria

Proposal Elements and Review Criteria for Applications

Each application which passes the initial screening will be assessed and scored by three independent reviewers. Each reviewer will give a numerical score for each application reviewed. These numerical scores will be supported by explanatory statements on a formal rating form describing major strengths and weaknesses under each applicable criterion published in the Announcement. Scoring will be based on a total of 100 points, and for each application will be the average of the scores of the three reviewers.

The competitive review of proposals will be based on the degree to which applicants:

(1) Adhere to the requirements in PART II and incorporate each of the Elements and Sub-Elements below into their proposals, so as to:

(2) Describe convincingly a project that will develop new employment or business opportunities for TANF recipients and other low-income individuals that can lead to a transition from dependency to economic self-sufficiency;

(3) Propose a realistic budget and time frame for the project that will support the successful implementation of the work plan to achieve the projects goals in a timely and cost effective manner; and,

(4) Provide for the collection and validation of relevant data to support the national evaluation.

In order to simplify the application preparation and review process, OCS seeks to keep grant proposals cogent and brief. Applications with project narratives (excluding Project Summaries, Budget Justifications and Appendices) of more than 30 letter-sized pages of 12 c.p.i. type or equivalent on a single side will not be reviewed for funding.

Applicants should prepare and assemble their project description using the following outline of required project elements. They should, furthermore, build their project concept, plans, and application description upon the guidelines set forth for each of the project elements.

Project descriptions are evaluated on the basis of substance, not length. Pages should be numbered and a table of contents should be included for easy

reference. For each of the Project Elements or Sub-Elements below there is at the end of the discussion a suggested number of pages to be devoted to the particular element or sub-element. These are suggestions only, but the applicant must remember that the overall Project Narrative must not be longer than 30 pages.

Evaluation Criteria 1: Organizational Profile

Element I—Organizational Experience in Program Area and Staff Skills, Resources and Responsibilities

Sub-Element I(a)—Agency's Experience and Commitment in Program Area

(Weight of 0–10 points in proposal review)

Applicants should cite their organization's capability and relevant experience in developing and operating programs which deal with poverty problems similar to those to be addressed by the proposed project. They should also cite the organization's experience in collaborative programming and operations which involve evaluations and data collection. Applicants should identify agency executive leadership in this section and briefly describe their involvement in the proposed project and provide assurance of their commitment to its successful implementation.

The application should include documentation that briefly summarizes two similar projects undertaken by the applicant agency and the extent to which the stated and achieved performance targets, including permanent benefits to low-income populations, have been achieved. The application should note and justify the priority that this project will have within the agency, including the facilities and resources that it has available to carry it out.

It is suggested that applicants use no more than 2 pages for this sub-element.

Note: The maximum number of points will be given only to those organizations with a demonstrated record of achievement in promoting job creation and enterprise opportunities for low-income people.

Sub-Element I(b)—Staff Skills, Resources and Responsibilities

(Weight of 0–10 points in proposal review)

The application must identify the two or three individuals who will have the key responsibility for managing the project, coordinating services and activities for participants and partners, and for achieving performance targets. The focus should be on the qualifications, experience, capacity and commitment to the program of the executive officials of the organization and the key staff persons who will administer and implement the project. The person identified as project director should have supervisory experience, experience in finance and business, and experience with the target population. Because this is a new project, within an already-established agency, OCS expects that the key staff person(s) would be identified, if not hired, or provide an estimated hiring time line for each individual to be on board.

The application must also include a resume of the third party evaluator, if identified or hired; or the minimum qualifications and position description for the third party evaluator, who must be a person with recognized evaluation skills who is organizationally distinct from and not under the control of the applicant. (See *Element IV: Project Evaluation,* below, for fuller discussion of evaluator qualifications.)

Actual resumes of key staff and position descriptions should be included in an appendix to the proposal.

It is suggested that applicants use no more than 3 pages for this sub-element.

Evaluation Criteria 2: Approach 1

Element II: Project Theory, Design, and Plan

OCS seeks to learn from the application why and how the project, as proposed, is expected to lead to the creation of new employment opportunities for low-income individuals, which can lead to significant improvements in individual and family self-sufficiency.

Applicants are urged to design and present their project in terms of a conceptual cause-effect framework. In the following paragraphs, a framework is described that suggests a way to present a project so as to show the logic of the cause-effect relations between project activities and project results. Applicants are not required to use the exact language described; but it is important to present the project in a way that makes clear the cause-effect relationship between what the project plans to do and the results it expects to achieve.

Sub-Element II(a)—Description of Target Population, Analysis of Need, and Project Assumptions

(Weight of 0–10 points in application review)

The project design or plan should begin by identifying the underlying program assumptions. These are the beliefs on which the proposed program is built. These assumptions include: the needs of the population to be served; the current services available to that population, and where and how they fail to meet their needs; why the proposed services or interventions are appropriate and will meet those needs; and the impact the proposed interventions will have on the project participants.

In other words, the underlying assumptions of the program are the applicant's analysis of the needs and problems to be addressed by the project, and the applicant's theory of how its proposed interventions will address those needs and problems to achieve the desired result. Thus a strong application is based upon a clear description of the needs and problems to be addressed and a persuasive understanding of the causes of those problems.

In this sub-element of the proposal, the applicant must precisely identify the target population to be served. The geographic area to be impacted should then be described briefly, citing the percentage of low-income individuals and TANF recipients, as well as the unemployment rate and other data relevant to the project design.

The application should include an analysis of the identified personal barriers to employment, job retention and greater self-sufficiency faced by the target population. (These might include such problems as illiteracy, substance abuse, family violence, lack of skills training, health or medical problems, need for childcare, lack of suitable clothing or equipment, or poor self-image.)

The application should also include an analysis of the identified community systemic barriers which the project will seek to overcome. These might include lack of jobs (high unemployment rate); lack of public transportation; lack of markets; unavailability of financing, insurance or bonding; inadequate social services (employment service, childcare, job training); high incidence of crime; inadequate health care; or environmental hazards (such as toxic dumpsites or leaking underground tanks).

Applicants should be sure not to overlook the personal and family services and support that might be needed by project participants after they are on the job which will enhance job retention and advancement.

If the jobs to be created by the proposed project are themselves designed to fill one or more of the needs, or remove one or more of the barriers so identified, this fact should be highlighted in the discussion, e.g., jobs

in child care, health care, or transportation.

It is suggested that applicants use no more than 4 pages for this sub-element.

Sub-Element II(b)—Project Strategy and Design: Interventions, Outcomes, and Goals

(Weight of 0–10 points in proposal review)

The work plan must describe the proposed project activities, or interventions, and explain how they are expected to result in outcomes which will meet the needs of the program participants and assist them to overcome the identified personal and systemic barriers to employment, job retention, and self-sufficiency. In other words, what will the project staff do with the resources provided to the project and how will what they do (interventions) assist in creating and sustaining employment and business opportunities for program participants in the face of the needs and problems that have been identified.

The underlying assumptions concerning client needs and the theory of how they can be effectively addressed, which are discussed above, lead in the project design to the conduct of a variety of project activities or interventions, each of which is assumed to result in immediate changes, or outcomes.

The immediate changes lead to intermediate outcomes; and the intermediate outcomes lead to the attainment of the final project goals.

The applicant should describe the major activities, or interventions, which are to be carried out to address the needs and problems identified in Sub-Element II(a); and should discuss the immediate changes, or outcomes, which are expected to result. These are the results expected from each service or intervention immediately after it is provided. For example, a job readiness training program might be expected to result in clients having increased knowledge of how to apply for a job, improved grooming for job interviews, and improved job interview skills; or business training and training in bookkeeping and accounting might be expected to result in project participants making an informed decision about whether they are suited for entrepreneurship.

At the next level are the intermediate outcomes, which result from these immediate changes. Often an intermediate project outcome is the result of several immediate changes resulting from a number of related interventions such as training and counseling. Intermediate outcomes should be expressed in measurable changes in knowledge, attitudes, behavior, or status/condition. In the above examples, the immediate changes achieved by the job readiness program, coupled with technical assistance to an employer in the expansion of a business, could be expected to lead to intermediate outcomes of creation of new job openings and in the participant applying for a job with the company. The acquisition of business skills, coupled with the establishment of a loan fund, could be expected to result in the actual decision by the participant to go into a particular business venture or seek the alternative track of pursuing job readiness and training.

Finally, the application should describe how the achievement of these intermediate outcomes will be expected to lead to the attainment of the project goals: employment in newly created jobs, new careers in non-traditional jobs, successful business ventures, or employment in an expanded business, depending on the project design. Applicants must remember that if the major focus of the project is to be the development and startup of a new business or the expansion of an existing business, then a business plan which follows the outline in Attachment L to this announcement must be submitted as an appendix to the proposal. (See Part II, U.)

Applicants do not have to use the exact terminology described above, but it is important to describe the project in a way that makes clear the expected cause-and-effect relationship between what the project plans to do: the activities or interventions, the changes that are expected to result, and how those changes will lead to attainment of the project goals of new employment opportunities and greater self-sufficiency. The competitive review of this sub-element will be based on the extent to which the application makes a convincing case that the activities to be undertaken will lead to the projected results.

It is suggested that applicants use no more than 4 pages for this sub-element.

Sub-Element II(c)—Work Plan

(Weight of 0–10 points in proposal review)

Once the project strategy and design framework is established, the applicant should present the highlights of a work plan for the project. The plan should explicitly tie into the project design framework and should be feasible, i.e., capable of being accomplished with the resources, staff, and partners available. The plan should briefly describe the key project tasks and show the time lines and major milestones for their implementation. Critical issues or potential problems that might affect the achievement of project objectives should be explicitly addressed, with an explanation of how they would be overcome, and how the objectives will be achieved notwithstanding any such problems. The plan should be presented in such a way that it can be correlated with the budget narrative included earlier in the application.

Applicants may be able to use a simple Gantt or time line chart to convey the work plan in minimal space.

The application contains a full and accurate description of the proposed use of the requested financial assistance.

If the applicant proposes to make an equity investment or a loan to an individual, organization, or business entity (including a wholly-owned subsidiary), the application must include: A signed third party agreement; a signed statement by a Certified or Licensed Public Accountant as to the sufficiency of the third party's financial management system; and financial statements for the third party's prior three years of operation. (If newly formed and unable to provide the information regarding the prior three years of operation, a statement to that effect should be included.) If the applicant states that an agreement is not currently in place, the application must contain in the narrative as much information required for third party agreements as is available.

Also, if the project proposes the development of a new or expanded business, service, physical or commercial activity, the application must address applicable elements of a business plan. Guidelines for a business plan are included in Attachment L.

Special attention should be given to assure that the financial plan element, which indicates the project's potential and timetable for financial self-sufficiency, is included. It must include for the applicant and the third party, if appropriate, the following exhibits for the first three years (on a quarterly basis) of the business' operations: Profit and Loss Forecasts, Cash Flow Projections, and Proforma Balance Sheets. Based on these documents, the application must also contain an analysis of the financial feasibility of the project. Also, a narrative ''Source and Use of Funds'' statement for all project funding must be included.

It is suggested that applicants use no more than 3 pages for this sub-element.

Evaluation Criteria 3: Results or Benefits Expected

Element III: Significant and Beneficial Impact

Sub-Element III (a)—Quality of Jobs/ Business Opportunities

(Weight of 0–10 points in proposal review)

The proposed project is expected to produce permanent and measurable results that will reduce the incidence of poverty in the community and lead welfare recipients from welfare dependency toward economic self-sufficiency. Results are expected to be quantifiable in terms of the creation of permanent, full-time jobs; the development of business opportunities; the expansion of existing businesses; or the creation of non-traditional employment opportunities. In developing business opportunities and self-employment for TANF recipients and low-income individuals, the applicant proposes, at a minimum, to provide basic business planning and management concepts, and assistance in preparing a business plan and loan package.

The application should document that:

The business opportunities to be developed for eligible participants will contribute significantly to their progress toward self-sufficiency; and/or jobs to be created for eligible participants will contribute significantly to their progress toward self-sufficiency. For example, they should provide salaries that exceed the minimum wage, plus benefits such as health insurance, child care and career development opportunities.

It is suggested that applicants use no more than 2 pages for this sub-element.

Sub-Element III(b)—Community Empowerment Consideration

(Weight of 0–3 points in proposal review)

Special consideration will be given to applicants located in areas characterized by conditions of extreme poverty and other indicators of socio-economic distress. Examples of such distress may include: a poverty rate of at least 20%, designation as an EZ/EC, high levels of violence, gang activity or drug use. Applicants should document that in response to these conditions, they have been involved in the preparation and planned implementation of a comprehensive community-based strategic plan to achieve both economic and human development in an integrated manner, and they should identify how the proposed project will support the goals of that plan.

It is suggested that applicants use no more than 2 pages for this sub-element.

Sub-Element III(c)—Support for Noncustodial Parents

(Weight of 0–2 points in proposal review)

Applicants who have entered into partnership agreements with local CSE Agencies will also receive special consideration upon demonstrating they have developed and implemented innovative strategies to increase the capability of low-income parents and families, which assists them to fulfill their parental responsibilities. In addition, such partnership agreements should include referrals of identified income eligible families and noncustodial parents economically unable to provide child support to the applicant's project.

To receive the full credit of two points, applicants should include, as an Appendix to the application, a signed letter of agreement with the local CSE Agency for referral of eligible noncustodial parents will be made to the proposed project.

It is suggested that applicants use no more than 1 page for this sub-element.

Sub-Element III(d)—Cost-Per-Job

(Weight of 0–5 points in proposal review)

The applicant should document that during the project period the proposed project will create new, permanent jobs through business opportunities or non-traditional employment opportunities for low-income residents. The cost-per-job should be calculated by dividing the total amount of grant funds requested (e.g., $500,000) by the number of jobs to be created (e.g., 50) which would equal the cost-per-job ($10,000). If any other calculations are used, include the methodology and rationale in this section. In making calculations of cost-per-job, only jobs filled by low-income project participants may be counted. (See Part II, Section S.)

Note: Except in those instances where independent reviewers identify extenuating circumstances related to business development activities, or high wage levels and living costs, such as in Hawaii or Alaska, the maximum number of points will be given only to those applicants proposing cost-per-job created estimates of $10,000 or less of OCS requested funds. The maximum cost-per-job under the JOLI program is $15,000 in OCS funds unless there are extenuating circumstances as described under this sub-element. Higher cost-per-job estimates will receive correspondingly fewer points.

It is suggested that applicants use no more than 1 page for this sub-element.

Evaluation Criteria 4: Approach II

Element IV: Project Evaluation

(Weight of 0–15 points in the proposal review)

Sound evaluations are essential to the JOLI Program. OCS requires each application to include a well thought through outline of an Evaluation Plan for the project. The outline should explain how the applicant proposes to answer the key questions about how effectively the project is being/was implemented; whether the project activities, or interventions, achieved the expected immediate outcomes, and why or why not (the process evaluation); and whether and to what extent the project achieved its stated goals, and why or why not (the outcome evaluation). Together, the process and outcome evaluations should answer the question: ''What did this program accomplish and why did it work/not work?''

Applicants are not being asked to submit a complete and final Evaluation Plan as part of their proposal, but they must include:

1. A well thought through Evaluation Plan outline that identifies the principal cause-and-effect relationships to be tested, and that demonstrates the applicant's understanding of the role and purpose of both process and outcome evaluations (see previous paragraph);

2. The identity and qualifications of the proposed independent third party evaluator, i.e., a person or organization with recognized evaluation skills organizationally distinct from and not under the control of, the applicant. Third party evaluator's qualifications must include successful experience in evaluating social service delivery programs, and the planning and/or evaluation of programs designed to foster self-sufficiency in low-income populations; and

3. A commitment to the selection of a third party evaluator approved by OCS and completion of a final evaluation design and plan, in collaboration with the approved evaluator and the OCS evaluation technical assistance contractor during the six-month startup period of the project, if funded.

Applicants should ensure, above all, that the evaluation outline presented is consistent with their project design. A clear project framework of the type recommended earlier identifies the key project assumptions about the target populations and their needs, as well as the hypotheses, or expected cause-effect relationships to be tested in the project; and the proposed project activities, or interventions, that will address those needs in ways that will lead to the

achievement of the project goals of self-sufficiency. It also identifies in advance the most important process and outcome measures that will be used to identify performance success and expected changes in individual participants, the grantee organization, and the community.

Finally, as noted above, the outline should provide for prompt reporting, concurrently with the semi-annual program progress reports, of lessons learned during the course of the project, so that they may be shared without waiting for the final evaluation report.

For all these reasons, it is important that each successful applicant have a third party evaluator selected and performing at the very latest by the time the work program of the project is begun, and if possible before that time so that he or she can participate in the final design of the program and assure that data necessary for the evaluation will be collected and available. Plans for selecting an evaluator should be included in the application narrative. A third party evaluator must have knowledge of and experience in conducting process and outcome evaluations in the job creation field, and have a thorough understanding of the range and complexity of the problems faced by the target population.

The competitive procurement regulations (45 CFR Part 74, Sections 74.40–74.48, esp. 74.43) apply to service contracts such as those for evaluators.

It is suggested that applicants use no more than 3 pages for this element, plus the resume or position description for the evaluator, which should be in an appendix.

Evaluation Criteria 5: Non-Federal Resources

Element V: Public/Private Partnerships and Resources

(Weight of 0–10 points in the proposal review)

The proposal should briefly describe any public/private partnerships, which will contribute to the implementation of the project. Where partners' contributions to the project are a vital part of the project design and work program, the narrative should describe undertakings of the partners. A partnership agreement specifying the roles of the partners and making a clear commitment to the fulfilling of the partnership role must be included in an appendix to the proposal. The firm commitment of mobilized resources must be documented and submitted with the application in order to be given credit under this element. The application should meet the following criteria:

- Where other resources are mobilized, the application must provide documentation that public and/or private sources of cash and/or third party-in-kind contributions will be available in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received. Applications that can document dollar for dollar contributions equal to the OCS funds, and demonstrate that the partnership agreement clearly relates to the objectives of the proposed project will receive the maximum number of points for this criterion. Lesser contributions will be given consideration based upon the value documented.

Note: Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part II, D—Mobilization of Resources.)

- Partners involved in the proposed project should be responsible for substantive project activities and services. Applicants should note that partnership relationships are not created via service delivery contracts.

It is suggested that applicants use no more than 4 pages for this element.

Evaluation Criteria 6: Budget and Budget Justification

Element VI: Budget Appropriateness and Reasonableness

(Weight of 0–5 points in proposal review)

Applicants are required to submit Federal budget forms with their proposals to provide basic applicant and project information (SF–424) and information about how Federal and other project funds will be used (424A). (See Part V.) Immediately following the completed Federal budget forms, (Attachments B and C), applicants must submit a budget narrative, or explanatory budget information which includes a detailed budget breakdown for each of the budget categories in the SF–424A. This budget narrative is not considered a part of the project narrative, and does not count as part of the 30 page limitation but rather should be included in the application following the budget forms.

The duration of the proposed project and the funds requested in the budget must be commensurate with the level of effort necessary to accomplish the goals and objectives of the project. The budget narrative should briefly explain how grant funds will be expended and show the appropriateness of the Federal funds and any mobilized resources to accomplish project purposes within the proposed time frame. The estimated cost to the government of the project should be reasonable in relation to the project's duration and to the anticipated results, and include reasonable administrative costs if an indirect cost rate has not been negotiated with a cognizant Federal agency.

Applicants are encouraged to use job titles and not specific names in developing the budget. However, the specific salary rates or amounts for staff positions identified must be included in the application budget.

Resources in addition to OCS grant funds are encouraged both to augment project resources and strengthen the basis for continuing partnerships to benefit the target community. The amounts of such resources, their appropriateness to the project design, and the likelihood that they will continue beyond the project time frame will be taken into account in judging the application. As noted in Element V, above, even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application.

Applicants should include funds in the project budget for travel by project directors and chief evaluators to attend two national evaluation workshops in Washington, DC (See Part VII, B, Attendance at Evaluation Workshops.)

The score for this element will be based on the budget form (SF–424A) and the associated detailed budget narrative.

Part IV—Application Procedures

A. Availability of Forms

Attachments B–F, H, J, and M contain all of the standard forms necessary for the application for awards under this OCS program. These Attachments and Parts III and V of this announcement contain all the instructions required for submittal of applications.

Additional copies may be obtained by writing or telephoning the office listed under the section entitled **FOR FURTHER INFORMATION CONTACT:** at the beginning of this announcement. In addition, this announcement is accessible on the Internet through the OCS web site for reading or downloading at the following address: *www.acf.dhhs.gov/programs/ocs/kits1.htm*

The applicant must be aware that in signing and submitting the application for this award, it certifies compliance with the Federal requirements covering the drug-free workplace, debarment

regulations and the Certification Regarding Environmental Tobacco Smoke, set forth in Attachments E, F and J.

Part III contains instructions for the substance and development of the project narrative. Part VI, Section A, describes the contents and format of the application as a whole.

B. Application Submission

Mailing Address: Job Opportunities for Low-income Individuals Program applications must be mailed to the OCS Operations Center: 1815 North Fort Meyer Drive, Suite 300, Arlington, Virginia 22209; Attention: Application for JOLI Program.

Number of Copies Required: One signed original application and two copies should be submitted at the time of initial submission. (OMB–0970–0139, expiration date 12/31/2003)

Submission Instructions: Mailed applications shall be considered as meeting an announced deadline if they are either received on or before the deadline date or sent on or before the deadline date and received by the OCS Operations Center in time for the independent review.

Applications that are mailed must bear a legibly dated U.S. Postal Service postmark or a legibly dated, machine produced postmark of a commercial mail service affixed to the envelope/package containing the application(s). To be acceptable as proof of timely mailing, a postmark from a commercial mail service must include the logo/emblem of the commercial mail service company and must reflect the date the package was received by the commercial mail service company from the applicant. Private metered postmarks shall not be acceptable as proof of timely mailing. (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.)

Applications that are hand carried by applicants, applicant couriers, or by other representatives of the applicant shall be considered as meeting an announced deadline, if they are received on or before the closing date, between the hours of 8:00 a.m. and 4:30 p.m., EST, at the OCS Operations Center,1815 North Fort Meyer Drive, Suite 300, Arlington, VA 22209, between Monday and Friday (excluding Federal holidays). (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.) The address must appear on the envelope/package containing the application with the note: ''Attention: Application for JOLI Program''.

ACF cannot accommodate transmission of applications by fax or through other electronic media. Therefore, applications transmitted to ACF electronically will not be accepted regardless of date or time of submission and time of receipt.

Late Applications: Applications that do not meet the criteria above are considered late applications. ACF shall notify each late applicant that its application will not be considered in the current competition.

Extension of Deadlines: ACF may extend application deadlines when circumstances such as acts of God (flood, hurricanes, etc.) occur, or when there are widespread disruptions of the mail service. Determinations to extend or waive deadline requirements rest with ACF's Chief Grants Management Officer.

C. Intergovernmental Review

This program is covered under Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR Part 100, ''Intergovernmental Review of Department of Health and Human Services Program and Activities.'' Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

Note: State/Territory Participation in the Intergovernmental Review Process does not signify applicant eligibility for financial assistance under a program. A potential applicant must meet the eligibility requirements of the program for which it is applying prior to submitting an application to its Single Point of Contact (SPOC), if applicable, or to ACF.

The following jurisdictions have elected not to participate in the Executive Order process:

Alabama, Alaska, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, Washington, American Samoa, and Palau.

Applicants from these 24 jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by Federally recognized Indian tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants should contact their SPOC as soon as possible to alert them of the prospective applications and receive any necessary instructions. Applicants must submit any required material to the SPOC as soon as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a. Under 45 CFR 100.8(a)(2), a SPOC has sixty (60) days from the application deadline to comment on proposed new or competing continuation awards.

SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to differentiate clearly between mere advisory comments and those official State process recommendations which may trigger the ''accommodate or explain'' rule.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and Human Services, Administration for Children and Families, Office of Grants Management/OCSE, 4th Floor West, Aerospace Center, 370 L'Enfant Promenade, SW., Washington, DC 20447.

A list of the Single Point of Contact for each State and Territory is included as Attachment G to this announcement.

D. Application Consideration

Applications that meet the screening requirements below will be reviewed competitively. Such applications will be reviewed by panel and given a numerical score and explanatory comments based solely on responsiveness to the guidelines and evaluation criteria published in this announcement.

Applications will be reviewed by three persons outside of the OCS unit. The results of these reviews will assist the Director and OCS program staff in considering competing applications. Reviewers' scores will weigh heavily in funding decisions, but will not be the only factors considered.

Applications generally will be considered in order of the average scores assigned by reviewers. However, highly ranked applications are not guaranteed funding since other factors are taken into consideration, including, but not limited to, the timely and proper completion of projects funded with OCS funds granted in the last five (5) years; comments of reviewers and government officials; staff evaluation and input; the amount and duration of the grant requested and the proposed project's consistency and harmony with OCS goals and policy; geographic distribution of applications; previous program performance of applicants; the limitations on project continuation or refunding (See Part II, Section H); the

number of previous JOLI grants made to applicants; compliance with grant terms under previous HHS grants, including the actual dedication to program of mobilized resources as set forth in project applications; audit reports; investigative reports; and applicant's progress in resolving any final audit disallowances on previous OCS or other Federal agency grants.

OCS reserves the right to discuss applications with other Federal or non-Federal funding sources to verify the applicant's performance record and the documents submitted.

E. Criteria for Screening Applications

All applications that meet the published deadline requirements as provided in this Program Announcement will be screened for completeness and conformity with the requirements. Only complete applications that meet the requirements listed below will be reviewed and evaluated competitively. Other applications will be returned to the applicant with a notation that they were unacceptable and will not be reviewed.

The following requirements must be met by all applicants:

1. The application must contain a Standard Form 424 ''Application for Federal Assistance'' (SF–424), a budget (SF–424A), and signed ''Assurances'' (SF–424B) completed according to instructions published in Part V and Attachments C and D of this Program Announcement.

2. All JOLI applications must include a signed cooperative partnership agreement with the designated State agency responsible for administering the TANF Program, or a letter of commitment to such an agreement within six months of a grant award, contingent only on receipt of OCS funds. This cooperative partnership agreement must fully describe the role and/or responsibilities of each partner for specific activities and/or services to be provided which must clearly relate to the objectives of the proposed project.

3. A project narrative must also accompany the standard forms. OCS requires that the narrative portion of the application be limited to 30 pages, typewritten on one side of the paper only with one-inch margins and type face no smaller than 12 characters per inch (c.p.i.) or equivalent. The table of contents, budget narrative charts, appendices, exhibits, resumes, position descriptions, letters of support, cooperative agreements, letters of collaboration or substantive commitments to the project by organizations other than designated TANF agency, and business plans (where required) are not counted against this page limit. *It is strongly recommended that applicants follow the format and content for the narrative set out in Part III.*

4. The SF–424 and the SF–424B must be signed by an official of the organization applying for the grant who has authority to obligate the organization legally. Applicants must also be aware that the applicant's legal name as required on the SF–424 (item 5) must match that listed as corresponding to the Employer Identification Number (item 6).

5. Application must contain documentation of the applicant's tax exempt status as required under Part II, section A.

6. The application must contain a written third party agreement, or a discussion of a proposed agreement, signed by the applicant and the third party that includes all of the elements required in Part II, section W, if the applicant proposes to make an equity investment or a loan.

Part V—Instructions for Completing the SF–424

(Approved by the OMB under control Number 0970–0139, expiration date 12/31/2003.)

The standard forms attached to this announcement shall be used to apply for funds under this program announcement.

It is suggested that you reproduce single-sided copies of the SF–424 and SF–424A and type your application on the copies. Please prepare your application in accordance with instructions provided on the forms (Attachments B and C) as modified by the OCS specific instructions set forth below:

Provide line item detail and detailed calculations for each budget object class identified on the Budget Information form. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. The detailed budget must also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification, which describes how the categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

A. SF–424—Application for Federal Assistance (Attachment B)

Where the applicant is a previous Department of Health and Human Services grantee, enter the Central Registry System Employee Identification Number (CRS/EIN) and the Payment Identifying Number, if one has been assigned, in the Block entitled Federal Identifier located at the top right hand corner of the form.

Item 1. For the purposes of this announcement, all projects are considered Applications; there are no Preapplications.

Item 7. Enter N in the box and specify nonprofit corporation on the line marked Other.

Item 9. Name of Federal Agency—Enter HHS–ACF/OCS.

Item 10. The Catalog of Federal Domestic Assistance number for OCS programs covered under this announcement is 93.593. The title is ''Job Opportunities for Low-Income Individuals Program''.

Item 13. ''Proposed Project''—The ending date should be based on the requested project period, not to exceed three years (36 months).

Item 15a. This amount should be no greater than $700,000.

Item 15b-e. These items should reflect both cash and third party in-kind contributions for the three year budget period requested.

B. SF–424A—Budget Information-Non-Construction Programs—(Attachment C)

In completing these sections, the Federal funds budget entries will relate to the requested OCS funds only, and Non-Federal will include mobilized funds from all other sources—applicant, state, local, and other. Federal funds other than requested OCS funding should be included as ''Non-Federal'' entries.

Section A, B, and C of SF–424A should reflect budget estimates for each year of the budget period for which funding is being requested.

Section A—Budget Summary

You need only fill in lines 1 and 5 (with the same amounts).

Column (a): Enter Job Opportunities for Low-Income Individuals Program.

Column (b): Catalog of Federal Domestic Assistance number is 93.593.

Columns (c) and (d): Not relevant to this program.

Column (e)–(g): Enter the appropriate amounts. (Column (e) should not be more than $700,000.)

Section B—Budget Categories

Note: That the following information supersedes the instructions provided with the Form SF–424A in Attachment C.

For each of the relevant Object Class Categories:

Column 1: Enter the OCS grant funds for the first year;

Column 2: Enter the OCS grant funds for the second year (where appropriate);

Column 3: Enter the OCS grant funds for the third year (where appropriate);

Column 4: Leave blank.

Column 5: Enter the total Federal OCS grant funds for the total budget period by Object Class Categories, showing a total budget of not more than $700,000.

Note: With regard to Object Class Categories: Only out-of-town travel should be entered under category c. Travel. Local travel costs should be entered under category h. Other. Equipment costing less than $5,000 should be included in category e. Supplies.

Section C—Non-Federal Resources

This section is to record the amounts of non-Federal resources that will be used to support the project. For the purposes of this application, non-Federal resources means other than the OCS funds for which the applicant is applying. Therefore, mobilized funds from other Federal programs, such as the Job Training Partnership Act program, should be entered on these lines. Provide a brief listing of these non-Federal resources on a separate sheet and describe whether it is a grantee-incurred cost or a third party cash or in-kind contribution. The firm commitment of these resources must be documented and submitted with the application in order to be given credit in the review process under the Public/Private Partnerships program element.

Except in unusual situations, this documentation must be in the form of letters of commitment from the organization(s)/individual(s) from which resources will be received.

Note: Even though there is no matching requirement for the JOLI Program, grantees will be held accountable for any match, cash or in-kind contribution proposed or pledged as part of an approved application. (See Part III, Element V.).

This section should be completed in accordance with the instructions provided.

Sections D, E, and F May Be Left Blank

A supporting budget narrative must be submitted providing details of expenditures under each budget category, and justification of dollar amounts which relate the proposed expenditures to the work program and goals of the project. (See Part III, Element VI.)

C. SF–424B Assurances-Non-Construction (Attachment D)

All applicants must fill out, sign, date and return the ''Assurances'' with the application.

Part VI—Contents of Application and Receipt Process

A. Contents of Application

Each JOLI application must include all of the following, in the order listed below:

1. Table of Contents.

2. An Abstract of the Proposed Project—very brief, not to exceed 250 words, that would be suitable for use in an announcement that the application has been selected for a grant award and which identifies the type of project(s), the target population, and the major elements of the work plan.

3. Completed Standard Form 424 that has been signed by an Official of the organization applying for the grant who has authority to obligate the organization legally.

Note: The original SF–424 must bear the original signature of the authorizing representative of the applicant organization.

4. Budget Information-Non-Construction Programs—(SF–424A).

5. A narrative budget justification for each object class category required under Section B, SF–424A.

6. Certifications and Assurances Required: Applicants requesting financial assistance for a non-construction project must sign and return Standard Form 424B, ''Assurances: Non-Construction Programs'' with their applications. (See Attachment D.)

Applicants must provide a Certification Regarding Lobbying. Prior to receiving an award in excess of $100,000, applicants shall furnish an executed copy of the lobbying certification. Applicants must sign and return the certification with their application. (See Attachment H.)

Applicants must make the appropriate certification of their compliance with the Drug-Free Workplace Act of 1988. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification with the applications. (See Attachment E.)

Applicants must make the appropriate certification that they are not presently debarred, suspended or otherwise ineligible for award. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification with the applications. (See Attachment F.)

Applicants must make the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination. By signing and submitting the applications, applicants are providing the certification and need not mail back a certification form.

Applicants must make the appropriate certification of their compliance with the requirements of the Pro-Children Act of 1994 as outlined in Certification Regarding Environmental Tobacco Smoke. (See Attachment J.)

7. A Project Narrative of no more than 30 pages consisting of the Elements described in Part IV of this announcement set forth in the order therein presented and preceded by a consecutively numbered table of contents.

The total number of pages for the narrative portion of the application package must not exceed 30 pages. (See Part IV.E.3. for pages that do not count against the 30-page limit.)

8. Appendices—proof of nonprofit tax-exempt status as outlined in Part II, Section A; proof that the organization is a community development corporation, commitments from officials of businesses that will be expanded or franchised, where applicable; partnership agreement with the designated State TANF agency and CSE agency; Single Point of Contact comments, if applicable; resumes and position descriptions; a business plan, where required; and, the Maintenance of Effort Certification (See Part II–J and Attachment M).

Pages should be numbered sequentially throughout, including appendices, beginning with the Abstract as page 1.

B. Application Format

Applications must be uniform in composition since OCS may find it necessary to duplicate them for review purposes. Therefore, applications must be submitted on white 8½ × 11 inch paper only. Applications must not include colored, oversized or folded materials. Applications should not include organizational brochures or other promotional materials, slides, films, clips, etc. Such material will be discarded if included.

Applications must be bound or enclosed in loose-leaf binder notebooks. Preferably, applications should be two-holed punched at the top center and fastened separately with a compressor slide paper fastener, or a binder clip.

C. Acknowledgement of Receipt

Applicants who meet the initial screening criteria outlined in Part IV, Section E, will receive an acknowledgement with an assigned identification number within ten days after the deadline date for submission of applications. This number must be referred to in all subsequent communications with OCS concerning the application. To facilitate receipt of

this acknowledgment from ACF, applicant is asked to include a cover letter with the application containing an E-mail address and facsimile (FAX) number if these items are available to applicant.

Applicants are requested to supply a self-addressed mailing label with their application which can be attached to this acknowledgement notice. This mailing label should reflect the mailing address of the authorizing official who is applying on behalf of the organization. If an acknowledgement is not received within three weeks after the closing date, please notify ACF by telephone at (202) 401–5103.

Part VII—Post Award Information and Reporting Requirements

A. Notification of Grant Award

Following approval of the application selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Financial Assistance Award which provides the amount of Federal funds approved for use in the project, the project and budget periods for which support is provided, the terms and conditions of the award, and the total project period for which support is contemplated.

B. Attendance at Evaluation Workshops

The Project Directors and third party evaluators will be required to attend two national evaluation workshops in Washington, DC. A three-day program development and evaluation workshop will be scheduled shortly after the effective date of the grant. They also will be required to attend, as presenters, the final evaluation workshop on utilization and dissemination to be held at the end of the project period. Project budgets must include funds for travel to and attendance at these workshops. (See Part III, Element VI, Budget Appropriateness and Reasonableness.)

C. Reporting Requirements

Grantees will be required to submit semi-annual program progress and financial reports SF–269) as well as final program progress and financial reports within 90 days of the expiration of the grant. An annual evaluation report will be due 30 days after each 12 months. A final evaluation report will be due 90 days after the expiration of the grant.

D. Audit Requirements

Grantees are subject to the audit requirements in 45 CFR Part 74 (nonprofit organization) and OMB Circular A–133.

E. Prohibitions and Requirements With Regard to Lobbying

Section 319 of Public Law 101–121, signed into law on October 23, 1989, imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans. It provides limited exemptions for Indian tribes and tribal organizations. Current and prospective recipients (and their subtier contractors and/or grantees) are prohibited from using appropriated funds for lobbying Congress or any Federal agency in connection with the award of a contract, grant, cooperative agreement or loan. In addition, for each award action in excess of $100,000 (or $150,000 for loans) the law requires recipients and their subtier contractors and/or subgrantees to: (1) Certify that they have neither used nor will use any appropriated funds for payment to lobbyists; (2) submit a declaration setting forth whether payments to lobbyists have been or will be made out of non-appropriated funds and, if so, the name, address, payment details, and purpose of any agreements with such lobbyists whom recipients or their subtier contractors or subgrantees will pay with the non-appropriated funds; and, (3) file quarterly updates about the use of lobbyists, if an event occurs that materially affects the accuracy of the information submitted by way of declaration and certification.

The law establishes civil penalties for noncompliance and is effective with respect to contracts, grants, cooperative agreements and loans entered into or made on or after December 23, 1989. See Attachment H for certification and disclosure forms to be submitted with the applications for this program.

F. Applicable Federal Regulations

Attachment K indicates the regulations that apply to all applicants/grantees under the Job Opportunities for Low-income Individuals Program.

Dated: February 7, 2002.

Clarence H. Carter,

Director, Office of Community Services.

Job Opportunities for Low-Income Individuals; List of Attachments

A. 2001 Poverty Income Guidelines
B. Standard Form 424
C. Standard Form 424A
D. Standard Form 424B
E. Certification Regarding Drug-Free Workplace
F. Certification of Debarment
G. E.O. 12372 State Single Point of Contact List
H. Certification Regarding Lobbying Activities and Disclosure of Lobbying Activities, SF–LLL
I. State Human Service Administrators Responsible for TANF
J. Certification Regarding Environmental Tobacco Smoke
K. DHHS Regulations Applying to All Applicants/Grantees Under the Job Opportunities for Low-Income Individuals (JOLI) Program
L. Business Plan
M. Certification Regarding Maintenance of Effort
N. State Child Support Enforcement Agencies
O. Applicant's Checklist

BILLING CODE 4184–01–P

ATTACHMENT A

2001 POVERTY INCOME GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Size of Family Unit	Poverty Guidelines
1	$ 8,590
2	11,610
3	14,630
4	17,650
5	20,670
6	23,690
7	26,710
8	29,730

For family units with more than 8 members, add $3,020 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY INCOME GUIDELINES FOR ALASKA

Size of Family Unit	Poverty Guidelines
1	$10,730
2	14,510
3	18,290
4	22,070
5	25,850
6	29,630
7	33,410
8	37,190

For family units with more than 8 members, add $3,780 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY INCOME GUIDELINES FOR HAWAII

Size of Family Unit	Poverty Guidelines
1	$ 9,890
2	13,360
3	16,830
4	20,300
5	23,770
6	27,240
7	30,710
8	34,180

For family units with more than 8 members, add $3,470 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

ATTACHMENT B, Page 1
OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application ☐ Construction ☐ Non-Construction	Preapplication ☐ Construction ☐ Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address *(give city, county, State, and zip code):*	Name and telephone number of person to be contacted on matters involving this application *(give area code)*

6. EMPLOYER IDENTIFICATION NUMBER *(EIN):*
☐☐ – ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. TYPE OF APPLICATION:
☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es) ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other*(specify):*

_____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:
☐☐ – ☐☐☐

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT *(Cities, Counties, States, etc.):*

13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project

15. ESTIMATED FUNDING:

a. Federal	$ .00
b. Applicant	$ .00
c. State	$ .00
d. Local	$ .00
e. Other	$ .00
f. Program Income	$ .00
g. TOTAL	$ .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Type Name of Authorized Representative	b. Title	c. Telephone Number
d. Signature of Authorized Representative		e. Date Signed

Previous Edition Usable
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Standard Form 424 (Rev. 7-97)
Prescribed by OMB Circular A-102

Attachment B

Instructions for the SF–424

Public reporting burden for this collection of of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry:

1. Self-explanatory.

2. Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).

3. State use only (if applicable).

4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.

5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.

6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.

7. Enter the appropriate letter in the space provided.

8. Check appropriate box and enter appropriate letter(s) in the spaces(s) provided:

—''New'' means a new assistance award.

—''Continuation'' means an extension for an additional funding/budget period for a project with a projected completion date.

—''Revision'' means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.

9. Name of Federal agency from which assistance is being requested with this application.

10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.

11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

12. List only the largest political entities affected (e.g., State, counties, cities).

13. Self-explanatory.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate *only* the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BILLING CODE 4184–01–P

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		$	$	$	$	$
2.						
3.						
4.						
5. Totals		$	$	$	$	$

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total
	(1)	(2)	(3)	(4)	(5)
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges *(sum of 6a-6h)*					
j. Indirect Charges					
k. TOTALS *(sum of 6i and 6j)*	$	$	$	$	$
7. Program Income	$	$	$	$	$

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

Previous Edition Usable

SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTAL *(sum of lines 8-11)*	$	$	$	$

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. Non-Federal					
15. TOTAL *(sum of lines 13 and 14)*	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	$	$	$	$
17.				
18.				
19.				
20. TOTAL *(sum of lines 16-19)*	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

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Standard Form 424A (Rev. 7-97) Page

BILLING CODE 4184-01-C

Instructions for the SF–424A

Attachment C

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0044), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a–k of Section B.

Section A. Budget Summary Lines 1–4 Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and not requiring a functional or activity breakdown, enter on Line 1 under Column (a) the Catalog program title and the Catalog number in Column (b).

For applications pertaining to a single program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the Catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the Catalog program title on each line in Column (a) and the respective Catalog number on each line in Column (b).

For applications pertaining to multiple programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1–4, Columns (c) Through (g)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5

Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1–4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Line 6a–i

Show the totals of Lines 6a to 6h in each column.

Line 6j

Show the amount of indirect cost.

Line 6k

Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)–(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7

Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount.

Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8–11

Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12

Enter the total for each of Columns (b)–(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13

Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14

Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15

Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16–19

Enter in Column (a) the same grant program titles shown in column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20

Enter the total for each of the Columns (b)–(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21

Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22

Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23

Provide any other explanations or comments deemed necessary.

Attachment D

Assurances—Non-Construction Programs

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88–352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basic of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92–255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd–3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91–646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93–234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards, which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91–190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetland pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93–523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93–205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a–1 et seq.).

14. Will comply with P.L. 93–348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89–544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation or residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with the applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal

agency may designate a central receipt point for STATE–WIDE AND STATE AGENCY–WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517–D, 200 Independence Avenue, SW., Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instruction for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performs in concert halls or radio studios).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contedere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statues;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance

(Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

Certification Regarding Debarment, Suspension and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this

transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Covered Transaction,'' provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transaction.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause.

The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion—Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that

neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ATTACHMENT G, PAGE 1

Intergovernmental Review (SPOC List)

It is estimated that in 2001 the Federal Government will outlay $305.6 billion in grants to State and local governments. Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. Below is the official list of those entities. For those States that have a home page for their designated entity, a direct link has been provided below.

States that are not listed on this page have chosen not to participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within one of these States, you may still send application materials directly to a Federal awarding agency.

Contact information for Federal agencies that award grants can be found in Appendix IV of the Catalog of Federal Domestic Assistance.

ARKANSAS

Tracy L. Copeland, Manager, State Clearinghouse, Office of Intergovernmental Services, Department of Finance and Administration, 1515 W. 7th St., Room 412, Little Rock, Arkansas 72203, Telephone: (501) 682–1074, Fax: (501) 682–5206, tlcopeland@dfa.state.ar.us

CALIFORNIA

Grants Coordination, State Clearinghouse, Office of Planning and Research, P.O. Box 3044, Room 222, Sacramento, California 95812–3044, Telephone: (916) 445–0613, Fax: (916) 323–3018, state.clearinghouse@opr.ca.gov

DELAWARE

Charles H. Hopkins, Executive Department, Office of the Budget, 540 S. Dupont Highway, 3rd Floor, Dover, Delaware 19901, Telephone: (302) 739–3323, Fax: (302) 739–5661, chopkins@state.de.us

DISTRICT OF COLUMBIA

Luisa Montero-Diaz, Office of Partnerships and Grants Development, Executive Office of the Mayor, District of Columbia Government, 441 4th Street, NW, Suite 530 South, Washington, DC 20001, Telephone: (202) 727–8900, Fax: (202) 727–1652, opgd.eom@dc.gov

FLORIDA

Jasmin Raffington, Florida State Clearinghouse, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399–2100, Telephone: (850) 922–5438, Fax: (850) 414–0479, clearinghouse@dca.state.fl.us

GEORGIA

Georgia State Clearinghouse, 270 Washington Street, SW, Atlanta, Georgia 30334, Telephone: (404) 656–3855, Fax: (404) 656–7901, gach@mail.opb.state.ga.us

ILLINOIS

Virginia Bova, Department of Commerce and Community Affairs, James R. Thompson Center, 100 West Randolph, Suite 3–400, Chicago, Illinois 60601, Telephone: (312) 814–6028, Fax: (312) 814–8485, vbova@commerce.state.il.us

IOWA

Steven R. McCann, Division of Community and Rural Development, Iowa Department of Economic Development, 200 East Grand Avenue, Des Moines, Iowa 50309, Telephone: (515) 242–4719, Fax: (515) 242–4809, steve.mccann@ided.state.ia.us

KENTUCKY

Ron Cook, Department of Local Government, 1024 Capital Center Drive, Suite 340, Frankfort, Kentucky 40601, Telephone: (502) 573–2382, Fax: (502) 573–2512, ron.cook@mail.state.ky.us

MAINE

Joyce Benson, State Planning Office, 184 State Street, 38 State House Station, Augusta, Maine 04333, Telephone: (207) 287–3261, (207) 287–1461 (direct), Fax: (207) 287–6489, joyce.benson@state.me.us

MARYLAND

Linda Janey, Manager, Clearinghouse and Plan Review Unit, Maryland Office of Planning, 301 West Preston Street—Room 1104, Baltimore, Maryland 21201–2305, Telephone (410) 767–4490, Fax: (410) 767–4480, linda@mail.op.state.md.us

MICHIGAN

Richard Pfaff, Southeast Michigan Council of Governments, 535 Griswold, Suite 300, Detroit, Michigan 48226, Telephone: (313) 961–4266, Fax: (313) 961–4869, pfaff@semcog.org

MISSISSIPPI

Cathy Mallette, Clearinghouse Officer, Department of Finance and Administration, 1301 Woolfolk Building, Suite E, 501 North West Street, Jackson, Mississippi 39201, Telephone: (601) 359–6762, Fax: (601) 359–6758

MISSOURI

Angela Boessen, Federal Assistance Clearinghouse, Office of Administration, P.O. Box 809, Truman Building, Room 840, Jefferson City, Missouri 65102, Telephone: (573) 751–4834, Fax: (573) 522–4395, igr@mail.oa.state.mo.us

NEVADA

Heather Elliott, Department of Administration, State Clearinghouse, 209 E. Musser Street, Room 200, Carson City, Nevada 89701, Telephone: (775) 684–0209, Fax: (775) 684–0260, helliott@govmail.state.nv.us

NEW HAMPSHIRE

Jeffrey H. Taylor, Director, New Hampshire Office of State Planning, Attn: Intergovernmental Review Process,
Mike Blake, 2–1/2 Beacon Street, Concord, New Hampshire 03301, Telephone: (603) 271–2155, Fax: (603) 271–1728, jtaylor@osp.state.nh.us

NEW MEXICO

Ken Hughes, Local Government Division, Room 201 Bataan Memorial Building, Santa Fe, New Mexico 87503, Telephone: (505) 827–4370, Fax: (505) 827–4948, khughes@dfa.state.nm.us

NORTH CAROLINA

Jeanette Furney, Department of Administration, 1302 Mail Service Center, Raleigh, North Carolina 27699–1302, Telephone: (919) 807–2323, Fax: (919) 733–9571, jeanette.furney@ncmail.net

NORTH DAKOTA

Jim Boyd, Division of Community Services, 600 East Boulevard Ave, Dept 105, Bismarck, North Dakota 58505–0170, Telephone: (701) 328–2094, Fax: (701) 328–2308, jboyd@state.nd.us

RHODE ISLAND

Kevin Nelson, Department of Administration, Statewide Planning Program, One Capitol Hill, Providence, Rhode Island 02908–5870, Telephone: (401) 222–2093, Fax: (401) 222–2083, knelson@doa.state.ri.us

SOUTH CAROLINA

Omeagia Burgess, Budget and Control Board, Office of State Budget, 1122 Ladies Street, 12th Floor, Columbia, South Carolina 29201, Telephone: (803) 734–0494, Fax: (803) 734–0645, aburgess@budget.state.sc.us

TEXAS

Denise S. Francis, Director, State Grants Team, Governor's Office of Budget and Planning, P.O. Box 12428, Austin, Texas 78711, Telephone: (512) 305–9415, Fax: (512) 936–2681, dfrancis@governor.state.tx.us

UTAH

Carolyn Wright, Utah State Clearinghouse, Governor's Office of Planning and Budget, State Capitol, Room 114, Salt Lake City, Utah 84114, Telephone: (801) 538–1535, Fax: (801) 538–1547, cwright@gov.state.ut.us

WEST VIRGINIA

Fred Cutlip, Director, Community Development Division, West Virginia Development Office, Building #6, Room 553, Charleston, West Virginia 25305, Telephone: (304) 558–4010, Fax: (304) 558–3248, fcutlip@wvdo.org

WISCONSIN

Jeff Smith, Section Chief, Federal/State Relations, Wisconsin Department of

Administration, 101 East Wilson Street—6th Floor, P.O. Box 7868, Madison, Wisconsin 53707, Telephone: (608) 266–0267, Fax: (608) 267–6931, jeffrey.smith@doa.state.wi.us

AMERICAN SAMOA

Pat M. Galea'i, Federal Grants/Programs Coordinator, Office of Federal Programs, Office of the Governor/Department of Commerce, American Samoa Government, Pago Pago, American Samoa 96799, Telephone: (684) 633–5155, Fax: (684) 633–4195, pmgaleai@samoatelco.com

GUAM

Director, Bureau of Budget and Management Research, Office of the Governor, P.O. Box 2950, Agana, Guam 96910, Telephone: 011–671–472–2285, Fax: 011–472–2825, jer@ns.gov.gu

PUERTO RICO

Jose Caballero/Mayra Silva, Puerto Rico Planning Board, Federal Proposals Review Office, Minillas Government Center, P.O. Box 41119, San Juan, Puerto Rico 00940–1119, Telephone: (787) 723–6190, Fax: (787) 722–6783

NORTH MARIANA ISLANDS

Ms. Jacoba T. Seman, Federal Programs Coordinator, Office of Management and Budget, Office of the Governor, Saipan, MP 96950, Telephone: (670) 664–2289, Fax: (670) 664–2272, omb.jseman@saipan.com

VIRGIN ISLANDS

Ira Mills, Director, Office of Management and Budget, #41 Norre Gade Emancipation Garden Station, Second Floor, Saint Thomas, Virgin Islands 00802, Telephone: (340) 774–0750, Fax: (340) 776–0069, irmills@usvi.org

Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to grants@omb.eop.gov. If you prefer, you may send correspondence to the following postal address: Attn: Grants Management, Office of Management and Budget, New Executive Office Building, Suite 6025, 725 17th Street, NW., Washington, DC 20503.

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the CFDA.

Attachment H

Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form–LLL, ''Disclosure Form to Report Lobbying,'' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form–LLL, ''Disclosure Form to Report Lobbying,'' in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____

Signature

_____

Title

_____

Organization

BILLING CODE 4184–01–M

Attachment H, Page 2

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action:	2. Status of Federal Action:	3. Report Type:
☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	☐ a. bid/offer/application b. initial award c. post-award	☐ a. initial filing b. material change **For Material Change Only:** year _____ quarter _____ date of last report _____

4. Name and Address of Reporting Entity:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:
☐ Prime ☐ Subawardee Tier _____, *if known*: **Congressional District**, *if known*:	 **Congressional District**, *if known*:
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
8. Federal Action Number, *if known*:	**9. Award Amount**, *if known*: $
10. a. Name and Address of Lobbying Registrant (*if individual, last name, first name, MI*):	**b. Individuals Performing Services** (*including address if different from No. 10a*) (*last name, first name, MI*):
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less that $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only:	Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

BILLING CODE 4184–01–C

Instructions for Completion of SF–LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF–LLL–A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of the covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks ''subawardee,'' then enter the full name, address, city, state, and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 [e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency]. Include prefixes, e.g., ''RFP–DE–90–001.''

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 40 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348–0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0046), Washington, DC 20503.

Disclosure of Lobbying Activities Continuation Sheet

Reporting Entity: _____

Page _____ of _____

Attachment I

State Human Services Administrators

Last Updated: 10/31/2001

Indexed by State Name

A

Mr. Bill Fuller, Commissioner, **Alabama** State Department of Human Resource, 50 Ripley Street, Montgomery, AL 36130–4000, Phone: (334) 242–1160, FAX: (334) 242–0198

Mr. Jay Lively, Commissioner, **Alaska** Department of Health & Social Services, PO Box 110601, Juneau, AK 99811–0601, Phone: (907) 465–3030, FAX: (907) 465–3068

Dr. Uiagalelie Leaofi, Director, **American Samoa** Department of Human & Social Service, PO Box 997534, Pago Pago, AS 96799, Phone: 011 (684) 633–2969, FAX: 011 (684) 633–7449

Mr. John L. Clayton, Director, **Arizona** Department of Economic Security, PO Box 6123, Site Code 010A, Phoenix, AZ 85005, Phone: (602) 542–5678, FAX: (602) 542–5339

Mr. Kurt Knickrehm, Director, **Arkansas** Department of Human Services, 329 Donaghey Plaza South, Seventh & Main Streets, PO Box 1437, Little Rock, AR 72203–1437, Phone: (501) 682–8650, FAX: (501) 682–6836

Mr. Grantland Johnson, Secretary, **California** Health and Human Services Agency, 1600 Ninth Street, Room 460, Sacramento, CA 95814, Phone: (916) 654–3345, FAX: (916) 654–3343

Ms. Rita Saenz, Director, **California** Department of Social Services, 744 P Street, Mail Stop 17–11, Sacramento, CA 95814, (916) 657–2598, FAX: (916) 653–1695

Mrs. Marva Livingston Hammons, Executive Director, **Colorado** Department of Human Services, 1575 Sherman Street, 8th floor, Denver, CO 80203–1714, Phone: (303) 866–5096, FAX: (303) 866–4740

Ms. Patricia A. Wilson-Coker, Commissioner, **Connecticut** Department of Social Services, 25 Sigourney Street, Hartford, CT 06106–2055, Phone: (860) 424–5008, FAX: (860) 424–5129

D

Mr. Vincent P. Meconi, Secretary, **Delaware** Health & Social Services, Herman M. Holloway Sr., Campus, Main Administration Building, 1st floor, 1901 N. DuPont Highway, New Castle, DE 19720, Phone: (302) 577–4502, FAX: (302) 577–4510

Ms. Carolyn W. Colvin, Director, **District of Columbia** Department of Human Services, 801 East Building, 2700 Martin Luther King Jr. Ave., SE, Washington, DC 20032–0247, Phone: (202) 279–6016, FAX: (202) 279–6014

F

Judge Kathleen Kearney, Secretary, **Florida** Department of Children & Families, Building 1, Room 202, 1317 Winewood Boulevard, Tallahassee, FL 32399–0700, Phone: (850) 487–1111, FAX: (850) 922–2993

Mr. Ruben J. King-Shaw, Director, **Florida** Agency for Health Care Administration, Fort Knox Building 3, 2727 Mahan Drive, Suite 3116, Tallahassee, FL 32308, Phone: (850) 922–3809, FAX: (850) 488–0043

G

Mr. Jim Martin, Commissioner, **Georgia** Department of Human Resources, 2 Peach Tree Street, NW, Suite 29–250, Atlanta, GA 30303, Phone: (404) 656–5680, FAX: (404) 651–8669

Ms. Juanita Blout-Clark, Director, **Georgia** Department of Human Resources, Division of Family & Children Services, 2 Peachtree Street, Atlanta, GA 30303, Phone: (404) 657–7660, FAX: (404) 657–5105

Mr. Dennis G. Rodriguez, Director, **Guam** Department of Public Health & Social Services, PO Box 2816, Agana, GU 96932, Phone: 011 (671) 734–7102, FAX: 011 (671) 734–5910

H

Ms. Susan Chandler, Director, **Hawaii** Department of Human Services, PO Box 339, 1390 Miller Street, RM 209, Honolulu, HI 96813, Phone: (808) 586–4997, FAX: (808) 586–4890

I

Mr. Karl B. Kurtz, Director, **Idaho** Department of Health & Welfare, P.O. Box 83720, 450 West State Street, 10th Floor, Boise, ID 83720–0036, Phone: (208) 334–5500, FAX: (208) 334–6558

Ms. Linda Renee Baker, Secretary, **Illinois** Department of Human Services, Harris Building, 3rd floor, 210 South Grand Avenue, East, Springfield, IL 62762, Phone: (217) 557–1601, FAX: (217) 557–1647

Mr. John Hamilton, Secretary, **Indiana** Family & Social Services Administration, 402 West Washington Street, Room W–461, Indianapolis, IN 46204, Phone: (317) 233–4690, FAX: (317) 233–4693

Mr. James M. Hmurovich, Director, Division of Family & Children, **Indiana** Family & Social Services Administration, W392 Government Center South, 402 West Washington Street, P.O. Box 7083, Indianapolis, IN 46207–7083 Phone: (317) 232–4705, FAX: (317) 232–4490

Ms. Jessie Rasmussen, Director, **Iowa** Department of Human Services, East 13th Street and Walnut, Hoover State Office Building, Des Moines, IA 50319–0114, Phone: (515) 281–5452, FAX: (515) 281–4597

K

Ms. Janet Schalansky, Secretary, **Kansas** Department of Social and Rehabilitation Services, Docking State Office Building, 6th Floor, 915 SW Harrison, Topeka, KS 66612–1570, Phone: (913) 296–3271, FAX: (913) 296–4685

Ms. Viola P. Miller, Secretary, **Kentucky** Cabinet for Families & Children, 275 East Main Street, 4th floor West, Frankfort, KY 40621, Phone: (502) 564–7130, FAX: (502) 564–3866

L

Ms. J. Renea Austin-Duffin, Secretary, **Louisiana** Department of Social Services, P.O. Box 3776, 755 N. 3rd Street, RM 201, Baton Rouge, LA 70821, Phone: (225) 342–0286, FAX: (225) 342–8636

M

Mr. Kevin W. Concannon, Commissioner, **Maine** Department of Human Services, 11 State House Station, 211 State Street, Augusta, ME 04333, Phone: (207) 287–2736, FAX: (207) 287–3005

Ms. Emelda P. Johnson, Secretary, **Maryland** Department of Human Resources, Saratoga State Center, 311 West Saratoga Street, 10th Floor, Baltimore, MD 21201, Phone: (410) 767–7109, FAX: (410) 333–0099

Mrs. Claire McIntire, Commissioner, **Massachusetts** Department of Transitional Assistance, 600 Washington Street, Boston, MA 02111, Phone: (617) 348–8410, FAX: (617) 348–8475

Mr. Douglas Howard, Director, **Michigan** Family Independence Agency, 235 South Grand Avenue, Lansing, MI 48909, Phone: (517) 373–2000, FAX: (517) 335–6101

Mr. James K. Haveman, Director, **Michigan** Department of Community Health, Lewis Cass Building, 320 South Walnut Street, Lansing, MI 48913, Phone: (517) 335–0267, FAX: (517) 373–4288

Mr. Michael O'Keefe, Commissioner, **Minnesota** Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155–3815, Phone: (615) 296–2701, FAX: (651) 296–5868

Ms. Janice Broome Brooks, Executive Director, **Mississippi** Department of Human Services, 750 North State Street, Jackson, MS 39202, Phone: (601) 359–4480, FAX: (601) 359–4477

Mr. Steve Renne, Director, **Missouri** Department of Social Services, Broadway State Office Building, 221 W. High Street, Jefferson City, MO 65102, Phone: (573) 751–4815, FAX: (573) 751–3203

Ms. Gail Gray, Director, **Montana** Department of Public Health & Human Services, 111 North Sanders, P.O. Box 4210, Helena, MT 59604–4210, Phone: (406) 444–5622, FAX: (406) 444–1970

Mr. Hank G. Hudson, Administrator, Human & Community Services Division, **Montana** Department of Public Health, & Human Services, P.O. Box 202952, Helena, MT 59620–2952, Phone: (406) 444–5901, FAX: (406) 444–2547

N

Mr. Ron Ross, Director, **Nebraska** Department of Health & Human Services, P.O. Box 59604, Lincoln, NE 68509–5044, Phone: (402) 471–9106, FAX: (402) 471–0820

Mr. Steve Curtiss, Director, **Nebraska** Department of Health & Human Services, Finance & Support, 301 Centennial Mall South, P.O. Box 95026, Lincoln, NE 68509–5026, Phone: (402) 471–8553, FAX: (402) 471–9449

Mr. Michael J. Willden, Director, **Nevada** Department of Human Resources, 505 East King Street, Suite 600, Carson City, NV 89710, Phone: (775) 687–4730, FAX: (775) 687–4733

Mr. Donald J. Shumway, Commissioner, **New Hampshire** Department of Health & Human Services, State Office Park South, 129 Pleasant St., Brown Bldg., Concord, NH 03301–3857, Phone: (603) 271–4331, FAX: (603) 271–4232

Mr. Richard A. Chevrefils, Assistant Commissioner, Office of Family Services, **New Hampshire Department** Department of Health & Human Services, 129 Pleasant Street, Concord, NH 033011–6505, Phone: (603) 271–4321, FAX: (603) 271–4727

Mr. James W. Smith, Jr., Acting Commissioner, **New Jersey** Department of Human Services, P.O. Box 700, Trenton, NJ 08625–0700, Phone: (609) 292–3717, FAX: (609) 292–3824

Ms. Robin Dozier Otten, Deputy Secretary, **New Mexico** Human Services Department P.O. Box 2348, 2009 South Pacheco, Santa Fe, NM 87504–2348, Phone: (505) 827–7750, FAX: (505) 827–6286

Mr. Brian Wing, Commissioner, **New York** State Department of Family Assistance, Office of Temporary & Disability Assistance, 40 North Pearl Street, Albany, NY 12243, Phone: (518) 474–9475/4152, FAX: (518) 486–6255

Mr. John A. Johnson, Commissioner, **New York** State Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, Phone: (518) 473–8437, FAX: (518) 473–9131

Ms. Carmen Hooker Buell, Secretary, **North Carolina** Department of Health & Human Services, 101 Blair Drive, Raleigh, NC 27603, Phone: (919) 733–4534, FAX: (919) 715–4645

Ms. Carol K. Olson, Executive Director, **North Dakota** Department of Human Services, State Capitol—Judicial Wing, 600 East Boulevard, Bismarck, ND 58505, Phone: (701) 328–2310, FAX: (701) 328–1545

O

Mr. Thom Hayes, Director, **Ohio** Department of Jobs & Family Services, 30 East Broad Street, 32nd Floor, Columbus; OH 43266–0423, Phone: (614) 466–6282, FAX: (614) 466–2815

Ms. Sandy Blunt, Assistant Director, **Ohio** Department of Jobs & Family Service, 30 East Broad Street, 32nd Floor, Columbus, OH 43266–0423, Phone: (614) 466–6282, FAX: (614) 466–2815

Mr. Howard A. Hendrick, Director, **Oklahoma** Department of Human Services, P.O. Box 25352 Oklahoma City, OK 73125–0352, Phone: (405) 521–3646, FAX: (405) 521–6458

Mr. Mike Fogarty, Chief Executive Officer, **Oklahoma** Health Care Authority, 4545 North Lincoln Boulevard, Suite 124, Oklahoma City, OK 73105, Phone: (405) 522–7300, FAX: (405) 522–7471

Mr. Bobby Mink, Director, **Oregon** Department of Human Services, 500 Summer Street, N.E., Salem, OR 97310–1012, Phone: (503) 945–5944, FAX: (503) 378–2897

P

Ms. Feather O. Houstoun, Secretary, **Pennsylvania** Department of Public Welfare, P.O. Box 2675, Harrisburg, PA 17105–2675, Phone: (717) 787–2600, FAX: (717) 772–2062

Ms. Angie Varela-Llavona, Secretary, **Puerto Rico** Department of The Family, P.O. Box 11398, San Juan, PR 00910–1398, Phone: (787) 725–4511, FAX: (787) 723–1223

R

Ms. Christine Ferguson, Director, **Rhode Island** Department of Human Services, 600 New London Avenue, Cranston, RI 02920, Phone: (401) 462–2121, FAX: (401) 462–3677

S

Ms Elizabeth G. Patterson, Director, **South Carolina** Department of Social Services, 1535 Confederate Avenue, P.O. Box 1520, Columbia, SC 29202–1520, Phone: (803) 898–7360, FAX: (803) 898–7276

Mr. James Ellenbecker, Secretary, **South Dakota** Department of Human Services, 700 Governors Drive, Pierre, SD 57501–2291, Phone: (605) 773–3165, FAX: (605) 773–4855

T

Ms. Natasha Metcalf, Commissioner, **Tennessee** Department of Human Services, Citizens Plaza Building, 15th Floor, 400 Deaderick Street, Nashville, TN 37248–0200, Phone: (615) 313–4700, FAX: (615) 741–4165

Mr. Jim Hine, Commissioner, **Texas** Department of Human Services, 701 West 51st Street, P.O. Box 149030, Mail Code W–619, Austin, TX 78714–9030, Phone: (512) 438–3030, FAX: (512) 438–4220

Ms. Diane D. Rath, Chair & Commissioner Representing the Public, **Texas** Work Force Commission, 101 East 15th Street, Austin, TX 78778, Phone: (512) 463–2800, FAX: (512) 463–1289

U

Mrs. Robin Arnold-Williams, Executive Director, **Utah** Department of Human Services, 120 North 200 West, Room 319, Salt Lake City, UT 84145–0500, Phone: (801) 538–3998/4001, FAX: (801) 538–4016

Mr. Robert C. Gross, Executive Director, **Utah** Department of Workforce Services, 140 E. 300 South, Salt Lake City, UT 84103, Phone: (801) 526–9210, FAX: (801) 526–9211

Mr. Rod Betit, Executive Director, Department of Health, P.O. Box 141000, 2288 North 1460 West, Salt Lake City, UT 84114–1000, Phone: (801) 538–6111, FAX: (801) 538–3606

V

Ms. Eileen Elliot, Commissioner, **Vermont** Department of Social Welfare, 103 South Main Street, Waterbury, VT 05671–1201, Phone: (802) 241–2853, FAX: (802) 241–2830

Ms. Sedonia Halbert, Acting Commissioner, **Virgin Islands** Department of Human Services, Knud Hansen Complex Building A, 1303 Hospital Grounds, St. Thomas, VI 00802, Phone: (304) 774–0930, FAX: (304) 774–3466

Mr. Louis Rossiter, Secretary, **Virginia** Health & Human Resources, 202 North 9th Street, Suite 622, Richmond, VA 23219, Phone: (804) 786–7765, FAX: (804) 371–6984

Ms. Sonia Rivero, Commissioner, **Virginia** Department of Social Services, Theatre Row Building, 730 East Broad Street, 9th floor, Richmond, VA 23219–1849, Phone: (804) 692–1900, FAX: (804) 692–1949

W

Mr. Dennis Braddock, Secretary, **Washington** Department of Social & Health Services, 115 Washington Street, SE, P.O. Box 45010, Olympia, WA 98504–5010, Phone: (360) 902–7800, FAX: (360) 902–7848

Mr. Paul L. Nusbaum, Secretary, **West Virginia** Department of Health and Human Resources, State Capitol Complex Bldg. 3, Room 206, Charleston, WV 25305–0500, Phone: (304) 558–0684, FAX: (304) 558–1130

Mr. Frederick Boothe, Commissioner, Bureau of Children & Families, **West Virginia** Department of Health & Human Resources, 350 Capitol Street, Room 730, Charleston, WV 25301–3711, Phone: (304) 558–0999, FAX: (304) 558–4194

Ms. Phyllis J. Dubé, Secretary, **Wisconsin** Department of Health & Family Services, P.O. Box 7850, Madison, WI 53707–7850, Phone: (608) 266–9622, FAX: (608) 266–7882

Ms. Jennifer Reinert, Secretary, **Wisconsin** Department of Workforce Development, P.O. Box 7946, Madison, MI 53707–7946, Phone: (608) 266–7552

Ms. Susan Lehman, Director, **Wyoming** Department of Family Services, Hathaway Building, 2300 Capitol Avenue, Cheyenne, WY 82002–0490, Phone: (307) 777–7564, FAX: (307) 777–7747

Mr. Garry L. McKee, Director, **Wyoming** Department of Health, 117 Hathaway Building, 2300 Capitol Avenue, Cheyenne, WY 82002–0490, Phone: (307) 777–7656, FAX: (307) 777–7439

Certification Regarding Environmental Tobacco Smoke

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

DHHS Regulations Applying to All Applicants/Grantees Under the Job Opportunities for Low-Income Individuals (JOLI) Program

Title 45 of the Code of Federal Regulations:

Part 16—Department of Grant Appeals Process
Part 74—Administration of Grants (grants and subgrants to entities)
Part 75—Informal Grant Appeal Procedures
Part 76—Debarment and Suspension from Eligibility for Financial Assistance

SUBPART F—DRUG FREE WORKPLACE REQUIREMENTS

Part 80—Non-Discrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
Part 81—Practice and Procedures for Hearings Under Part 80 of this Title
Part 83—Regulation for the Administration and Enforcement of Sections 799A and 845 of the Public Health Service Act
Part 84—Non-discrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance
Part 85—Enforcement of Non-Discrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Health and Human Services
Part 86—Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance
Part 91—Non-discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance
Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments (*Federal Register*, March 11, 19880
Part 93—New Restrictions on Lobbying
Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities

Attachment L

Business Plan

The business plan is one of the major components that will be evaluated by OCS to determine the feasibility of a jobs creation project. A business plan must be included if, the applicant is proposing to establish a new identified business, or if the applicant will be providing assistance to a private third party employer for the development or expansion of a pre-identified business.

The following guidelines were written to cover a variety of possibilities regarding the requirements of a business plan. Rigid adherence to them is not possible nor even desirable for all projects. For example, a business plan for a service business would not require discussion of manufacturing nor product designs. Therefore, the business plans should be prepared in accordance with the following guidelines:

1. *The business and its industry.* This section should describe the nature and history of the business and include background on its industry.

a. *The Business:* as a legal entity; the general business category;

b. *Description and Discussion of Industry:* Current status and prospects for the industry.

2. *Products and Services:* This section deals with the following:

a. *Description:* Describe in detail the products or services to be sold;

b. *Proprietary Position:* Describe proprietary features, if any, of the product, e.g. patents, trade secrets; and,

c. *Potential:* Features of the product or service that may give it an advantage over the competition.

3. *Market Research and Evaluation:* This section should present sufficient information to show that the product or service has a substantial market and can achieve sales in the face of competition;

a. *Customers:* Describe the actual and potential purchasers for the product or service by market segment;

b. *Market Size and Trends:* State the size of the current total market for the product or service offered;

c. *Competition:* An assessment of the strengths and weaknesses of competitive products and services; and,

d. *Estimated Market Share and Sales:* Describe the characteristics of the product or service that will make it competitive in the current market.

4. *Marketing Plan:* The marketing plan must describe what is to be done, how it will be done and who will do it. The marketing plan should detail the product, pricing, distribution, and promotion strategies that will be used to achieve the estimated market share and sales projections. The plan should address the following topics—Overall Marketing Strategy, Packaging, Service and Warranty, Pricing, Distribution and Promotion.

5. *Design and Development Plans:* This section of the plan should cover items such as Development Status, Tasks, Difficulties and Risks, Product Improvement, New Products and Costs. If the product, process or service of the proposed venture requires any design and development before it is ready to be placed on the market, the nature and extent and cost of this work should be fully discussed.

6. *Manufacturing and Operations Plan:* A manufacturing and operations plan should describe the kind of facilities, plant location, space, capital equipment and labor force (part and/or full time and wage structure) that are required to provide the company's product or service.

7. *Management Team:* This section must include a description of: the key management personnel and their primary duties; compensation and/or ownership; the organizational structure; Board of Directors; management assistance and training needs; and, supporting professional services. The management team is key in starting and operating a successful business. The management team should be committed with a proper balance of technical, managerial and business skills, and experience in operating the proposed business.

8. *Overall Schedule:* This section must include a month-by-month schedule that shows the timing of such major events,

activities and accomplishments involving product development, market planning, sales programs, and production and operations. Sufficient detail should be included to show the correlation between the timing of the primary tasks required to accomplish each activity.

9. *Critical Risks and Assumptions:* This section should include a description of the risks and critical assumptions/problems relating to the industry, the venture, its personnel, the product's market appeal, and the timing and financing of the venture. Identify and discuss the critical assumptions/problems to overcome in the Business Plan. Major problems must clearly identify problems to be solved to develop the venture.

10. *Community Benefits:* The applicant should describe how the proposed project will contribute to the local economy, community and human economic development within the project's target area.

11. *The Financial Plan:* The Financial Plan is basic to the development of a Business Plan. Its purpose is to indicate the project's potential and the timetable for financial self-sufficiency of the business. In developing the Financial Plan, the following exhibits must be prepared for the first three years of business' operation:

a. Profit and Loss Forecasts-quarterly for each year;

b. Cash Flow Projections-quarterly for each year;

c. Pro forma balance sheets-quarterly for each year;

d. Initial sources of project funds;

e. Initial uses of project funds; and

f. Any future capital requirements and sources.

12. *Facilities:* If rearrangement or alteration of existing facilities is required to implement the project, the applicant must describe and justify such changes and related costs.

Attachment M

Certification Regarding Maintenance of Effort

In accordance with the applicable program statute(s) and regulation(s), the undersigned certifies that financial assistance provided by the Administration for Children and Families, for the specified activities to be performed under the _____Program by _____(Applicant Organization, will be in addition to, and not in substitution for, comparable activities previously carried on without Federal assistance.

_____

Signature of Authorized Certifying Official

_____

Title

_____

Date

Attachment N

State Child Support Enforcement Offices

Updated February 14th, 2001

A

Alabama

Department of Human Resources, Division of Child Support, 50 Ripley Street, Montgomery, AL 36130–1801, (334) 242–9300, FAX: (334) 242–0606, 1–800–284–4347 [1]

Alaska

Child Support Enforcement Division, 550 West 7th Avenue, Suite 310, Anchorage, AK 99501–6699, (907) 269–6900, FAX: (907) 269–6813, 1–800–478–3300 [1]

Arizona

Division of Child Support Enforcement, P.O. Box 40458, Phoenix, AZ 85067, (602) 252–4045 (non toll-free number)

Arkansas

Office of Child Support Enforcement, P.O. Box 8133, Little Rock, AR 72203, Street Address: 712 West Third, Little Rock, AR 72201, (501) 682–8398, FAX: (501) 682–6002, 1–800–264–2445 [2] (Payments), 1–800–247–4549 [2] (Program)

C

California

California Department of Child Support Services, Customer and Community Services Branch, P.O. Box 419064, MS–30, Rancho Cordova, CA 95741–9064, FAX: (916) 464–5065, 1–866–249–0773

Colorado

Division of Child Support Enforcement, Division of Human Services, 303 E. 17th Avenue, Suite 200, Denver, CO 80203–1241, (720) 947–5000, FAX: (720) 947–5006, (no toll-free number)

Connecticut

Department of Social Services, Bureau of Child Support Enforcement, 25 Sigourney Street, Hartford, CT 06105–5033, (860) 424–5251, FAX: (860) 951–2966 1–800–228–5437 [2] (problems), 1–800–647–8872 [2] (information), 1–800–698–0572 [2] (payments)

D

Delaware

Division of Child Support Enforcement, Delaware Health and Social Services, 1901 North Dupont Hwy., P.O. Box 904, New Castle, DE 19720, (302) 577–4863, 577–4800, FAX: (302) 577–4873, (800) 464–4357

District of Columbia

Office of Paternity and Child Support Enforcement, Department of Human Services, 800 9th Street, SW., 2nd Floor, Washington, DC 20024–2480, (202) 724–1444, (no toll-free number)

F

Florida

Child Support Enforcement Program, Department of Revenue, P.O. Box 8030, Tallahassee, FL 32314–8030, (850) 922–9590, FAX: (850) 488–4401, (no toll-free number)

G

Georgia

Child Support Enforcement, P.O. Box 38450, Atlanta, GA 30334–0450, (404) 657–3851, FAX: (404) 657–3851, 1–800–227–7993 [1] (for 706 & 912 area codes), (from area codes 404 & 770, dial code + 657–2780)

Guam

Department of Law, Child Support Enforcement Office, 238 Archbishop F.C. Flores, 7th Floor, Agana, GU 96910, 011 (671) 475–3360, (no toll-free number)

H

Hawaii

Child Support Enforcement Agency, Department of Attorney General, Kakuhihewa State Office Building, 601 Kamokila Boulevard, Suite 251, Kapolei, HI 96707, (808) 587–3695, (808) 692–7134, (no Toll Free Number)

I

Idaho

Bureau of Child Support Services, Department of Health and Welfare, P.O. Box 83720, Boise, ID 83720–0036, (208) 334–6535, FAX: (208) 334–0666, 1–800–356–9868 [2]

Illinois

Illinois Department of Public Aid, Division of Child Support Enforcement, Marriott Building, 509 South Sixth Street, Springfield, IL 62701–1825, (217) 524–4602, FAX: (217) 524–4608, 1–800–447–4278 [1]

Indiana

Child Support Bureau, 402 West Washington Street, RM W360, Indianapolis, IN 46204, (317) 233–5437, FAX: (317) 233–4932 [2], 1(800) 840–8757

Iowa

Bureau of Collections, Department of Human Services, Hoover Building—5th Floor, Des Moines, IA 50319, (515) 242–5530, FAX: (515) 281–8854, (888) 229–9223)

K

Kansas

Child Support Enforcement Program, Department of Social & Rehabilitation Services, P.O. Box 497, Topeka, KS 66601, Street Address: 300 S.W. Oakley Street, Biddle Building, Topeka, KS 66606, (785) 296–3237, FAX: (913) 296–5206, 1–800–432–0152 [2](Withholding), 1–800–570–6743 [2](Collections), 1–800–432–3913 [2](Fraud Hotline)

Kentucky

Division of Child Support Enforcement, Cabinet for Human Resources, P.O. Box 2150, Frankfort, KY 40602, (502) 564–2285, FAX: (502) 564–5988, (800) 248–1163 [2]

L

Louisiana

Support Enforcement Services, Office of Family Support, P.O. Box 94065, Baton Rouge, LA 70804–4065, (225) 342–4780, FAX: (504) 342–7397, 1–800–256–4650 [1](Payments)

M

Maine

Division of Support Enforcement and Recovery, Bureau of Income Maintenance, Department of Human Services, State House Station, 11 Whitten Road, Augusta, ME 04333, (207) 287–2886, FAX: (207) 287–5096, 1–800–371–3101 [1]

Maryland

Child Support Enforcement Administration, Department of Human Resources, 311 West Saratoga Street, Baltimore, MD 21201, (410) 767–7619, FAX: (410) 333–8992, 1–800–234–1528 [2]

Massachusetts

Child Support Enforcement Division, Department of Revenue, 141 Portland Street, Cambridge, MA 02139–1937, (617) 557–7200, FAX: (617) 621–4991, 1–800–332–2733 [2]

Michigan

Office of Child Support, Family Independence Agency, P.O. Box 30478, Lansing, MI 48909–7978, (517) 373–7570, FAX: (517) 373–4980, (no toll-free number)

Minnesota

Office of Child Support Enforcement, Department of Human Services, 444 Lafayette Road, 4th floor, St. Paul, MN 55155–3846, (651) 296–2542, FAX: (651) 297–4450, (no toll-free number)

Mississippi

Division of Child Support Enforcement, Department of Human Services, P.O. Box 352, Jackson, MS 39205, (601) 359–4861, FAX: (601) 359–4415, 1–800–434–5437 (Jackson)[2], 1–800–354–6039 (Hines, Rankin & Madison Cnties.)

Missouri

Department of Social Services, Division of Child Support Enforcement, P.O. Box 2320, Jefferson City, MO 65102–2320, (573) 751–4301, FAX: (573) 751–8450, 1–800–859–7999 [2]

Montana

Child Support Enforcement Division, Department of Public Health, and Human Services, P.O. Box 202943, Helena, MT 59620, (406) 442–7278, FAX: (406) 444–1370, 1–800–346–5437[1]

N

Nebraska

Nebraska Dept. of Health and Human Services, Child Support Enforcement Office, P.O. Box 94728, Lincoln, NE 68509–4728, (402) 479–5555, FAX: (402) 471–9455, 1–800–831–4573[1]

Nevada

Child Support Enforcement Program, Nevada State Welfare Division, 2527 North Carson Street, Carson City, NV 89710, (775) 687–4744, FAX: (702) 684–8026, 1–800–992–0900 x4744[1]

New Hampshire

Office of Child Support, Division of Human Services, Health and Human Services Building, 6 Hazen Drive, Concord, NH 03301–6531, (603) 271–4427, FAX: (603) 271–4787, 1–800–852–3345 ext. 4427[1]

New Jersey

Division of Family Development, Department of Human Services, Bureau of Child Support and Paternity Programs CN 716, Trenton, NJ 08625–0716, (609) 588–2915, FAX: (609) 588–2354, 1–800–621–5437[2]

New Mexico

Child Support Enforcement Bureau, Department of Human Services, P.O. Box 25109, Santa Fe, NM 87504, Street Address: 2025 S. Pacheco, Sante Fe, NM 87504, (505) 476–7040, FAX: (505) 827–7285, 1–800–288–7207[1], 1–800–585–7631

New York

Office of Child Support Enforcement, Department of Social Services, P.O. Box 14, Albany, NY 12260, Street Address: One Commerce Plaza, Albany, NY 12260, (518) 474–9081, FAX: (518) 486–3127, 1–800–342–3009

North Carolina

Child Support Enforcement Section, Division of Social Services, Department of Human Resources, 100 East Six Forks Road, Raleigh, NC 27609–7750, (919) 571–4114, FAX: (919) 571–4126, 1–800–992–9457[1]

North Dakota

Department of Human Services, Child Support Enforcement Agency, P.O. Box 7190, Bismarck, ND 58507–7190, (701) 328–3582, FAX: (701) 328–5497, 1–800–755–8530[1]

O

Ohio

Office of Child Support Enforcement, Department of Human Services, 30 East Broad Street—31st Floor, Columbus, OH 43266–0423, (614) 752–6561, FAX: (614) 752–9760, 1–800–686–1556[1]

Oklahoma

Department of Human Services, P.O. Box 53552, Oklahoma City, OK 73125, Street Address: 2409 N. Kelley Avenue, Annex Building, Oklahoma City, OK 73111, (405) 522–5871, FAX: (405) 522–2753, 1–800–522–2922[2]

Oregon

Department of Justice, Division of Child Support, 1495 Edgewater N.W., Suite 290, Salem, OR 97304, (503) 986–5950, FAX: (503) 391–5526, 1–800–850–0228[1], 1–800–850–0294[1] Rotary

P

Pennsylvania

Bureau of Child Support Enforcement, Department of Public Welfare, P.O. Box 8018, Harrisburg, PA 17105, (717) 783–5184, FAX: (717) 787–9706, 1–800–932–0211[2]

Puerto Rico

Child Support Enforcement, Department of Social Services, P.O. Box 3349, San Juan, PR 00902–9938, Street Address: Majagua Street, Bldg. 2, Wing 4, 2nd Floor, Miramar, PR 00902–9938, (787) 767–1500, FAX: (787) 723–6187, (no toll-free number)

R

Rhode Island

Rhode Island Child Support Services, Department of Human Services, 77 Dorrance Street, Providence, RI 02903, (401) 222–2847, FAX: (401) 277–6674, 1–800–638–5437[1]

S

South Carolina

Department of Social Services, Child Support Enforcement Division, P.O. Box 1469, Columbia, SC 29202–1469, (803) 898–9341, FAX: (803) 737–6032, 1–800–768–5858[2], 1–800–768–6779[1] (Payments)

South Dakota

Office of Child Support Enforcement, Department of Social Services, 700 Governor's Drive, Pierre, SD 57501, (605) 773–3641, FAX: (605) 773–5246, (no toll-free number)

T

Tennessee

Child Support Services, Department of Human Services, Citizens Plaza Building—12th Floor, 400 Deadrick Street, Nashville, TN 37248–7400, (615) 313–4880, FAX: (615) 532–2791, 1–800–838–6911 [2]

Texas

Office of the Attorney General, State Office, Child Support Division, P.O. Box 12017, Austin, TX 78711–2017, (512) 460–6000, FAX: (512) 834–9712, 1–800–252–8014 [2]

U

Utah

Bureau of Chief Support Services, Department of Human Services, P.O. Box 45011, Salt Lake City, UT 84145–0011, (801) 536–8500, FAX: (801) 536–8509, 1–800–257–9156 [2]

V

Vermont

Office of Child Support, 103 South Main Street, Waterbury, VT 05671–1901, (802) 241–2313, FAX: (802) 244–1483, 1–800–678–3214 [2]

Virgin Islands

Paternity and Child Support Division, Department of Justice, GERS Building, 2nd Floor, 48B–50C Krondprans Gade, St. Thomas, VI 00802, (340) 775–3070, FAX: (809) 774–9710 (no toll-free number)

Virginia

Division of Support Enforcement, Department of Social Services, 730 East Broad Street, Richmond, VA 23219, (804) 692–1428, FAX: (804) 692–1405, 1–800–468–8894 [1]

W

Washington

Division of Child Support, Department of Social and Health Services, P.O. Box 9162, Olympia, WA 98507–9162, Street address: 712 Pear Street, S.E., Olympia, WA 98507, (360) 664–5000, FAX: (206) 586–3274, 1–800–922–4306 [2]

West Virginia

Child Support Enforcement Division, Department of Health & Human Resources, 1900 Kanawha Boulevard East, Capitol Complex, Building 6, Room 817, Charles, WV 25305, (304) 558–3780, 1–800–249–3778 [2]

Wisconsin

Division of Economic Support, P.O. Box 7935, Madison, WI 53707–7935, Street Address: 1 West Wilson Street, Room 382, Madison, WI 53707, (608) 266–9909, FAX: (608) 267–2824 (no toll-free number)

Wyoming

Child Support Enforcement, Department of Family Services, Hathaway Building, 2300 Capital Avenue, 3rd Floor, Cheyenne, WY 82002–0490, (307) 777–6948, FAX: (307) 777–3693, 1–800–457–3659 [2]

BILLING CODE 4184–01–M

Attachment O

APPLICANT'S CHECKLIST

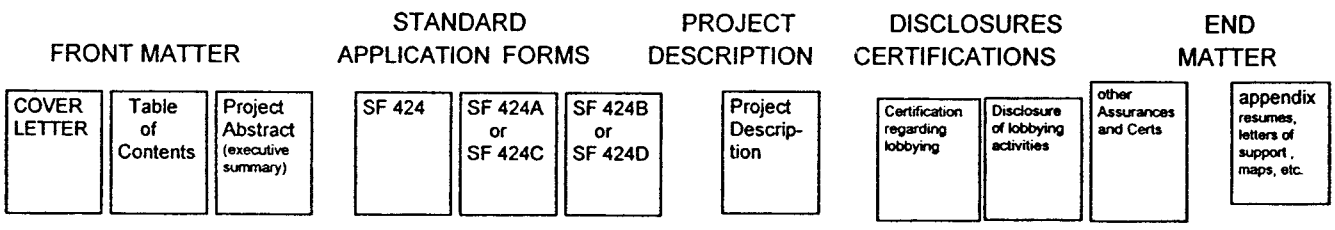
This checklist will assist you with preparing and assembling your application. Completing the checklist can help ensure that you do not omit key information. Because this checklist is used by many ACF programs, some of the information might not apply to your application. This checklist DOES NOT have to be completed and returned with your application.

	Yes	Included	N/A
Authorizing official read and understood Certification Regarding Debarment, Suspension, and Other Responsibility Matters?			
Authorizing official read and understood Certification Regarding Drug-Free Workplace Requirements--Grantees Other Than Individuals?			
Authorizing official read and understood Certification Regarding Environmental Tobacco Smoke?			
Application for Federal Assistance (SF 424) was completed? Proper Signature and Date for Line 18?			
Budget Information--Non-Construction Programs (SF 424A) or Budget Information--Construction Programs (SF 424C) was completed?			
Assurances-- Non-Construction Programs (SF 424B) or Assurances--Construction Programs (SF 424D) was completed? (Proper Signature and Date?)			
Certification Regarding Lobbying was completed? (Proper Signature and Date?)			
Disclosure of Lobbying Activities was completed? (Proper Signature and Date?)			
Other special certifications, assurances, and/or disclosures required under the program were completed (e.g., maintenance of effort certification)?			
Proof of nonprofit status was provided?			
Has additional information such as biographical sketch(es) with job description(s) and other additional information been attached, when required?			
For a Supplemental application, does the detailed budget only address the additional funds requested?			
Checked all budget computations for accuracy?			

FOLLOW-UP QUESTIONS

	YES	N/A
On the Application for Federal Assistance (SF 424),		
⇒ did you enter the application number issued by the sponsoring ACF office in the "Federal Identifier" block?		
⇒ did you type the 12 digit Payee EIN or PIN previously assigned to your organization by DHHS in the "Federal Identifier" block?		
⇒ is the EIN in Item #6 assigned to the organization and organizational unit named in Item #5?		
⇒ did you include city, county, state and zip code of the applicant did organization in Item #5?		
⇒ has the appropriate box been checked in Item #16?		
⇒ has the entire proposed project period been identified in Item #13?		
On the Budget Information form (SF 424A or SF 424C),		
⇒ do the totals in Section B match the totals provided in the budget and budget narrative?		

SUGGESTED ORDERING OF APPLICATION MATERIALS



[FR Doc. 02–3564 Filed 2–20–02, 8:45am]
BILLING CODE 4184–01–C

Federal Register

Thursday,
February 21, 2002

Part III

Office of Personnel Management

SES Positions That Were Career Reserved During 2001; Notice

OFFICE OF PERSONNEL MANAGEMENT

SES Positions That Were Career Reserved During 2001

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: As required by the Civil Service Reform Act of 1978, this gives notice of all positions in the Senior Executive Service (SES) that were career reserved during 2001.

FOR FURTHER INFORMATION CONTACT: Nancy Gauthier, Office of Executive Resources Management, (202) 606–1125.

SUPPLEMENTARY INFORMATION: Below is a list of titles of SES positions that were career reserved at any time during calendar year 2001, regardless of whether those positions were career reserved on December 31, 2001. Section 3132(b)(4) of title 5, United States Code, requires that the head of each agency publish such list by March 1 of the following year. OPM is publishing a consolidated list for all agencies.

Office of Personnel Management.

Kay Coles James,

Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001

Agency organization	Career reserved positions
Advisory Council on Historic Preservation:	
Ofc of the Exec Director	Executive Director.
	Special Assistant.
Department of Agriculture:	
Office of the Chief Information Officer	Deputy Chief Information Officer.
	Associate Deputy Director, NTIC.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Project Manager.
National Finance Center	Director, Applications Systems Division
	Dir, INFO Resources Management Division.
	Director, Financial Services Division.
	Dir. Thrift Savings Plan Division.
	Deputy Director.
Office of the Inspector General	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigation.
	Asst Inspector General for Audit.
	Dep Assistant Inspector General for Audit.
	Dep Asst Inspector General for Audit.
	Asst Inspector Gen for Pol Dev & Res Mgmt.
	Dep Asst Insp Gen for Invest Immediate Office.
	Deputy Inspector General.
Office of the Chief Economist	Dir Ofc of Risk Assessment & Cost-Benefit Anl. Chairperson.
	Dir Global Change Program Office.
	Director, Office of Energy Policy and New Uses.
Office of Operations	Director Office of Operations.
Procurement and Property Management	Director, Procurement and Property Management.
Office of Outreach	Director, USDA Program Outreach Division.
Rural Housing Service	Controller.
	Director Centralized Servicing Center.
Rural Business Service	Deputy Administrator for Business Programs.
Agricultural Marketing Service	Deputy Administrator, Fruit & Vegetable Programs.
	Deputy Administrator, Dairy Programs.
	Deputy Administrator, Livestock & Seed Programs.
	Deputy Administrator, Tobacco Programs.
	Deputy Administrator, Compliance and Analysis.
	Deputy Administrator, Cotton Programs.
	Deputy Administrator, Science and Technology Programs.
	Deputy Administrator, Transportation & Marketing Programs.
	Deputy Administrator, Poultry Programs.
Grain Inspection, Packers & Stockyards Administration	Dir Field Management Division.
Animal & Plant Health Inspection Service	Deputy Administrator for Marketing & Regulatory Programs-Business Services.
	Assoc Dep Administrator for Mgt. & Budget.
	Deputy Administrator, Animal Care.
	Director, Center for Plant Health Science & Technology.
	Assistant Deputy Administrator for Emergency Programs, Plant Protection & Quarantine.
	Associate Deputy Administrator, Wildlife Services APHIS International Organization Coordinator.
Veterinary Services	Director, South Eastern Region, Veterinary Services.
	Director, Western Region.
	Director, Central Region.
	Director, Central Region.
	Deputy Administrator, Wildlife Services.
	Director, Animal Health Programs, Veterinary Services.
	Director, Center for Epidemiology & Animal Health.
Plant Protection & Quarantine Service	Dep Admr, International Services.
	Director, Western Region.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Plant Health Programs, PPQ.
	Director, Eastern Region.
Food Safety & Inspection Service	Deputy Administrator, Office of Management.
	U.S. Coordinator for Codex Alimentarius.
	Assistant Deputy Administrator, Office of Management.
	Assistant Deputy Administrator, Ofc. of Policy, Prog. Dev. & Eval.
	Assistant Deputy Administrator, Office of Management.
	Deputy Administrator.
	Assistant Deputy Administrator.
	Deputy Administrator.
	Associate Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator, District Enforcement Operations.
	Director, Technical Service Center, Office of Field Operations.
	Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator, OPPDE.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Deputy Administrator.
	Associate Administrator.
	Associate Deputy Administrator, Ofc. of Public Health & Science.
	Assistant Deputy Administrator, District Inspection Operations.
	Assistant Administrator, Staff Services.
	Director, Enforcement Operations.
Food and Nutrition Service	Deputy Admin for Financial Management.
	Deputy Admr for Management.
	Deputy Administrator for Operations & Mgmt.
	Associate Administrator.
	Director, Office of Analysis and Evaluation.
Farm Service Agency	Deputy Administrator, Poultry Programs.
	Deputy Administrator, Transportation & Marketing Programs.
	Deputy Administrator, Science & Technology Programs Controller.
	Director Management Services Division.
	Director, Budget Division.
	Deputy Administrator for Farm Loan Programs.
	Director, Financial Management Division.
Foreign Agricultural Service	Dir, Grain, & Feed Div.
	Assistant Deputy Administrator Management.
	Director, Cotton, Oilseeds, Tobacco and Seeds Division.
Risk Management Agency	Deputy Administrator for Research & Development.
	Deputy Administrator for Insurance Services Division.
Agricultural Research Service	Asst Administrator for Technology Transfer.
	Assistant Administrator for Genetic Resources.
	Dep Admin for Admin & Financial Mgmt.
	Director, Office of Pest Management Policy.
	Director, National Animal Disease Center.
	Associate Administrator, Special Interagency Programs.
	Issues Manager.
	Associate Deputy Administrator.
National Program Staff Office	Deputy Administrator National Program Staff.
	Assoc Deputy Administrator for Animal PPV&S.
	Assoc Dep Admin for Natural Resources & SAS.
	Associate Deputy Administrator for Crop Production, Product Value, and Safety.
Beltsville Area Office	Director Beltsville Area Office.
	Assoc Dir Beltsville Area.
	Dir U.S. National Arboretum.
	Dir Beltsville Human Nutrition Research Ctr.
	Director Plant Sciences Institute.
	Dir Livestock & Poultry Sciences Institute.
	Dir Natural Resources Institute.
North Atlantic Area Office	Director, Eastern Regl Research Center.
	Assoc Dir, North Atlantic Area.
	Director, Plum Island Animal Disease Center.
	Director, North Atlantic Area.
South Atlantic Area Office	Associate Dir South Atlantic Area.
	Director, South Atlantic Area.
	Dir, Center for Medical A & V Entomology.
Midwest Area Office	Dir Midwest Area.
	Assoc Dir, Midwest Area.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Supervisory Veterinary Medical Officer.
	Dir Natl Ctr for Agri Utilization.
Midsouth Area Office	Dir, Southern Regional Res Center, New Orleans.
	Director, Mid-South Area.
	Associate Director, Mid South Area.
Southern Plains Area Office	Director Southern Plains Area.
	Assoc Dir, Southern Plains Area.
Northern Plains Area Office	Director, Northern Plains Area.
	Associate Director, Northern Plains Area Ofc.
	Director, U.S. Meat Animal Research Center.
Pacific West Area Office	Director, Western Regional Research Center.
	Dir, Western Human Nutrition Research Center.
	Director, Pacific West Area Office.
	Associate Director, Pacific West Area Office.
	Dir, Western Cotton Research Laboratory.
Cooperative State Research, Education & Extension Service	Deputy Administrator Partnerships.
	Special Asst to the Administrator, CSREES.
	Deputy Administrator, Economic and Community Systems.
	Director, Office of Extramural Programs.
Economic Research Service	Admr, Economic Research Service.
	Associate Administrator—Economic RSCH SVC.
	Dir, Natural Res & Environment Divison.
	Director, Information Services Division.
	Budget Coordinator and Strategic Planner.
	Dir Food & Consumer Economics Divison.
	Director, Market and Trade Economics Division.
National Agricultural Statistics Service	Admr, National Agricultural Statistics Serv.
	Deputy Administrator for Field Operations.
	Associate Administrator.
	Deputy Administrator for Programs & Products.
	Director, Statistics Division.
	Director, Research & Development Division.
	Director, Census & Survey Division.
	Director, Information Technology Division.
	Associate Deputy Administrator (Western U.S.).
	Associate Deputy Administrator (Eastern U.S.).
Natural Resources Conservation Service	Director Engineering Division.
	Dir Ecological Sciences and Technology Division.
	Asst Dep Admin (Admin Mgt).
	Dir, Soils (Soil Scientist).
	Deputy Administrator
	Director, Strategic Planning Division.
	Director, Operations Management and Oversight.
	Regional Conservationist—South Central.
	Regional Conservationist—Midwest Region.
	Dir Conservation Operations Divison.
	Dep Chief for Mgmt & Strategic Planning.
	Director.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Asst Deputy Administrator.
	Director.
	Senior Soil Scientist.
	Natural Resources Manager.
	Special Asst to the Chief (Program Manager).
	Deputy Chief for Strategic Planning and Accountability.
	Director, Resource Conservation & Community Development Division.
	Director, Resource Inventory Division.
	Director, Animal Husbandry and Clean Water Programs Division.
	Associate Deputy Chief for Programs, Air, Water & Soil
	Director, Resource Assessment Division.
	Associate Deputy Chief for Programs (Animal Husbandry).
	Director, Resource Economics & Social Sciences Division.
	Regional Conservationist—Northern Plains.
	Special Assistant to the Chief.
Forest Service	Associate Deputy Chief—Business Operations.
	Director, Fire and Aviation Staff.
	Deputy Chief, Office of Finance (CFO).
	Deputy Chief, Business Operations.
	Chief Operating Officer.
	Director, Financial Management Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Research	Director, Vegetation Management & Protection Research Staff.
	Director, Resource Valuation and Use Research Staff.
	Director, Wildlife, Fish & Watershed Research Staff.
	Director, Science Policy, Planning, and Information Staff.
National Forest System	Dir, Range Management Staff.
	Director, Forest Management Staff.
	Director, Engineering Staff.
	Director, Lands Staff.
	Director, Ecosystem Management Coordination.
	Director, Wildlife, Fish and Rare Plants.
	Director, Minerals & Geology Management Staff.
	Director, Watershed & Air Management Staff.
	Director, Recreation, Heritage & Wilderness Research Staff.
State & Private Forestry	Director, Cooperative Forestry.
	Director, Forest Health Protection.
Field Units	NE Area Director, State & Private Forestry.
	Station Director, North Eastern Forest Experiment Station (Newtown Square).
	Director, North Central Forest Experiment Station (St. Paul).
	Dir, Pacific Northwest Forest & Range Experiment Station (Portland).
	Director, Pacific Southwest Forest & Range Experiment Sta (Vallejo).
	Director Rocky Mtn Forest & Range Experiment State (Ft. Collins).
	Director, Southern Research Station (Asheville).
	Director, Forest Products Laboratory (Madison).
	Dep Regional Forester, Pacific Northwest Region (Portland).
International Forest System	Dir International Institute of Tropical Forest (Rio Piedras).
National Program Staff Office	Assoc Dep Admr.
North Atlantic Area Office	Director, North Atlantic Area.
South Atlantic Area Office	Supervisory Research Geneticist.
Southern Plains Area Office	Dir, Subtropical Agricultural Res Laboratory.
Pacific West Area Office	Supervisory Soil Scientist.
Cooperative State Res Education, & Extension Service	Deputy Admin for Rural, Economic & Social Dev.
	Deputy Admini Communication Tech Distance Edu.
Natural Resources Conservation Service	Director, Resource Economics & Social Sciences Division.
American Battle Monuments Commission:	
Office of Executive Director	Executive Director.
Broadcasting Board of Governors:	
International Broadcasting Bureau	Dir Engineering and Technical Operations.
	Deputy for Engineering Resource Control.
	Deputy for Network Operations.
Department of Commerce:	
Department of Commerce	Deputy Director for Financial Services/Deputy CFO.
	Chief Financial Officer and Chief Administrative Officer.
	Deputy Chief Financial Officer/Direct of Budget.
	Deputy Chief Administrative Officer.
	Deputy Chief Financial Officer/Deputy Chief Administrative Officer.
	Chief Information Officer.
	Deputy Director for Financial Policy.
	Chief Information Officer & Director for High Performance Computing and Communciations.
	Chf Standard Reference Materials Program.
Office of the Secretary	Director, Office of Information Policy, Planning and Review.
Office of the Chief Financial Officer and Assistant Secretary for Administration.	Director for Y2K Outreach.
	Deputy Director, Office of Budget.
	Deputy Chief Information Officer.
	Director for Administrative Services.
Office of the General Counsel	Asst General Counsel for Finance & Litigation.
	Director, Office of Executive Support.
Office of the Assistant Secretary for Administration	Deputy Director for Security.
Director for Human Resources Management	Director for Human Resources Management.
	Dep Dir of Human Resources Management.
Director for Financial Management	Dir for Financial Management and Deputy Chief Financial Officer.
Office of Budget Mgmt & Info & Chief Information Offcr	Director, Office of Budget.
	Chief Information Officer.
Director for Executive Budgeting & Assistance Mgmt	Dir for Federal Asst & Management Support.
Office of Security and Administrative Services	Director, Office of Security.
	Director, Office of Acquisition Management.
Office of the Assistant Secretary for Administration	Director for Technology Management.
	Deputy Assistant Secretary and Director for Security.
Office of Inspector General	Asst Inspect Genrl for Compliance Admin.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Asst Inspector General for Syst Evaluation.
Office of Counsel to the Inspector General	Counsel to the Inspector General.
Office of Inspections and Program Evaluation	Assistant Inspector General for Inspections and Program Evaluation.
Office of Audits	Assistant Inspector General for Auditing.
Office of Investigations	Asst Inspector General for Investigations.
Economics and Statistics Administration	Director, Stat-USA.
Bureau of the Census	Assistant Director for Marketing and Customer Liaison.
	Chief, Human Resource Division.
Office of the Director	Assoc Dir for Field Operations.
	Chief Decennial Sys & Contracts Magnt Office.
	Principal Assoc Dire and Chief Financial Offc.
	Principal Associate Director for Programs.
	Special Advisor to the Deputy Director.
	Chief, Policy & Strategic Planning Division.
	Assistant to the Director.
Administrative and Customer Services Division	Chief Admin & Customer Services Division.
Associate Director for Information Technology	Assistant to the Director for Information Technology.
	Assoc Dir for Information Technology.
Data Preparation Division	Chief National Processing Center.
Associate Director for Economic Programs	Associate Director for Economic Programs.
	Assistant Director for Economic Programs.
Economic Planning and Coordination Division	Chf, Economic Planning & Coordination Div.
Economic Statistical Methods and Programming Division	Chf, Economic Statistical M & P Division.
Agriculture and Financial Statistics Division	Chief Company Statistics Division.
Services Division	Chief Service Sector Statistics Division.
Foreign Trade Division	Chf, Foreign Trade Div.
Governments Division	Chf, Government Div.
Manufacturing and Construction Division	Chf, Manufacturing & Construction Division.
Associate Director for Decennial Census	Associate Director for Decennial Census.
	Asst to the Assoc Dir for Decennial Census.
	Assistant Director for Decennial Census.
Decennial Management Division	Chief Decennial Management Division.
Geography Division	Chf, Geography Div.
Decennial Statistical Studies Division	Chief, Decennial Statistical Studies Div.
Associate Director for Demographic Programs	Associate Dir for Demographic Progs
	Chf, Population Div.
	Chief Demographic Surveys Division.
Housing & Household Economic Statistics Division	Chf, Housing & Household Econ Statistics Div.
Demographic Statistical Methods Division	Chief, Statistical Methods Division.
Associate Director for Methodology & Standards	Chief, Planning, Research, and Evaluation Division.
	Assoc Dir for Methodology & Standards.
Statistical Research Division	Chief Statistical Research Division.
Bureau of Economic Analysis	Associate of Economic Analysis.
Office of the Director	Director.
	Dep Dir, Bur of Economic Analysis.
	Chief Economist.
	Chf Statistician.
	Associate Director for Management and Chief Administrative Officer.
Associate Director for Regional Economics	Assoc Dir for Regional Economics.
Associate Director for International Economics	Assoc Dir for International Economics.
Assoc Director for Natl Income, E & W Accounts	Assoc Dir for Natl Inc, Exp, Wealth Accounts.
	Chf, Natl Income & Wealth Div.
	Chief International Investment Division.
	Chief, Computer Systems and Services Division.
Director of Administration	Director of Administration.
Office of the Asst Secretary for Export Enforcement	Deputy Assistant Secretary for Export Enforcement.
	Director Office of Export Enforcement.
Office of the Asst Secretary for Economic Development	Chief Financial Officer/Chief Administrative Office (CFO/CAO).
International Trade Administration	Director, Office of Environmental Technologies Industries.
Office of the Under Secretary	Chief, Financial Officer & Director of Admin.
Office of the Director of Administration	Human Resources Manager.
Office of Consumer Goods	Director Office of Consumer Goods.
Das for Market Access and Compliance	Dir Trade Compliance Center.
Market Access and Compliance	Director, Office of Eastern Europe, Russia, and Independent States.
	Director, Office of Multilateral Affairs.
Deputy Assistant Secretary for Agreement Compliance	Associate Director for Management.
National Oceanic Atmospheric Administration	Chief Financial Officer/Chief Admin Officer.
	Dir Staff Ofc for International Programs.
	Director, Office of Operations, Management and Information.
Office of International Affairs	Chief Financial Officer/Admin Officer.
Office of Finance and Administration	Director, Budget Office.
	Director, Major Projects Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir for Human Resources Management.
	Dir, Finance Office/Comptroller (FO/Compt).
Office of High Performance Computing and Communications	Director for High Performance Computing and Communications.
Systems Acquisition Office	Chief Information Officer and Information Technology Acquisition Manager.
Office of Assistant Administrator Ocean Serv and CZM	Senior Ocean Policy Advisor.
National Ocean Service	Associate Assistant Administrator for Management and Chief Financial Officer/Chief Administrative Officer.
	Director, National Centers for Coastal Ocean Science and Scientist for NOS.
	Deputy Director, National Centers for Coastal Ocean Science.
	Dir, Office of National Geodetic Survey (NGS).
Strategic Environmental Assessments Division	Chf, Strategic Environmental Assessments Div.
Coastal Monitoring and Bioeffects Assessment Division	Chief Coastal Monitoring Bioeffects Asses Div.
Hazardous Materials Response and Assessment Division	Chf, Hazardous Materials R & A Division.
Office of the Assistant Administrator for Weather Services	Senior Advisor.
	Director, Strategic Planning and Policy Office.
Office of the Chief Information Officer	Chief Information Officer.
Management and Budget Officer	Dep Chf Fin Ofc Chief Adm Officer.
Office—Fed Coordinator—Meteorology	Dir, Ofc of the Fed Coord for Meteorology.
Office of Hydrologic Development	Director, Office of Hydrologic Development.
Hydrologic Operations Division	Chief, Hydrologic Operations Division.
Hydrology Laboratory	Director, Hydrology Laboratory.
Office of Science and Technology	Chief, Programs and Plans Division.
	Director, Office of Science and Technology.
Meteorological Development Laboratory	Director, Meteorological Development Laboratory.
Systems Engineering Center	Director, Systems Engineering Center.
Office of Operational Systems	Director, Office of Operational Systems.
Field Systems Operations Center	Director, Field Systems Operation Center.
Telecommunications Operations Center	Chief Telecommunications Operations Center.
Maintenance, Logistics, and Acquisition Division	Chief, Maintenance, Logistics, and Acquisition Division.
Radar Operations Center	Dir, Nexrad Operational Support Facility.
National Data Buoy Center	Director, National Data Buoy Center.
Office of Climate, Water, and Weather Services	Director, Office of Climate, Water and Weather Services.
	Chief, Meteorological Services Division.
Eastern Region	Dir Eastern Region NWS.
Southern Region	Dir Southern Region, Ft Worth.
Central Region	Director Central Region.
Western Region	Dir, Salt Lake City Region.
Alaska Region	Dir. Alaska Region, Anchorage.
National Centers for Environmental Prediction	Dir Nat'l Severe Storms Lab.
	Dir Natl Ctr for Environmental Prediction.
	Director, Environmental Modeling Center (EMC) and Deputy Director for Science.
	Director, Aviation Weather Center.
NCEP Central Operations	Director, Central Operations.
Hydrometeorological Prediction Center	Chf, Meteorological Operations Division.
Climate Prediction Center	Dir Climate Prediction Ctr (CPC).
Storm Prediction Center	Director, Storm Prediction Center.
Tropical Prediction Center	Dir Tropical Prediction Ctr Natl Hurricane Ct.
National Marine Fisheries Service	Dir Seafood Inspection Program.
	Director Office of Sustainable Fisheries.
	Deputy Assistant Administrator for Regulatory Programs.
	Director, Office of Habitat Protection.
Office of Fisheries Conservation and Management	Chief Intergovernmental & Recreational F&M.
Office of Protected Resources	Dir Ofc of Science & Technology.
Northeast Fisheries Science Center	Science & Research Dir Northeast Region.
Southeast Fisheries Science Center	Science & Research Dir.
Northwest Fisheries Science Center	Science & Research Dir.
Southwest Fisheries Science Center	Science & Research Dir Southwest Region.
Alaska Fisheries Science Center	Science & Research Director.
Office of asst Administrator Satellite, Data Info Serv	Chief Financial Officer/Chief Administrative Officer.
	Sr Sci for Environ Satel, D & I Serv (NESDIS).
Director NPOESS Integrated Program	Systems Program Director.
National Climatic Data Center	Director, National Climatic Data Center.
National Oceanographic Data Center	Dir, Natl Oceanographic Data Center.
National Geophysical Data Center	Dir, Natl Geophysical Data Center.
Office of Systems Development	Director, Requirements, Planning and System Integration Division.
	Dir Ofc of Sys Development.
Ofc of Asst Administrator, Ocean & Atmospheric Research	Program Director for Weather Research.
	Director, Weather and Air Quality Research.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief Financial Officer/Chief Administrative Officer.
	Dep Asst Admr for Extramural Research.
National Sea Grant College Program	Director, National Sea Grant College Program
Aeronomy Laboratory	Director, Aeronomy Laboratory.
Air Resources Laboratory	Director Air Resources Laboratory.
Atlantic Ocean and Meteorology Laboratory	Dir, Atlantic Oceanographic & Meteorological.
Geophysical Fluid Dynamics Laboratory	Director.
Great Lake Environmental Research Laboratory	Dir Great Lakes Environmental Research Lab.
Pacific Marine Environmental Research Laboratory	Dir Pacific Marine Environmental Lab.
Space Environment Center	Dir, Space Environment Laboratory.
Environmental Technology Laboratory	Director.
Forecast Systems Laboratory	Director, Forecast Systems Laboratory.
Climate Monitoring and Diagnostics Laboratory	Dir Climate Monitoring & Diagnostics Lab.
Institute for Telecommunication Sciences	Assoc Admr for Telecommunication Science.
ITS, Systems and Networks Division	Deputy Dir for Systems & Networks.
Patent and Trademark Office	Dep Admin for Legislative & International Aff.
	Deputy General Counsel for Intellectual Property and Solicitor.
Chemical Patent Exam Groups	Group Director 110.
	Group Director 120.
	Group Director—130.
	Group Director 150.
	Deputy Group Director—110.
	Group Director—180.
	Deputy Group Director 150.
Office of Asst Commissioner for Patents	Administrator for Search & Information Res.
	Dep Asst Comm for Patent Process Services.
	Deputy Group Director—1300.
Examining Group Directors	Group Director.
	Group Director.
	Group Director.
	Group Director.
	Group Director.
	Patent Examining Group Director.
	Patent Examining Group Director.
	Patent Examining Group Director.
Electrical Patent Exam Groups	Group Director FOR260.
	Group Director 210.
	Group Director 220.
	Group Director—230.
	Group Director 240.
	Group Director 250.
	Group Director—250.
	Group Director—260.
	Group Director—230.
Mechanical Patent Exam Groups	Group Director—310.
	Group Director—320.
	Group Director—330.
	Group Director—340.
	Group Director—350.
Office of Asst Commissioner for Trademarks	Chairman, Trademark Trial & Appeal Board.
	Deputy Asst Commissioner for Trademarks.
	Director, Trademark Examining Operation
	Group Director, Trademark Law Offices.
	Group Director, Trademark Law Offices.
	Deputy Commissioner for Trademarks Examination Policy.
	Group Director, Trademark Law Offices.
	Group Director, Trademark Law Offices.
National Institute of Standards and Technology	Deputy Director, NIST Center for Neutron Research.
	Chief, Optical Technology Division.
	Director, Information Technology and Applications Office.
Office of the Director, NIST	Director for Administration and Chief Financial Officer.
	Deputy Director for Management Services.
	Deputy Director for Safety and Facilities.
	Executive Director, Visiting Committee on Advanced Technology Program.
	Director, Boulder Laboratories.
Office of Quality Programs	Director for Quality Programs.
	Dep Dir, Ofc of Quality Programs.
Program Office	Director, Program Office.
Office of International and Academic Affairs	Dir International & Academic Affairs.
	Chief Financial Officer.
Office of the Director for Technology Services	Deputy Director, Technology Services.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Manufacturing Extension Partnership Program	Assoc Dir for National Programs.
	Dir, Manufacturing Extension Partnership Prog.
	Dep Dir, Manufacturing Ext Partnership Prog.
Directors Office, Technology Innovation	Dir, Ofc of Technol Evaluation & Assessment.
Directors Ofc, Advanced Technology Program	Dir Information Technology Laboratory.
	Associate Dir for Policy & Operations
	Dep Dir Advanced Technology Program.
	Director, Advanced Technology Program.
	Dir, Materials & Manufacturing Technology Ofc.
	Director, Electronics & Photonics Technology Office.
Economic Assessment Office	Director, Economic Assessment Office.
Electronics and Electrical Engineering Laboratory	Electronics & Electrical Eng Laboratory.
	Chief Optoelectronics Division.
	Deputy Director.
	Dir, Office of Microelectronics Programs.
Manufacturing Engineering Laboratory Office	Chief, Office of Manufacturing Programs.
	Dep Dir, Manufacturing Engineering Laboratory.
	Dep Dir, Manufacturing Engineering Laboratory.
Precision Engineering Division	Chief, Precision Engineering Division.
Intelligent Systems Division	Chief, Intelligent Systems Division.
Chemical Science and Technology Laboratory Office	Chief Process Measurements Division.
	Dir, Chemical Sci & Technology Laboratory.
	Dep Dir, Chemical Sci & Technol Laboratory.
Physical and Chemical Properties Division	Chief, Physical & Chemical Properties Div.
Analytical Chemistry Division	Chief, Analytical Chemistry Division.
Physics Laboratory Office	Mgr, Fundamental Constants Data Center.
	Director, Physics Laboratory.
	Deputy Director, Physics Laboratory.
Electron and Optical Physics Division	Chief Electron and Optical Physics Division.
Atomic Physics Division	Chief, Atomic Physics Division.
	Chief, Quantum Metrology Division.
Time and Frequency Division	Chief, Time and Frequency Division.
Quantum Physics Division	Senior Scientist & Fellow of JILA.
	Senior Scientist & Fellow of JILA.
	Chief, Quantum Physics Division.
Materials Science and Engineering Laboratory Office	Dir, Materials Sci & Eng Laboratory.
Ceramics Division	Dep Dir, Materials Sci & Eng Lab.
	Chief, Cermanics Division.
Materials Reliability Division	Chief Materials Reliability Div.
Reactor Radiation Division	Chief, Reactor Radiation Division.
	Group Leader Neutron Consensed Matter Science.
	Chief, Reactor Operations.
Building and Fire Research Laboratory	Chief, Fire Safety Engineering Division.
	Dir, Building & Fire Research Laboratory.
	Dep Dir, Building & Fire Research Laboratory.
	Chief, Fire Safety Engineering Division.
Building Materials Division	Chf, Building Materials Div.
Building Environment Division	Chief, Building Environment Division.
Fire Science Division	Chief, Fire Science Division.
Computer Systems Laboratory Office	Associate Director for Program Implementation.
Advanced Network Technologies Division	Chief Advanced Network Technologies Div.
Computing and Applied Mathematics Laboratory Office	Associate Director for Computing.
	Chief High Perf Systems & Services Division.
National Technical Information Service	Deputy Director, Natl Technical Info Service.
O/AD for Financial & Administrative Management	Assoc Dir for Finance & Administration.
	Comptroller.
Commodity Futures Trading Commission:	
Office of the General Counsel	Deputy General Counsel (Litigation).
	Deputy General Counsel (Opinions & Review).
	Deputy General Counsel (Reg & Adm).
	Deputy General Counsel.
Office of the Executive Director	Dep Exec Dir.
	Dir, Ofc in Information Resources Mgmt.
	Director, Office of Financial Management.
Division Economic Analysis	Dep Chf Economist.
	Chief Counsel.
	Associate Director for Surveillance.
Division of Enforcement	Deputy Director (Western Operations).
	Deputy Director (Eastern Operations).
	Associate Director.
	Associate Director.
	Associate Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Division of Trading and Markets	Deputy Director (Contract Markets).
	Chief Counsel.
	Counsel for Special Projects.
Consumer Product Safety Commission:	
Ofc of Executive Dir	Assistant Executive Director for Compliance.
	Associate Executive Dir for Field Operations.
	Asst Exec Director for Information Services.
Office of Hazard Identification & Reduction	Assoc Exec Dir for Engineering Sciences.
	Associate Executive Director for Economics.
	Asst Exec Dir for Hazard I & R.
	Deputy Assistant Executive Director for Hazard Identification and Reduction.
	Assoc. Exec. Director for Epidemiology.
Office of the Secretary of Defense:	
Office of the Secretary	Asst to the Secy of Def Intelligence Oversig.
	Deputy Assistant to the Secretary of Defense (Intelligence Oversight).
Office of Under Secretary for Policy	Foreign Relations and Defense Policy Manager.
Office of the ASD (International Security Policy)	Director for Nuclear Safety and Security NATO Policy.
	DUSD for Technology Security Policy/Director, Technology Security.
Office of Assistant Secretary (SOLIC)	Dep Asst Secy of Defense (Forces & Resources).
	Director for Programs, Resources and Assessments.
	Dir Requirements & Technology & Acquisition.
	Deputy Assistant Secretary of Defense for Special Operations Policy and Support.
Director Operational Test and Evaluation	Dep Dir for Live Fire Test & Evaluation.
	Associate Director for Test and Evaluation Studies & Analyses.
	Deputy Director for Resources and Ranges.
Ofc of Inspector General	Deputy Inspector General.
	Asst Inspector General for Investigations.
	Dep Asst Inspector Gen for Investigations.
	Asst Insp Gen for Adm & Info Management.
	Dir, Audit Planning & Technical Support.
	Director, Contract Management.
	Director, Financial Management.
	Deputy Asst Inspector General for Auditing.
	Asst Inspector General for Auditing.
	Dir for Investigative Operations.
	Director, Acquisition Management Directorate.
	Dep Asst Insp Gen for Criminal Invest P & O.
	Director, Office of Departmental Inquiries.
	Director, Office of Intelligence Review.
	Director, Readiness and Logistics Support.
	Director for Audit Follow-up and Technical Support.
	Deputy Assistant Inspector General for Audit Policy and Oversight.
	Director, Office of Administration and Information Management.
Ofc of Asst Secy of Defense (Reserve Affairs)	Principal Director (Manpower and Personnel).
Ofc Dep Asst Secy (Civilian Personnel P/E Opportunity)	Principal Director and Director, Workforce Relations and Development.
ODASD (Requirements & Resources)	Director, Program and Budget Coordination.
Department of Defense Education Activity	Associate Director for Management.
	Deputy Dir Dept of Defense Education Activity for DOD Dependents Schools—(DODDS) Europe.
	Deputy Director, DODEA for Dept. of Defense Dependent Schools—Pacific.
Office Assistant Sec Health Affairs	Dir Info Management Tech & Reengineering.
	Director Acquisition Management & Support.
	General Counsel.
Office of Asst Secy of Def for Public Affairs	Director, AFIS.
	Dir Armed Forces Radio & Television Service.
	Deputy Director, American Forces Information Service.
	Special Assistant to the ASD (Public Affairs).
Deputy Comptroller (Program Budget)	Dir, Prog & Fin Control.
	Dep Dir for Program & Finanical Control.
Deputy Comptroller (Management Systems)	Deputy Chief Financial Officer.
Washington Headquarters Services	Director of Personnel and Security.
	Dir, Freedom of Information & Security Review.
	Director Real Estate and Facilities.
	Dep Dir, Real Estate & Facilities.
	Dep Dir, Personnel and Security.
Office of the General Counsel	Deputy General Counsel (IG).
	Dir Def Ofc of Hearings & Appeals.
Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).	Executive Director, Defense Science Board.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Deputy Under Secretary of Defense (Acquisition and Technology)	Deputy Director, Defense Acquisition Regulations System. Director for Defense Procurement. Deputy Dir, Cost Pricing & Finance. Dep Dir, Contract Pol & Administration. Director, Pacific Armaments Cooperation. Dep Dir, Def Syst Procurement Strategies. Dir Planning & Analysis. Dep Dir, Foreign Contracting. Dep Dir for Policy Initiatives. Dir OSD Studies & FFRDCA. Director Ind Capabilities & Assessments. Assistant Deputy Under Secretary of Defense (Acquisition Process & Policies). Principal Assistant Deputy Under Secretary of Defense (Acquisition, Reform). Director, Acquisition Resources and Analysis. Deputy Director, Resource Analysis. Principal Deputy, Acquisition Resources and Analysis. Deputy Director, OSD Studies & FFRDC Programs. Deputy Director, Electronic Business.
Asst to the Sec of Def for Nuclear & Chemical & Biological Defense Programs.	DAS of DEF (Nuclear Treaty Programs). Deputy Assistant to the Under Secretary of Defense (Nuclear Matters).
Office of the Director of Defense Research & Engineering	Dep Dir Naval Warfare. Dep Dir Munitions. Sr Staff Special for Air Superiority Systems. Dep Dir Land Warfare. Dep Dir Electronic Warfare. Special Asst Concepts & Plans. Deputy Director (Missile Warfare). Princ Dep Dir, Strategic & Tactical Systems. Deputy Director Air Warfare. Dep Dir Arms Control Implementation Compl. Asst Dep Dir, Arms Control I & C. Director for Information Systems. Director, Sensor & Electronics Technology. Director for Weapons Systems. Deputy Director, Development Test and Evaluation. Assistant Deputy Under Secretary of Def (FDP). Director for Bio Systems. Director for Science and Technology Plans and Programs. Director for Technology Transition. Director for Multi-Disciplinary Systems. Assistant Deputy Director, Air Warfare.
Ofc of Asst Secy (Command, Control, Commun & Intel)	Director, Program Analysis & Integration. Director, Counterintelligence. Director, International Affairs.
Deputy Assistant Secretary of Defense (Defense-Wide)	Deputy Director, Communications and C2 Battle Management.
DASD (Information Management)	Special Assistant to the DASD (Deputy Cio).
Director for Special Technology	Director, Technology and Evaluation.
Defense Advanced Research Project Agency (DARPA)	Dir, Contracts Management Office. Special Asst, Information Technology. Deputy Director DARPA. Prog Manager (Joint Applications Study Group). Director, Tactical Technology Office. Deputy Director, Management Operations. Program Manager (Acquisition Innovation). Director, Microsystems Technology Office. Deputy Director, Information Technology Office. Director, Information Technology Office. Executive Director, Future Combat Systems. Joint Applications Study Group Program Manager.
Office of the Joint Chiefs of Staff	Dep Dir for Wargaming, Simulation & Analysis.
Ballistic Missile Defense Organization	Deputy for Program Operations. Director, Contracts Directorate. Deputy for Technology. Asst Dep for Theater Air & Missile Defense. Chief Architect/Engineer. Deputy Chief Architect/Engineer. Asst Deputy for Technical Operations. Deputy for System Development. Executive Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Program Manager, National Missile Defense Joint Program Office.
	National Missile Defense Technical Director (NMD TD).
	Deputy for Acquisition Strategy & Long Range Planning.
Defense Contract Audit Agency	Deputy Director, DCAA.
	Assistant Director, Operations.
	Asst Dir, Policy & Plans.
	Director, Field Detachment.
	Director, DCAA.
	Deputy Regional Director, Western Region.
Regional Managers	Regional Director, Eastern.
	Regional Director, Northeastern.
	Regional Director, Central.
	Regional Director, Western.
	Regional Director, Mid-Atlantic.
	Dep Regional Director Eastern Region.
	Deputy Regional Director Northeastern Region.
	Deputy Regional Dir Central, Region.
	Dep Reg Dir Mid Atlantic Region.
Defense Logistics Agency	Chief Actuary.
	Dir, Defense Manpower Data Center.
	Dep Commander, Def Construction Supply Ctr.
	Deputy Commander Defense Distribution Center.
	Exe Dir, Resource, Planning & Performance Dir.
	Director, Information Operations (J–6).
	Dir, Civilian Personnel Mgmt Service.
	Director, Defense Property Accountability System (DPAS) Program Management Office.
	Executive Director Human Resources.
	Director, Defense Automated Printing Service.
	Director, Defense Energy Support Center.
	Executive Director, Electronic Business Office.
	Executive Director.
	Executive Director, Information Technology Policy, Plans and Assessment.
	Executive Director, Business Modernization.
	Executive Director, Logistics Policy and Acquisition Management.
	Program Executive Officer.
	Executive Director, Business Operations.
	Deputy Director, Information Operations/Chief Technical Operator.
Office of General Counsel	General Counsel, DLA.
	Deputy General Counsel (Administration).
Office of the Comptroller	Comptroller.
Office of the Deputy Director, Material Management	Deputy Commander, Defense General Supply Ctr.
	Deputy Commander (DLSC).
Defense Personnel Support Center	Deputy Commander, DPSC.
Defense Training & Performance Data Center	Deputy Dir Defense Manpower Data Center.
Defense Contract Management Agency	Executive Director, Contract Mgmt Operations.
	Executive Director, Program Integration (Acquisition).
	Deputy Commander, Defense Contract Management Agency.
	Executive Director, Business Operations.
	Chief Information Officer.
	Program Executive Officer/Executive Director, Standard Business Systems.
	General Counsel.
	Deputy General Counsel.
Defense Information Systems Agency	Comptroller.
	Dep Director for Strategic Plans & Policy.
	Special Assistant for Liaison Activities.
	Chief, Technology & Standards Division.
	Dep Dir For C4I Programs.
	Special Asst/Infrastructure & Information Systems Security.
	Chief Engineer, Information Systems Security.
	Advisor for Cross Program Integration.
	Chief Spectrum Anal & Mangnt Division.
	Commander, Disa Westhem.
	Chief, Policy, Plans, and Appropriated Programs Division.
	Chief, Defense Computing Business Office.
	Chief, Defense Information Systems Network Business Office.
	Assistant for Program Oversight.
	Chief Engineering Executive for Information Transport.
	Commander, Center for Horizontal Integration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief, Defense Information Systems Network Support Division.
	Chief Engineering Executive, Office of Chief Information Officer.
	Chief, Defense Information Systems Network Transition and Integration Division, Operations Directorate.
	Deputy Director for Manpower, Personnel and Security.
	Deputy Director for Information Engineering.
	Deputy Comptroller.
	Chief, Plans, Concepts and C2 Applications Division.
	Assistant for C4I Enterprise Program Integration.
	Chief Engineer, Center for Integrated Switched Network Services.
	Chief Executive Engineer, Network Services Directorate.
	Chief, Center for Defense Information Systems Networks Services.
	Chief, Customer Focus Center.
	Chief Technology Officer, Disa Westhem.
Office of the Director	Deputy Manager National Commun Systems.
	Inspector General.
Directorate for Strategic Plans and Policy	Chief Information Officer.
Directorate for C4 & Intelligence Programs	Tech Dir Adv Info Tech Services Joint Prog.
	Dep Dir for C4I Modeling, Simulation & Assess.
	Chief Current Network Operations.
Directorate for Operations	Technical Dir, Space Information Syst Office.
Directorate Disa, for Logistics, F & S Projects	Dep Dir for Procurement & Logistics.
Directorate for Personnel and Manpower	Dep Dir for Personnel & Manpower.
Directorate for Engineering & Interoperability	Assoc Dir For Technical & Management Support.
Directorate for Enterprise Integration	Deputy Director for Joint R A & I.
Defense Threat Reduction Agency	Staff Spec for Spec Tech Program.
	Chief, Weapons Lethality Division.
	Deputy Director, Operations Directorate.
	Director for Electronics and System.
	Director for Weapons Effects.
	Chief, Simulation and Test Division.
	Director for Programs.
	Program Director, Special Programs Office.
	Dir for Counterproliferation Programs.
	Comptroller.
	Deputy Director, on Site Inspection Plans and Resources.
	Director, Counterproliferation Support & Operations.
	Director, Acquisition Management.
	Director, Chemical-Biological Defense.
Defense Security Assistance Agency	Chief Information Officer.
Defense Finance & Accounting Service	Deputy Director, Cleveland.
	Deputy Director Defense Finance and Accounting Service.
Defense Security Service	Dir, Defense Investigative Service.
	Dir DoD Polygraph Institute.
	Deputy Director for Developmental Programs.
	Deputy Director for Security Programs.
	Deputy Director for Field Operation.
	Deputy Director for Resources.
	Deputy Director for Program Analysis and Evaluation.
	Deputy Director for Resources.
Department of the Air Force:	
Office of Administrative Assistant to the Secretary	Administrative Assistant.
	Dep Admin Assistant.
Office of Small & Disadvantaged Business Utilization	Dir, Ofc of Small & Disadv Bus Utilization.
Auditor General	Auditor General of the Air Force.
Air Force Audit Agency (FOA)	Asst Aud Gen (Materiel & Systems Audits).
	Asst Aud Gen (Field Activities).
	Asst and Gen (Operations).
	Asst Aud Gen (Financial & Support Audits).
	Deputy Auditor General of the Air Force.
Office of the Inspector General	Executive Director.
AF Office of Special Investigations (FOA)	Executive Director.
	Executive Director, Defense Cyber Crime Center (DCCC).
Office of the General Counsel	Deputy General Counsel (Dispute Resolution).
Office of ASAF for Financial Management & Comptroller	Principal Dep Asst Secry (Financial Mgmt).
ODAS Budget	Director of Budget Investment.
	Chief, Budget Management Division.
	Deputy for Budget.
ODAS Cost & Economics	Associate Deputy Assistant Secretary (Cost and Economics).
	Dep Asst Secy (Cost & Economics).
Office of ASAF for Acquisition	Air Force Program Executive Officer, Launch Systems.
	Principal DAS (Acquisition & Mgmt).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
ODAS Science, Technology & Engineering	DAS (Science, Technology & Engineering).
ODAS Management Policy & Program Integration	Associate Deputy Assistant Secretary, Management Policy and Program Integration.
	Dep Asst Secy (Mgmt Pol & Prog Integration).
ODAS Contracting	Assoc Dep Asst Secy (Contracting).
Directorate of Space and Nuclear Deterrence	Deputy Director, Space & Nuclear Deterrance.
Air Force Program Executive Office (FOA)	Program Exec Officer, Info Systems.
	Air Force Program Executive Officer, Weapons.
	Prog Executive Officer for Joint Logistics Systems.
	Air Force Program Executive Officer Space.
	Deputy Program Executive Officer (Command and Control & Combat Support Systems).
Ofc of ASAF for Manpower and Reserve Affairs	Associate Deputy Assistant Secretary of the AF (Environment, Safety, and Occupational Health).
	Deputy Assistant Secretary of the AF (Personnel, Force Management, and Strategy).
Air Force Review Boards Agency (AFRBA)—FOA	Dep for Air Force Review Boards.
Air Force Base Conversion Agency (FOA)	Dir Air Force Base Conversion Agency.
Office of the Chief of Staff	Air Force Historian.
Test and Evaluation	Deputy Dir Test & Evaluation.
Air Force Studies and Analyses Agency (DRU)	Director, Air Force Studies and Analyses Agency.
Deputy Chief of Staff, Communications & Information	Director, Architecture and Interoperability.
Deputy Chief of Staff, Installations & Logistics	Asst Dep Chief of Staff Installation & Logist.
Civil Engineer	Deputy Civil Engineer.
Services	Director of Services.
Maintenance	Deputy Director of Maintenance.
	Deputy Director of Maintenance.
Plans & Integration	Director of Plans & Integration.
Supply	Chief, Aircraft/Missile Support Division.
	Chief, Combat Support Division.
AF Center for Environmental Excellence (FOA)	Dir AF Center for Environmental Excellence.
Manpower & Organization	Deputy Director for Manpower and Organization.
	Deputy Director for Manpower and Organization.
Programs	Associate Director of Programs & Evaluation.
Strategic Planning	Dep Dir of Strategic Planning.
Deputy Chief of Staff, Personnel	Asst Deputy Chief of Staff Personnel.
	Dir of Personnel Force Development.
	Deputy Director Personnel Force Management.
	Director, Palace Compass Program Management Office.
Deputy Chief of Staff, Air and Space Operations	Dep Dir of Operational Requirements.
	Assoc Dir Modeling Simulation & Analysis.
	Director Nuclear Weapons and Counterproliferation Agency.
	Associate Director for Ranges and Airspace.
	Associate Director for Operations.
AF Operational Test & Eval Ctr (DRU)	Scientific Advisor.
Air Force Materiel Command	Executive Director.
	Chief Technology Officer.
Personnel	Director, Personnel.
Contracting	Deputy Director Contracting.
Logistics	Deputy Director for Depot Maintenance.
	Deputy Director for Supply Management.
Engineering & Technical Management	Director, Engineering & Technical Mgmt.
Financial Management & Comptroller	Dep Director, Financial Mgmt & Comptroller.
Communications & Information	Director, Communications & Information.
Plans & Programs	Deputy Director, Plans & Programs.
Requirements	Director, Requirements.
Operations Directorate	Deputy Director of Operations.
Directorate of Civil Engineer	Deputy Command Civil Engineer.
Electronic Systems Center	Executive Director.
	Prog Dir Strategic & Nuclear Deterrence C2.
	Director, Materiel Systems Group.
	Director, Plans & Programs.
	Program Director, Defense Information Infrastructure Air Force.
	Director, Information Programs Office.
	Director, Contracting.
Standard Systems Center	Director, Standard Systems Center.
Aeronautical Systems Center	Executive Director.
	Director System Management.
	Director, Contracting.
	Dir Financial Management & Comptroller.
Directors of Engineering	Dir of Engineering F–22.
	Director of Engineering, F–22.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director of Engineering Propulsion.
	Director of Engineering Joint Strike Fighter.
Systems Program Offices	Program Director, Air Combat SPO.
	Program Director, Mobility SPO.
Human Systems Center	Deputy Director.
Air Force Research Laboratory	Executive Director, AFRL.
	Director, Plans & Programs.
	Assoc Dir for Investment Strategy.
	Director, AFRL Washington Office.
Air Vehicles Directorate	Assoc Dir for Air Platforms.
AFRL—Munitions Directorate	Associate Director for Weapons.
Space Vehicles Directorate	Director, Space Vehicles.
Information Directorate	Dir Information.
Directed Energy Directorate	Director Directed Energy.
Materials and Manufacturing Directorate	Director, Materials & Manufacturing.
	Assoc Dir for Manufacturing Tech & Afford.
Sensors Directorate	Director Sensors.
	Associate Director for Sensors.
Human Effectiveness Directorate	Director, Human Effectiveness Directorate.
Arnold Engineering Development Center	Executive Director.
Air Force Flight Test Center	Executive Director.
Air Logistics Center, San Antonio	Director, Financial Management.
	Executive Director.
	Dir. Privatization & Realignment.
Air Logistics Center, Oklahoma City	Director, Commodities Management.
	Executive Director.
	Product Group Manager, Propulsion Systems.
	Director, Logistics Management.
Air Logistics Center, Warner Robins	Director, Financial Management.
	Director, Technology & Industrial Support.
	Executive Director.
	Director, Logistics Management.
	Director, Contracting.
Air Logistics Center, Ogden	Director, Financial Management.
	Executive Director.
	Director Commodities.
	Director, Logistics Management.
	Director, Contracting.
Air Logistics Center, Sacramento	Director, Financial Management.
	Center Director, Vice Executive Director.
Air Armament Center	Executive Director.
	Director, Plans and Programs.
AAC—Systems Program Office	Prog Dir Joint Air-To Surface Standoff Miss.
	Program Dir Air to Air Joint SPO.
Air Combat Command	Senior Technical Director.
Air Mobility Command	Principal Dep Dir of Operations for Transport.
Air Force Reserve Command	Air Commander 4th Air Force.
	Air Commander 10th Air Force.
	Air Commander 22nd Air Force.
	Assistant Vice Commander.
	Director, Plans.
	Director of Operations.
AF Space Command	Associate Director of Plans & Programs.
U.S. Central Command	Scientific Advisor.
U.S. Space Command	Director of Programs and Resources.
	Chief Technical Officer and Director of Analysis.
Space and Missle Systems Center	Director, Systems Acquisition.
	Executive Director.
	Director Contracting.
	Program Director, Milsatcom JPO.
U.S. Strategic Command	Assoc Dir for Strategic Planning.
	Dep Dir Comd Ctrl Comm Computer & Intel Sys.
U.S. Transportation Command	Dir Program Analysis & Financial Mgmt.
Federal Executive Institute—Dev Assignment	Special Assistant for Financial Management Studies.
Department of the Army:	
Department of the Army	Assistant Deputy Chief of Staff for Personnel (Installation Management).
	Deputy Chief of Staff for Resource Management.
Office of the Secretary	Interagency Coordinator of Military Support to Civil Authorities.
Office Deputy Under Secretary of Army (OPS Research)	Spec Asst for Air & Missil Defense.
	Special Assistant for Systems.
	Assistant Deputy Under Secretary of the Army for Operations.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Research.
	Dir, Test and Evaluation Management Agency.
Office Deputy Under Secretary of the Army (Intl Affairs)	Assistant Deputy Under Secretary (International Affairs) (Security Cooperation).
Office Administrative Asst to the Sec of Army	Adm Asst to the Secy of the Army.
	Dep Admin Asst to the Secy of the Army.
	Dir Single Agency Mgr for Pentgon Info Tech.
Office of the General Counsel	Deputy General Counsel (Ethics & Fiscal).
Ofc Asst Secretary Army (Civil Works)	Deputy Asa (Management & Budget).
	Das of the Army (Policy & Legislation).
Ofc Asst Sec Army (Financial Management & Comptroller)	Assistant Deputy Asa for Army Budget.
	Deputy for Cost Analysis.
	Dir of Investment.
	Das of the Army (Financial Operations).
	Spec Adv for Economic Pol & Productivity Prog.
	Director for Business Resources.
Ofc Asst Sec Army (Manpower & Reserve Affairs)	Deputy Assistant Secretary of the Army (Civilian Personnel Policy).
	Deputy Asst Secy of the Army (ARBA).
	Deputy Assistant Secretary of the Army (Civilian Personnel Policy).
Ofc Asst Sec Army (Acquisition, Logistics and Technology)	Das for Res & Tech/Chief Scientist.
	Deputy Asst Secy of the Army (Procurement).
	Dep Asst Secy for Plans & Programs.
	Director for Research.
	Director for Technology.
	Director for Assessment & Evaluation.
	Director, Procurement Policy and Acquisition Reform.
Hqda Army Acquisition Executive	Dep Prog Mgr for Chem Demiliarization Oper.
	Deputy PEO, Armored Systems Modernization.
	Dep Prog Exec Ofcr, Command & Control Systems.
	Deputy Prog Executive Officer Comm Systems.
	Program Executive Officer Stamis.
	Dep Program Executive Officer for Aviation.
	Deputy Prog Executive Ofcr, Missile Defense.
	Dep Prog Executive Ofcr Tactical Missiles.
	Prog Manager for Chemical Demi Operations.
	Dep Prog Executive Officer for Fire Supp Sys.
	Program Exec. Ofcr, Intel., Electr. Warfare & Sensors.
Ofc of Dir of Inform Sys for Comm, Contl,	Dir of Army Information.
Comms/Computers	Vice Director to the DISC4.
Army Audit Agency	The Auditor General.
	Deputy Auditor General.
	Director, Logistical & Financial Audits.
	Dir, Acquisition & Force Mgmt.
	Director, Policy and Operations Management.
Office, Chief of Staff	Director, Facilities, Housing & Environment.
	Assistant Deputy Chief of Staff for Programs.
Operations Test & Evaluation Command (OCSA FOA)	Tech Dir, Test & Exper Command.
	Dir US Army Evaluation Center.
Army Center of Military History (OCSA FOA)	Chief Historian.
Office, Assistant Chief of Staff for Installation Mgmt	Dep Asst Chief of Staff for Installation Mgnt.
Office, Deputy Chief of Staff for Logistics	Asst Dir for Transportation.
	Executive Director, Strategic Logistics Agcy.
	Chief Aviation Logistics Office.
	Associate Dir for Supply & Maintenance.
Office Dep Chf of Staff for Operations & Plans	Tech Adv to the DCSOPS.
	Director, Army Model & Simulation Office.
Office, Dep Chief of Staff for Personnel	Director of Manprint.
	Director for Personnel Technologies Directorate.
	Director of Plans, Resources and Operations.
Army Research Institute (DCSPER FOA)	Dir, Manp & Pers Res Lab & Assoc Dir, ARI.
	Dir, US Army Res Inst & Chief Psychologist.
U.S. Total Army Personnel Command (DCSPER FOA)	Director, Army Declassification Activity.
National Guard Bureau	Program Executive Officer for Information Systems & Chief.
	Information Officer.
Walter Reed Army Institute of Research	Chief Dept of Pharmacology.
USA Space and Missile Defense Command	Prin Assistant Resp for Contracting.
	Dir, Advanced Technology Directorate.
	Director, Weapons Directorate.
	Director, Space and Missile Defense Battle Laboratory.
	Director, Integration and Interoperability for Missile Defense.
Training and Doctrine Command (TRADOC)	Asst Deputy Chief of Staff for Resources Mgmt.
	Adcos for Training Policy Plans and Programs.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy to the Commanding Gen, CASCOM.
	Asst Dep Chief of Staff for Base Ops Support.
	Asst Dep Chief of Staff for Combat Develop.
	Dep Chief of Staff for Base Operations Supp.
TRADIOC Analysis Center	Director of Operations.
	Director of Operations.
	Director.
U.S. Army Nuclear and Chemical Agency	Dir, U.S. Army Nuclear & Chemical Agency.
Military Traffic Mgmt Command	Special Asst for Transportation Engineering.
	Deputy to the Commander.
U.S. Army Forces Command	Deputy Director Resource Management.
	Asst DCS for Pers & Inst Mgnt.
	Assistant Deputy Chief of Staff for Logistics and Readiness.
U.S. Army Signal Command	Technical Director/Chief Engineer.
U.S. Army Corps of Engineers	Dir of Real Estate.
	Director of Human Resources.
	Director of Resource Management.
	Principal Asst Responsible for Contracting.
	Deputy Chief of Staff for Corporate Information.
	Deputy Director Engineer Research and Development Center.
Directorate of Research & Development	Deputy Chief of Staff for Research & Development.
	Asst Dir for Research & Dev (Civil Works prog).
	Asst Dir Research & Dev (Military Prog).
Directorate of Civil Works	Chief, Programs Management Division.
	Chief, Planning Division.
	Principal Assistant for Civil Works.
	Chief Engineering Division.
	Chf, Ops, Construction & Readiness Division.
	Chief Policy Review & Analysis Division.
Directorate of Military Programs	Deputy Director, Military Programs.
	Chief, Programs Management Division.
	Chief, Environmental Division.
	Chief, Engineering and Construction Division.
	Chief, Installation Support Division.
Directors of Programs Management	Dir Programs Management, MVD.
	Dir Programs Management, NAD.
	Director of Programs Management.
	Director Programs Management.
	Dir Programs Management, POD.
	Dir of Programs Management, SAD.
	Dir Programs Management, SPD.
	Dir Programs Management, SWD.
Director of Engineering & Technical Services	Director of Engineering & Technical Services.
	Dir Engineering & Technical Services, NWD.
	Dir Engineering & Technical Services, NAD.
	Dir Engineering & Technical Services, LRD.
	Dir Engineering & Technical Services, NWD.
	Dir Engineering & Technical Services, LRD.
	Dir Engineering & Technical Services, POD.
	Dir Engineering & Technical Services, SAD.
	Dir Engineering & Technical Services, SPD.
	Dir of Engineering & Technical Services, SWD.
Engineer Waterways Experiment Station, COE	Director, Geotechnical Laboratory.
	Director Environmental Lab.
	Director, Structures Laboratory.
	Director, Coastal and Hydraulics Laboratory.
	Director, Engineer Research and Development.
	Director, Information Technology Laboratory.
Engineer Topographic Laboratories, C of Engineers	Director.
Construction Engineering Res Lab Champaign, IL	Director.
Cold Regions Research & Engineering Lab Hanover, NH	Director.
U.S. Army Materiel Command	Deputy Chief of Staff for Corporate Information/CIO.
Office of DCS for Logistics & Operations	Asst Dep Chief of Staff for Logs & Operations.
	Dir Army Single Stock Fund/Dir AMC Logistics Systems and Processes.
Special Analysis Office	Chief, Stategic Analysis and Planning Office.
Office Deputy Commanding General	Principal Deputy for Logistics.
	Principal Deputy for Acquisition.
	Senior Advisor for Science and Technology.
Office of DCS for Research, Dev and Acquisition	ADCS for RDA Science Technology & Engineering.
	ADCS for RDA—Business OPS/Director AMC TOCR Program.
Office of Deputy Chief of Staff for Ammunition	Asst Deputy Chief of Staff for Ammunition.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of DCS for Acquisition	Asst Dep Chief of Staff for Res DAAC & P Mgmt.
Ofice of Deputy Chief of Staff for Personnel	Dep Chief of Staff for Personnel.
Office of the Deputy Chief of Staff for Res Management	ADCS for Resource Mgmt/Exec Dir for Busin.
	Deputy Chief of Staff for Resource Management.
USA Security Assistance Command	Deputy.
U.S. Army Operations Support Command	Deputy to the Commander.
Natick Soldier Center	Director, Natick Rd & E Center.
U.S. Army Soldier & Biological Command (SBCCOM)	Director, Engineering Directorate.
	Technical Director.
	Deputy to the Commander.
	Director for Operations, Remediation and Restoration.
	Director, U.S. Army Materiel Command Acquisition Center.
U.S. Army Communications Elect Comd (CECOM)	Director CECOM Acquisition Center.
	Assoc Dir, CECOM Acq Center—Washington Operations Office.
	Deputy to the Commander.
CECOM Research, Development & Engineering Center	Dir-Night Vision/Electro Sensors Directorate.
	Dir, Space & Terrestrial Comm Directorate.
	Dir, I & E Warfare Directorate.
	Dir, Software Engineering Directorate.
	Director/Army Systems Engineer.
	Dir for C4I Log & Readiness Center.
	Assoc Tech Dir Resech Devel & Engineering Ctr.
	Director, Command, Ctrl & Syst Integration Dir.
U.S. Army Research Laboratory	Director US Army Research Laboratory.
	Associate Director for Plans, Programs and Budget.
	Deputy Director.
Survivability/Lethality Analysis Directorate	Director, Survivability/Lethality Analysis Directorate.
Army Research Office	Director.
	Dir, Research & Technology Integration.
	Director, Engineering Sciences Directorate.
	Director, Physical Sciences Directorate.
Sensors and Electron Devices Directorate	Deputy Director and Director Electron Devices Research Driector.
Computational and Information Sciences Directorate	Director.
	Deputy Director.
Weapons and Material Research Directorate	Deputy Director and Directorate Materials Research Director.
Human Research and Engineering Directorate (ARL)	Director, Human R & E Directorate.
U.S. Army Aviation and Missile Command (AMCOM)	Executive Director, Acquisition Center.
	Director for Engineering.
	Executive Dir, Integrated Materiel Mgmt Ctr.
	Deputy Executive Director for TMDE.
	Deputy to the Commander.
	Deputy to the Commander.
	Executive Director Acquisition Center.
	Executive Dir Integrated Material Magnt Ctr.
Missile Res Development & Engineering Center (RDEC)	Dir for Systems Simulation & Development.
	Tech Dir for M & D, Res, Dev & Eng Center.
	Associate Director for Systems, Missiles.
	Director for Weapons Sciences.
	Dir for Missile Guidance.
	Director for Propulsion and Structures.
Aviation Research, Development and Engineering Center	Techn Dir (Aviation) & ED–US Army ARD & EC.
	Director of Aviation Engineering.
	Dir of Aeroflight Dynamics.
	Dir of Advanced Syst/Assoc Dir for Technol.
	Assoc Dir for Tech Appl/Dir of Spec Prog.
Tank-Automative and Armaments Comd (TACOM)	Director of Acquisition Center.
	Director, Integrated Materiel Mgmt Center.
	Dir US Army Armament & Chemical A & L ACT
	Deputy to the Commander.
Tank-Automotive Res, D & E Center (TARDEC)	Vice President for Research.
	President/Director.
	Vice President for Customer Engineering.
	Vice President for Product Development.
US Army Armament Research, D & E Center (ARDEC)	Technical Director for Armament.
	Asst Technical Director (System Development & Engineering).
	A/Tech/Dir (Systems Concepts & Technology.
Warheads, Energetics and Combat Support Armaments Center	Dir, WE & Combat Support Armaments Center.
Fire Support Armaments Center	Senior Technical Executive for Fire Support.
Close Combat Armaments Center	Senior Technical Executive for Close Combat.
US Army Simulation, Training & Instrumentation Command	Deputy to the Commander.
US Army Test and Evaluation Command, (TECOM)	Tech Dir & Chf Sci.
	Director, Technical Mission.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir, Joint Prog Ofc for Test & Evaluation.
US Army Materiel Systems Analysis Activity	Director.
	Chief, Combat Integration Division. d
Headquarters, US Army, Europe	Asst Dep Chf of Staff, Personnel (Civ Pers).
	Asst Dep Chief of Staff Eng for Eng & Housing.
	Asst Dep Chf Staff for Eng (Intl Affairs).
	Deputy Chief of Staff for Resource Management.
U.S. Army Military District of Washington	Director of Cemetery Operations.
	Deputy to the Commander for Installation Support.
U.S. Southern Command	Spec Asst for Technology & Requirements Integ.
	Technical Advisor—Sustaining Base/Quality of Life.
Department of the Navy:	
Office of the Secretary	Chief Information Officer.
	Director for Electronic Business and Security.
Office of The Under Secretary of the Navy	Assistant for Administration.
Office of the Auditor General	Eastern U.S. Audit Services, Facilitator.
	Dir, Naval Audit Service Western Region.
	Dir, Naval Audit Service Capital Region.
	Asst. Auditor General for Financial & Force Mgmt. Audits.
	Auditor General of the Navy.
	Deputy Auditor General of the Navy.
	Asst. Auditor General for Infrastructure Audits.
	Asst. Auditor General for Acquisition & Logistics Audits.
Ofc of the Asst Secy of Navy (Manpwr & Res Affs)	Dir, Human Resources Operations Center.
	Assist Gen Coun (Manpower & Reserve Affairs).
	Director, Plans, Programs & Diversity.
	Dep A/S of the Navy (Civilian Persnl P/EEO).
OAS of Navy (Installations & Environment)	Asst General Counsel (Install & Environment).
OAS of the Navy (Research, Dev & Acquisition)	Director, Navy Acquisition R & S Improvement.
	Director, Procurement Policy.
	Head, Contract Policy.
	Asst Gen Coun (Res, Dev & Acquisition).
	Director, Acquisition Career Management.
	Dep Dir Navy International Programs Office.
Program Executive Officers	Deputy Chief Engineer.
	Deputy Program Executive Officer Surface Strike.
	Deputy PEO for Aircraft Carriers.
	Director, Plans & Programs Division.
	Chf Engr.
	Asst for Fire Control & Guidance Systems.
	Branch Head, Reentry Systems Branch.
	DeP P/E Officer for Unmanned Aerial Vehicles.
	Dep Director for Theater Air Missile Defense & SE/Director of Weapons.
	Technical Plans Officer.
	Head, Res Branch & De Dir, Plans & Progs Div.
	Assistant for Missile Engineering Systems.
	Dep P/E Officer for Cruise Missiles Program.
	Dep Prog Officer Submarines.
	Asst for Systems Integration & Compatibility.
	Dep Prog Exec Ofcr for AWS, A/S Mission Prog.
	Dep Prog Exec Ofcr for Tactical Air Programs.
	Deputy PEO, Mine Warfare.
	PEO for Information Technology.
	Aegis Deputy Program Manager.
	Prog Exec Officer ASW Assault & Spec Miss Pro.
	Deputy PEO for Enterprise Solutions.
	Deputy PEO for Information Technology/Tech Dir.
	Deputy Program Mgr., Future Carrier Program Office.
Ofc of the Asst Secy of Navy (Fin Mgmt Comptroller)	Assoc Dir, Budget & Reports/Fiscal Manag Div.
	Asst General Counsel (Financial Management)
	Dir, Investment & Dev Div.
	Dir, Financial Mgmt Pol & Systems Division.
	Director, Program/Budget Coordination Division.
	Dir Resource Allocation & Analysis Division.
	Director, Financial Management Division.
	Director, Business and Civilian Resources Division.
Naval Center for Cost Analysis	Dir Naval Center for Cost Analysis.
Office of the Naval Inspector General	Deputy Naval Inspector General.
Office of the General Counsel	Special Counsel for Litigation.
Naval Criminal Investigative Service	Dir Naval Criminal Invest Service.
	Asst Dir of Counterintelligence.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Special Agent in Charge Norfolk Field Ofc.
	Special Agent in Charge.
	Deputy Director, NCIS.
Chief of Naval Operations	Asst Dep Chf of Naval Operations (Logistics).
	Dep Dir of Naval Training.
	Asst Dep Chief Naval Oper Res Warfare.
	Asst Dep Chf of Naval Oper Manpower/Personnel.
	Assistant Deputy Chief of Naval Operations (Warfare Requirements & Programs).
	Director, Special Programs Division.
	Assistant Director, Space, Information Warfare, Command and Control.
	Assoc Dir Warfare Integration & Assessment Div.
	Head, Studies & Analysis Branch.
	Associate Director, Assessment Division.
	Tech Dir, Submarine & SSBN Security Program.
	Technical Director.
	Deputy Director for Programming.
	Head Force Structure and Analysis Branch.
	Assoc Dir, Expeditionary Warfare Division.
	Director, Logistics Planning and Innovation.
	Dir Naval History/Dir, Naval Historical Ctr.
	Dep Dir Envir Protection Safety Occp Heal Div.
	Director Strategic Sealift Division.
Bureau of Naval Personnel	Acnp for Mpn Financial Management.
Bureau of Medicine & Surgery	Dep Commander for Fin Mgmt & Comptroller.
Military Sealift Command	Counsel.
	Comptroller.
	Executive Director.
Naval Meteorology & Oceanography Comm, Stennis SC, MS	Technical/Deputy Director.
Ofc of Commander in Chf/Allied Forces/Southern Eur	Dir Joint Train Analysis & Simulation Ctr.
	Dep Dir Fleet Maintenance.
	Director, Joint Battle Lab.
	Director, Command, Control Communications and Computers Systems.
	Deputy Director, Shore Activities Readiness.
Ofc of the Commander-In-Chief, U.S. Pacific Command	Chief Information Officer.
Cincpacflt	Deputy Director Fleet Maintenance.
	Deputy Director Shore Installation Management.
	Executive Director, Planning & Resources
	Executive Director, Total Force Management.
Ofc of the Chief of Naval Education and Training	Comptroller.
Naval Recruiting Command	Deputy Commander.
Naval Air Systems Command Headquarters	Standards Improvement Executive.
	Executive Dir, Corporate Operations.
	Deputy Commander for Acquisition & Operations.
	Deputy Assistant Commander for Logistics.
	Deputy Asst Cdr for Contracts.
	Deputy Comptroller.
	Counsel, Naval Air Systems Command.
	Director, Systems Engineering Department.
	Director, Avionics Department.
	Director, Air Vehicle Department.
	Director, Logistics Management Integration.
	Dir, Tactical Aircraft & Missiles Contracts Dept.
	Director, Support Equip/Aircraft Launch Recovery Equip.
	Director, Cost Analysis Department.
	Deputy Acquisition Executive.
	Deputy Assistant Commander, Research & Engineering.
	Dir Industrial Operations.
	Director, Warfare Analysis Department.
	Director, Propulsion & Power Department.
	Director, Air Vehicle & Flight Systems Engineering Dept.
	Director, Test & Evaluation Engineering Department.
	Director, Test & Evaluation Engineering Department.
	Director, Logistics Systems & Analysis Dept.
	Director, Logistics Systems & Analysis Dept.
	Deputy Commander, Naval Air Sys Command.
	Head, Cruise M & U Aerial Vehicles Dept.
	Dir Budget Formulation Justification Exe Div.
	Deputy Counsel, Navair.
	Deputy Asst Cdr for Aviation Depots.
	Dir Naval Aviation Science & Tech Office.
	Asst Commander for Corporate Operations.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Design Interface Main. Planning & Knowledge Req.
	Dir, Air Asw, Assault & Special Mission Prog Contracts Dept.
	Deputy Director for Navy Test & Eval & Tech Rqmts.
Naval Air Warfare Center Aircraft Division	Dep Asst Cdr for T&E/Exec Dir, NAWCAD/Dir, T&E, Nawcad.
	Director, Material Management Dept.
	Director, Avionics Department.
	Dir of Atlantic Ranges & Facilities Dept.
Naval Air Warfare Center Weapons Div, China Lake, CA	Head, Res and Technology Div.
	Head, Pacific Ranges & Facilities Depart.
	Director, Avionics Dept.
	Director, Weapons/Mission Systems Integration Dept.
	Director for Test & Evaluation.
	Director, Weapons and Targets Dept.
	Executive Director, NAWCWD/Director, Research/Engineering.
	Director of Corporate Operations.
	Director, Threat/Target Syst Depart.
Naval Training Systems Center	Executive Director.
	Exec Dir, Nawctsd/Dir., Program Mgmt, NAWCAD.
Space & Naval Warfare Systems Command	Exec Dir, Contracts.
	Deputy Comptroller.
	Counsel Space & Naval Warfare Systems Com.
	Executive Dir, Space Tech Systems Prog Dir.
	Director, Washington Operations Office.
	Program Director, Intell, Surveillance & Reconnaissance Dir.
	Technical Director, Spawar.
	Program Director, Communications Systems Program Directorate.
	Director, Chief Technology Officer.
	Executive Director, C4ISR Installations and Logistics Directorate.
	Prog Dir, I & E Warfare Syst Program Dir.
	Deputy Commander.
	Deputy Chief Engineer.
	Dir Strategic Corporate Plann & Devel Office.
	Exec Dep Dir Info Supp Sys Progr Directorate.
Space and Naval Warfare Systems Center	Head Intelligence S & R Department.
	Executive Director.
	Head Navigation & Applied Sciences Dept.
	Head, Command and Control Department.
	Dep Exec Dir Sci Tech Engineering.
	Head Communication & Information Sys Dept.
	Dep Executive Dir for Corporate Operations.
Space and Naval Warfare Systems Center, Charleston	Executive Director.
Naval Facilities Engineering Command	Director Navy Crane Center.
	Director, Special Venture Acquisition Programs.
	Counsel Naval Facilities Engineering Command.
	Deputy Comptroller.
	Director For Contracts Support.
	Chief Engineer.
	Dir of Real Estate Support.
	Director for Base Development.
	Dir of Base Closure.
	Director of Environment.
Naval Sea Systems Command	Executive Director.
	Counsel Naval Sea Systems Command.
	Executive Director for Contracts.
	Executive Director/Deputy Comptroller.
	Director, Reactor Materials Divisions.
	Deputy Director, Steam Generator Design/Development
	Head, Advanced Reactor Branch.
	Dep Dir Surface Ship Design & Sys Eng Group.
	Dir Cost Engineering & Industrial Analysis.
	Dir, Shipbuilding Contracts Division.
	Assistant Deputy Cdr For Industrial Ops.
	Deputy Commander, Surface Ship Directorate.
	Director, In-Service Submarine Programs.
	Executive Director/Battle Force Systems Eng.
	Director, Corporate Operations.
	Chief Information Officer.
	Executive Director for Logistics, M & I Ops.
	Dep Prog Mgr/Techn Dir, New Attack Submarines.
	Prog Mgr for Submarine Depot Availability Program Office.
	Dep Prog Manager, Aircraft Carrier Progr Ofc.
	Dir Reactor Plant Components Auxil Equip Div.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir/Advanced Submarine Reactor S&SF Mgmt.
	Dir Surface Ship Systems Division.
	Director, Reactor Safety and Analysis Division.
	Dir, Ship S & S Integrity Group.
	Dir Power Systems Group.
	Director, Materials Engineering Office.
	Exec Dir, Ship Design & Engrng Directorate.
	Program Manager for Commissioned Submarines.
	Dir, Surface Systems Contracts Division.
	Deputy PEO Expeditionary Warfare.
	Director, Office of Resource Management.
	Dir, Reactor Refueling Division.
	Deputy Counsel, Naval Sea Systems Command.
	Dir Environmental Protection Office.
	Deputy Dir Environmental Health & Safety.
	Program Manager, Commercial Ship/Craft Program Office.
	Asst Deputy Commander, Fleet Maintenance Policy and Process Division.
	Asst Deputy Cdr Fleet Logistics Support.
	Director, Fleet Readiness Division.
Norfolk Naval Shipyard	Naval Shipyard Nuclear Engineering & Plan Mgr.
	Nuclear Eng & Planning Manager Budget Naval Ship.
Naval Surface Warfare Center	Technical Director.
Naval Undersea Warfare Center	Technical Director.
Naval Surface Warfare Center, Crane Division	Executive Director.
Naval Undersea Warfare Center, Div, Keyport, WA.	Executive Director.
Naval Surface Warfare Center, Pt. Hueneme Division	Executive Director.
Naval Surface Warfare Center, Indian Head Division	Executive Director.
Coastal Systems Station	Executive Director.
	Head, Coastal Sci, Technology & Analysis Dept.
	Head, Coastal Warfare Systems Department.
Naval Surface Warfare Center, Carderock Division	Director for Hydrodynamics.
	Executive Director.
	Assoc Dir for Hydromechanics/Head, Hd.
	Assoc Dir for Syst/P & H Ship S/P Directorate.
	Director for Ship Signatures.
	Assoc Dir for SS & M/HSS & M Directorate.
	Assoc Dir for MISE/HMIS Eng Directorate.
Naval Surface Warfare Center, Dahlgren Division	Head, Weapons Systems Department.
	Head, Combat Systems Department.
	Exec Director.
	Deputy Executive Director.
	Head Strategic & Strike Systems Dept.
	Head, Systems Res & Technology Department.
	Head Joint Warfare Applications Dept.
	Head Warfare Analysis & Systems Dept.
Naval Undersea Warfare Center Division, Newport, RI	Head, Submarine Sonar Department.
	Executive Director.
	Head Test and Evaluation Dept.
	Director for Submarine Combat Systems.
	Director, Submarine Warfare Systems.
	Director, Surface Undersea Warfare.
	Hd, Submarine Electromagnetic Sys Dept.
	Head Combat Control Systems Department.
	Head, Torpedo Systems Department.
Naval Supply Systems Command HdQTRS	Asst Dep Commander for Fin Mgmt/Comptroller.
	Director, Defense Technology Analysis Office.
	Counsel.
	Assistant Deputy Commander for Electronic Business.
	Executive Director Office of Special Projects.
	Assistant Commander for Fleet Logistics Ops.
	Executive Director.
Naval Inventory Control Point	Vice Commander.
Navy Fleet Material Support Office	Executive Director.
U.S. Marine Corps Headquarters Office	Dep Dir Facilities & Services Division.
	Assistant Deputy Commandant for Installations and Logistics (Contracts).
	Counsel for the Commandant.
	Deputy Counsel for the Commandant.
	Director of Administration and Resources.
	Asst Dep Chf for Prog & Resource Fiscal Div.
	Asst Dep Chf of Staff for Installations & Log.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Asst to the Dep Chf of Staff for M & R Affs.
	Asst Dep Chf of Staff for Requirements & Prog.
Marine Corps Systems Command	Deputy Commander, C4ISR.
	Executive Director.
	Deputy for Financial Management.
Marine Corps Materiel Command Albany GA	Executive Director.
Office of Naval Research	Dir, Ship Structures & Systems S&T Div.
	Dir, Mechanics & Energy Conversion S&T Div.
	Director, Marine Corps Science & Technology.
	Director, Physical Sciences S&T Division.
	Commercial Technology Transition Officer.
	Executive Director/Technical Director.
	Head Special Programs Department.
	Executive Dir for Acquisition Management.
	Dir Financial Management Comptroller.
	Patent Counsel.
	Head Engineering.
	Dir Strike Technology Division.
	Dir Math Computer & Information Science Div.
	Dir Oas S & T Processes & Prediction Division.
	Director of Science and Technology.
	Dir Oas at Sensing & Systems Division.
	Head, Industrial and Corporate Programs Department.
	Dir Cognitive & Neural Science & Tech Div.
	Head, Human Systems S & T Department.
	Dir, Bimolecular & Biosyst Sci & Techn Div.
	Head Info Electronics & Surveil Sci Tech Dept.
	Dir of Surveillance Communications Electronic.
	Director, Electronics Division.
	Head Ocean Atmosphere Space Sci Tech Dept.
	Associate Technical Director.
	Director, Naval Fleet/Force Tech Innovation Office.
	Dir Materials Sci and Technology Division.
	Assoc for Integration Oas St Sensing Sys Div.
Naval Research Laboratory	Chf Sci, Lab for Structure of Matter.
	Dir of Research.
	Assoc Dir of Res for Matl Sci & Comp Technol.
	Superintendent, Chemistry Division.
	Superintendent, Optical Sciences Div.
	Superintendent Space Science Div.
	Supt, Radar Div.
	Supt Materials Sci and Tech Division.
	Supt, Acoustics Div.
	Superintendent, Plasma Physics Div.
	Superintendent Electronics Technology Div.
	Superintendent Info Technol Div.
	Supt, Tactical Electronic Warfare Div.
	Chief Scientist Lab for Compt Phy Fluid Dynam.
	Superintendent, Remote Sensing Division.
	Assoc Dir of Res for Business Operations.
	Chief Sci & Head, Beam Physics Program.
	Superintendent, Marine Meteorology Division.
	Mgr. Joint Space Systems Technology Programs.
	Assoc Dir Res for Ocean & Atmospheric Sci Tec.
	Superintendent Ctr Bio/Molecular Science Eng.
	Head Elect Warfare Strategic Planning Org.
	Assoc Dir of Res for Warfare Sys & Senors Res.
	Superintendent, Space Syst Development Dep.
	Superintendent, Oceanography Division.
	Superintendent, Spacecraft Engineering Dep.
	Dir, Naval Center for Space Technology.
	Superintendent, Marine Geosciences Division.
Defense Nuclear Facilities Safety Board:	
Defense Nuclear Facilities Safety Board	Dep Gen Counsel for Pol & Litigation.
	Deputy General Manager.
	Tech Adv for Hazards Anal & Health Physics.
	Technical Advisory for Technical Studies.
	Technical Lead for Engineering Programs.
	Technical Lead for Nuclear Weapons Programs.
	Technical Lead for Materials Processing & Environmental.
	Restoration Programs.
Department of Education:	

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Ofc of the Chief Financial Officer	Deputy Chief Financial Officer.
	Dir Financial Management Operations.
Office of the Chief Information Officer	Deputy Chief Information Officer.
	Chief Information Officer.
	Dep Chief Info Officer (Operations Engineering).
	Dep Chief Information Officer for Info Management.
	Deputy CIO for Information Assurances.
Office of Management	Chairperson, Education Appeal Board.
	Dir Human Resources Group.
Office of Inspector General	Counsel to the Inspector General.
	Deputy Inspector General.
	Deputy Assistant IG for Audit Services.
	Assistant Inspector General for Audit Services.
	Assistant IG for Investigative Services.
Office of the General Counsel	Asst Gen Coun for Busin & Adm Law.
	Asst General Counsel for Educational Equity.
	Asst Gen Counsel for Regulations.
	Asst Gen Coun for Div of Legislative Counsel.
	Asst Gen Coun for Postsecondary Ed & Ed Res.
National Center for Education Statistics	Associate Commr for Data Collection and Dissemination.
	Deputy Commissioner.
	Associate Commissioner for Assessment.
Student Financial Assistance	Chief Financial Officer.
	Director, Collections.
	Director, Student Aid Awareness.
	Deputy Chief Financial Officer.
Department of Energy:	
National Nuclear Security Administration	Chief of Defense Nuclear Counterintelligence.
Deputy Administrator for Defense Programs	Assoc Das for Program A & F Management.
Office of Counterintelligence	Deputy Director.
Office of Security and Emergency Operations	Dir Ofc of Classification & Technology.
	Dep Dir, Ofc of Security Affairs.
	Director, Office of Security Affairs.
Office of Independent Oversight & Performance Assurance	Director, Office of Safeguards and Security Evaluations.
Office of Safeguards & Security Evaluations	Director, Office of Independent Oversight & Performance.
	Deputy Director, Office of Independent Oversight & Performance.
Office of Chief Financial Officer	Dir Ofc of Budget.
	Dep Dir Ofc of Budget.
	Director, Budget Analysis Division.
	Director Capital Accounting Center.
	Director, Budget Operations Division.
	Dir Ofc of Dep Accounting & Fin Sys Dev
	Dir Ofc of Financial Policy.
	Dir Ofc Compliance and Audit Liaison.
	Deputy Controller.
	Controller.
Office of Economic Impact & Diversity	Dir of Sm and Disadv Bus Utilz.
Assistant Secretary for Energy Efficiency & Renewable Energy	Manager, Golden Field Office.
Assistant Secretary for Environment, Safety & Health	Dir Nuclear Operations & Analysis.
	Dir Office of Environmental Compliance.
	Deputy Director Ofc of ES&H Evaluations.
	Dir Office of Price-Anderson Enforcement.
	Dir Ofc of Nuclear Safety, Policy and Standards.
	Dir Office of Regulatory Liaison.
	Director, Office of Environment, Safety, and Health Evaluations.
	Dir, Ofc of Oil and Gas.
Energy Information Administration	Dir Ofc of Coal Nucl Elec & Altern Fuels.
	Director, Ofc of Energy Markets & End Use.
	Director Economics & Statistics Division.
	Director, Statistical and Methods Group.
	Director, Natural Gas Division.
	Director, Petroleum Division.
	Dir, Ofc of Integration Nal & Forecasting.
	Director, Coal 7 Electrical Power Division.
	Director, Electrical Power Division.
	Director, International Economic & Greenhouse Gases Division.
	Dir Survey Mgmt Div.
	Director, Information Technology Group.
Assistant Secretary for Environmental Management	Director, Office of Research & Development.
	Assoc Das for Oversight & Self-Assessement.
	Director, Office of Acquisition Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Office of Budget.
	Science Advisor.
	Director, Office of Budget.
Office of Science	Dir Chem Sci Div.
	Dir Adv Egy Proj Div.
	Chf Processes and Tech Br.
	Dir High En Physics Div.
	Director, Human Health & Assessment Div.
	Deputy Dir for Management.
	Dir. Health Effects & Life Sci Research Div.
	Deputy Dir for Nuclear Safety Safeguard.
	Dir, Office of Assessment & Support.
	Assoc Dir Ofc of Computational & Tech Researc.
	Director, Financial Management Division.
Office of Fossil Energy	Director, Materials Partnerships Research Center.
Office of Field Management	Deputy Manager, DOE Field Office, Ch.
Albuquerque Operations Office	Director, Weapons Surety Division.
	Dir Transportation Safeguards Div.
	Dir, Weapons Programs Div.
	Asst Manager for Management & Administration.
	Carlsbad Area Office Manager.
	Chief Financial Officer.
Chicago Operations Office	Acquisition & Asst Group Manager.
	Area Manager, Fermi.
	Asst Mgr for Laboratory Management.
Idaho Operations Office	Assistant Manager for Administration.
	Asst Mgr Ofc of Program Execution.
	Asst Manager for Applied E & T Transfer.
Nevada Operations Office	Chief Counsel.
	Asst Manager for Business & Financial Service.
Ohio Field Office	Manager Ohio Field Ofc.
	Deputy Manager, Ohio Field Office.
	Director, Fernald Environmental Management Projects.
Oakland Operations Office	Field Chf Fin Officer and Business Manager.
	Assoc Manager for Site Management.
Oak Ridge Operations Office	Asst Manager for Administration.
	Chief Financial Officer.
Rocky Flats Office	Dep Asst Mgr for Matl Stabilization & Disp.
	Manager, Rocky Flats Field Office.
Savannah River Operations Office	Asst Manager for Business & Logistics.
Office of Hearings & Appeals	Dep Dir for Legal Analysis.
	Dep Dir for Financial Analysis.
	Dep Dir for Econ Analysis.
Office of Management and Administration	Dir, HQ Personnel Operations Div.
	Director, Office of Administration.
	Associate Dir, Office of Resource Mgmt.
	Dep Dir of Administrative Services (Wash, DC).
	Dep Dir of Personnel.
	Director, Office of Procurement and Assistance Policy.
	Dir Ofc of Mgmt Sys (Competition Advocate).
	Director Ofc Contract & Resource Management.
	Executive Assistant to the Director.
	Dir, Headquarters & Executive Personnel Serv.
	Chief Information Officer/Director of Information Management.
Office of Inspector General	Asst Inspector General for Investigations.
	Manager, Western Regional Audit Office.
	Director, Audit Policy, Plans & Programs.
	Manager, Eastern Regional Audit Office.
	Dir Capitol Regional Audit Office.
	Deputy Asst Inspector Gen For NNSA and Other Dep'l Investigations.
	Spec Asst for Policy and Planning.
	Counsel to the Inspector General.
	Dir, Office of Contractor Employee Protection.
	Asst Inspector General for Resource Mgmt.
	Principal Deputy Inspector General.
	Assistant Inspector General for Audits.
	Deputy Inspector General for Inspections.
	Deputy Inspector General for Audits.
	Director for Financial Audits.
	Director for Performance Audits and Administration.
	Assistant Inspector General for Audit Services.
	Manager, Capital Regional Audit Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Inspector General for Inspections.
	Principal Deputy Inspector General.
	Deputy Inspector General for Audit Services.
	Director of NNSA Audits.
Office of Nuclear Energy, Science & Technology	Dir Advanced Submarine Systems Division.
	Dir Instrumentation & Control Div.
	Asst Program Manager for Surface Ships.
	Deputy Director for Naval Reactors.
	Senior Naval Reactors Rep (Pearl Harbor).
	Director Nuclear Technology Div.
	Dir Reactor Engineering Division.
	Head, Core Manufacturing Branch.
	Dep Director Reactor Materials Division.
	Director, Fiscal Division.
	Asst Manager for Operations.
	Program Manager for Shipyard Matters.
	Dir Nuclear Components Division.
	Senior Naval Reactors Representative.
	Manager, Idaho Branch Office.
	Program Manager Submarine Technology Develop.
	Assoc Dir, Isotope Production & Distribution.
	Asst Manager for Operations.
	Prog Mgr for Analysis & Regulatory Matters.
	Director Acquisition Division.
	Director for Submarine Refuelings.
	Senior Naval Reactors Representative.
	Dep Program Mgr for Commissioned Subs.
	Prog Mgr Prototype & Moored Training Ship.
	Dir Regulatory Affairs.
Western Area Power Administration	Chief Administrative Officer.
	Chief Financial Officer.
Environmental Protection Agency:	
Ofc of the Administrator	Director, Office of Executive Support.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Director, Financial Management Division.
Office of the Comptroller	Comptroller.
	Deputy Comptroller.
	Director, Annual Planning & Budget Division.
Office of Planning, Analysis & Accountability	Director, Financial Services Division.
	Director, Office of Planning Analy & Account.
	Deputy Director, Ofice of Planning, Analysis & Accountability.
Office of Environmental Information	Deputy Director, Office of Information Analysis & Access.
	Deputy Director, Ofc of Technical Operations & Planning.
	Director, Office of Technical Operations & Planning.
	Director, Office of Planning, Resources & Outreach.
	Director, National Technology Services Division.
Ofc of the Asst Admr for Admin & Resources Management	Director, Ofc of Pol & Resource Mgmt.
	Dep Asst Admr for Admin & Res Mgmt.
Office of Administration	Dir Ofc of Administration.
	Deputy Dir Ofc of Administration.
	Dir, Facilities Management & Services Div.
	Dir, Sfty, Health & Environmental Mgmt Div.
	Senior Advisor to the Director, Office of Administration.
Ofc of Administration & Resources Mgmt—Cincinnati OH	Dir Ofc of Admin and Resources Management.
Office of Administration & Resources Mgmt—RTP, NC	Director Office of Administration & Res Mgmt.
Ofc of Human Resources and Organizational Services	Dir Office of Human Resources & Org Services.
	Dep Dir Ofc of Human Resources & Org Services.
	Assoc Director for Reengineering & Automation.
	Dir Exec Resources & Special Programs Staff.
Office of Acquisition Management	Dir, Superfund/RCRA Regl Procurement Ops/Div.
	Director, Office of Acquisition Management
	Dep Dir, Office of Acquisition Management.
Office of Grants and Debarment	Dir, Grants Admin Div.
	Director, Office of Grants & Debarment.
Office of the Asst Admr for Enf & Comp Assurance	Director, Ofc of Environmental Justice.
Office of Federal Activities	Dir, International Enforcement Program Div.
Office of Regulatory Enforcement	Director, Office of Regulatory Enforcement.
	Dep Dir, Office of Regulatory Enforcement.
	Dir Air Enforcement Division.
Office of Criminal Enforcement, Forensics & Training	Dir Natl Enforcement Training Institute.
	Dir Ofc of Criminal Enforce Forensics Train.
	Director, Criminal Investigations Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Director, Office of Criminal Enforcement, Forensics Training.
Office of Compliance	Director, Office of Compliance.
	Dir, Enforcement PLNG, Targeting & Date Div.
	Dir, Manufacturing, E & T Division.
	Deputy Director, Office of Compliance.
	Dir, Import-Export Program.
Office of Site Remediation Enforcement	Director, Ofc of Site Remediation Enforcement.
	Dep Dir, Ofc of Site Remediation Enforcement.
Federal Facilities Enforcement Office	Dir Federal Facilities Enforcement Office.
Office of the Inspector General	Counsel to the Inspector General.
	Assistant Inspector General for Program Evaluation.
Office of Investigations	Assist Inspector Gen for Investigations.
	Dep Asst Inspector General for Investigations.
Office of Audit	Asst Inspector General for Audits.
	Dep Asst Inspector General for External Audits.
	Dep Asst Inspector General for Internal Audit.
Office of Management	Assistant Inspector General for Management.
Office of Planning, Analysis & Results	Asst. Inspector General for Planning, Analysis & Results.
Office of Wastewater	Director, Municipal Support Division.
	Deputy Director, Municipal Support Division.
	Director, Water Permits Division.
Office of Science and Technology	Dir, Standards & Applied Science Division.
	Dir, Health & Ecological Criteria Division.
	Director, Engineering & Analysis Division.
Office of Wetlands, Oceans and Watersheds	Dir, Assessment & Watershed Protection Div.
	Dir, Oceans & Coastal Protection Division.
	Director, Wetlands Division.
Office of Ground Water & Drinking Water	Dir, E & P Implementation Division.
	Director, Standards & Risk Mgmt Division.
	Dir Implementation & Assistance.
Ofc of the Asst Admr for Solid Waste and Emgy Resp	Director, Outreach and Special Projects Staff.
	Director, Federal Facilities Restoration and Reuse Office.
Office of Solid Waste	Dir Hazardous Waste Identification Division.
	Director, Hazardous Waste Minimization & Management Division.
	Dir., Economics, Methods and Risk Analysis Division.
Office of Air Quality Planning and Standards	Dir, Emission Standards Division.
	Dir Air Quality Strategies & Standards Div.
	Dir Emissions Monitoring & Analysis Division.
	Dir., Info. Transfer and Program Integration Division.
Office of Transportation & Air Quality	Director, Advanced Technology Division.
	Director, Transportation & Regional Programs Divisions.
	Director, Assessment & Standards Division.
	Director, Certification & Compliance Division.
Office of Radiation & Indoor Air	Director, Indoor Environments Division.
	Deputy Director, Office of Radiation and Indoor Air.
	Director, Radiation Protection Division.
Office of Atmospheric Programs	Director, Clean Air Markets Division.
	Director, Atmospheric Pollution Prevention Division.
Office of the Asst Admr for Prevention P & T Substances	Associate Assistant Administrator (Mgmt.).
Office of Pesticide Programs	Dir-Registration Division.
	Dir, Biological & Economic Analysis Division.
	Dir, Spec Review & Reregistration Division.
	Dir Envir Fate and Effects Division.
	Dir Antimicrobials Division.
	Dir Field & External Affairs Division.
	Dir Inf Resources & Services Division.
	Director, Biopesticides and Pollution Prevention Division.
	Dep Director Office of Pesticides Programs (Mgmt.).
Office of Pollution Prevention and Toxics	Dir, Economics Exposure and Technology Div.
	Director, Chemical Control Division.
	Director, Information Management Division.
	Dir, Pollution Prevention Div.
	Director, Chemicals Division.
	Dir Health Effects Division.
	Director, Risk Assessment Division.
Office of Science Coordination and Policy	Director, Office of Science Coordination & Policy.
Office of Resources Management and Administration	Dir, Ofc of Resources Mgmt & Admin.
Office of Science Policy	Director, Office of Science Policy.
National Health & Environmental Effects Res Lab (RTP)	Dir Natl Health & Envir Effects Res Lab (RTP).
	Assoc Dir for Health (NHEERL)—RTP.
	Assoc Dir for Ecology (NHEERL)—RTP.
	Dep Dir For Management (NHEERL)—RTP.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Atlantic Ecology Division-Narragansett	Director, Atlantic Ecology Division.
Western Ecology Division-Corvallis	Dir Western Ecology Division Corvallis.
Gulf Ecology Division-Gulf Breeze	Director, Gulf Ecology Division.
Mid-Continent Ecology Division	Director, Mid-Continent Ecology Division.
Experimental Toxicology Division	Director, Experimental Toxicolgy Division.
National Exposure Research Laboratory (RTP)	Dir, Natl Exposure Research Laboratory—RTP.
	Dep Dir for Management (NERL)—RTP.
	Assoc Dir for Ecology (NERL)—RTP.
Environmental Sciences Division-Las Vegas	Dir Environmental Sciences Division.
Environmental Sciences Division-Athens	Dir Ecosystems Res Div Athens.
Human Exposure and Atmospheric Science Division	Director, Human Exposure & Atmospheric Science Division.
National Risk Mgmt Research Laboratory (Cincinnati)	Dir, Natl Risk Mgmt Research Laboratory—CN.
	Dep Dir for Management (NRMRL)—CN.
	Assoc Dir for Health (NRMRL)—CN.
	Director, Water Supply & Water Resources Division.
Air Pollution Prevention and Control Division—RTP	Dir Air Pollution Prevention Control Div.
Subsurface Processes and Systems Division—ADA	Dir Sub-Surface Process & Systems Division.
National Center for Environmental Assessment	Dir Natl Ctr for Environmental Assessment.
	Assoc Dir for Health (NCEA).
	Assoc Dir for Ecology (NCEA).
	Deputy Director for Management.
National Center for Environmental Assessment—RTP	Dir Natl Ctr Environ Assessment.
National Center for Environmental Assessment—Cincinnati	Dir Natl Ctr for Environmental Assessment.
Natl Center for Environmental Res & Quality Assurance	Deputy Dir for Mgmt (NCERQA).
	Dir Environmental Engineer Research Division.
	Dir Natl Ctr for Env Res & Quality Assurance.
Region I—Boston	Regional Counsel.
	Dir Ofc of Ecosystem Protection.
	Dir Ofc of Site Remediation Restoration.
	Dir, Ofc of Administration & Resources Mgmt.
	Dir, Ofc of Strategic Alignment.
	Director, Office of Environmental Stewardship.
Region II—New York	Asst Regl Admr for Policy and Management.
	Regional Counsel.
	Dir, Office of Emergency & Remedial Response.
	Director, Environmental Planning & Protection Division.
	Dir, Div of Enforcement & Compliance Asst.
	Director, Environmental Science & Assessment Division.
	Director, Caribbean Environmental Protection Division.
Region III—Philadelphia	Regional Counsel.
	Director, Water Protection Division.
	Director, Environmental Services Division.
	Asst Reg Admin for Policy & Management.
	Dir Chesapeake Bay Program Office.
	Director, Air Protection Division.
	Director, Hazardous Site Cleanup Division.
	Director, Waste & Chemical Management Division.
Region IV—Atlanta	Dir Water Management Division.
	Asst Regional Admin for Policy and Mgmt.
	Regional Counsel.
	Director Waste Management Division.
	Director, Science & Ecosystem Support Div.
	Director, Air, Pesticides and Toxics Management Division.
Region V—Chicago	Director, Air & Radiation Division.
	Director Water Management Division.
	Regional Counsel.
	Dir Waste Pesticides & Toxics Division.
	Dir Great Lakes Natl Prog Ofc.
	Director Superfund Division.
	Asst Reg Admr for Resources Management.
Region VI—Dallas	Asst Regional Admr for Management.
	Regional Counsel.
	Director, Compliance A & E Division.
	Dir Superfund Division.
	Dir Water Quality Protection Division.
	Dir Multimedia Plann & Permitting.
Region VII—Kansas City	Regional Counsel.
	Asst Regional Admin for Policy & Management.
	Dir Superfund Division.
	Dir Air RCRA and Toxics Division.
	Dir Water Wetlands & Pesticides Division.
Region VIII—Denver	Assistant Regional Administrator for Ecosystems Protection & Remediation.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Regional Administrator for Pollution Prevention, State & Tribal Programs.
	Assistant Regional Administrator for Technical & Management Services.
	Regional Counsel.
Region IX—San Francisco	Director, Water Management Division.
	Director, Air Division.
	Regional Counsel.
	Asst Regional Admr for Policy & Management.
	Dir, Strategic Planning & Emerging Issues.
	Dir Superfund Division.
	Director, Cross Media Division.
Region X—Seattle	Regional Counsel.
	Assistant Regional Administrator for Management Programs.
	Asst Reg Admr for Water.
	Director, Office of Ecosystems and Communities.
	Director, Office of Environmental Cleanup.
Equal Employment Opportunity Commission:	
Office of the Chairman	Inspector General.
Office of Field Programs	District Director (Baltimore).
	Dist Dir (New York).
	Dist Dir (Atlanta).
	Dist Dir (Houston).
	District Director (Detroit).
	Dist Dir (San Francisco).
	Dist Dir (Dallas).
	Dist Dir (Chicago).
	Dist Dir—(St Louis).
	Dist Dir (Miami).
	Dist Dir—(Indianapolis).
	Dist Dir (Memphis).
	District Director (Los Angeles).
	Dist Dir—(Denver).
	Dist Dir—(Birmingham).
	Dist Dir—(New Orleans).
	Dist Dir—(Phoenix).
	Dist Dir—(San Antonio).
	Dist Dir—(Charlotte).
	District Director (Seattle).
	District Director (Cleveland).
	Dist Dir—(Philadelphia).
	District Director (Milwaukee).
	Program Manager.
Field Management Programs	Director Field Management Programs.
Field Coordination Programs	Director, Field Coordination Programs.
Federal Communications Commission:	
Office of Inspector General	Inspector General.
Office of the Managing Director	Assoc Managing Director/Human Resources Mgmt.
Office of Engineering & Technology	Assistant Bureau Chief for Technology.
Compliance and Information Bureau	Chief Enforcement Division.
Common Carrier Bureau	Chief, Competitive Pricing Division.
	Chief, Accounting Safeguards Division.
Mass Media Bureau	Chief Audio Services Division.
	Chief Video Services Division
	Chf, Enforcement Div.
Federal Emergency Management Agency:	
Office of Inspector General	Deputy Inspector General.
	Asst Inspector General for Auditing.
	Asst Inspector General for Investigations.
Human Resources Division	Division Director.
Financial & Acquisition Management Division	Deputy Chief Financial Officer.
	Senior Procurement Executive.
	Chief Financial Officer.
	Deputy Chief Financial Officer.
	Senior Procurement Executive.
Federal Insurance & Mitigation Administration	Division Director, Technical Services Division
	Deputy Administrator for Insurance.
	Deputy Administrator for Mitigation.
	Director, Program Support Division.
Mitigation Planning & Delivery Division	Division Director.
Readiness, Response & Recovery Directorate	Div Dir, Human Services Support Division.
	Div Dir, Infrastructure Support Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Recovery Division	Division Director.
External Affairs Directorate	Deputy Administrator.
Federal Energy Regulatory Commission (DOE):	
Ofc of Chief Accountant	Chief Accountant and Deputy Director.
Office of Energy Projects	Dir Div of Dam Safety & Inspections.
Office of the Executive Director	Director, Regulatory Accounting Policy.
	Deputy Executive Director and Chief Accountant.
Federal Labor Relations Authority:	
Office of the Chairman	Solicitor.
	Chief Counsel.
Office of Member	Chief Counsel.
Office of Member	Chief Counsel.
Federal Service Impasses Panel	Exec Director FSIP.
Ofc of the Executive Director	Executive Director.
Ofc of the General Counsel	Deputy General Counsel.
	Director of Operations & Resources Management.
Regional Offices	Regional Director—Washington, DC.
	Regional Director—Boston.
	Regional Director—Atlanta.
	Regional Director—Dallas.
	Regional Director, Chicago, Illinois.
	Regional Director, San Francisco.
	Regional Director, Denver.
Federal Maritime Commission:	
Office of the Secretary	Secretary.
Office of the General Counsel	Dep Gen Cnsl for Reports Opinions & Decisions.
Office of the Executive Director	Deputy Executive Director.
Bureau of Consumer Complaints and Licensing	Director, Bureau of Consumer Complaints and Licensing.
Bureau of Trade Analysis	Director, Bureau of Trade Analysis.
Bureau of Enforcement	Deputy Director Bureau of Enforcement.
	Dir Bureau of Enforcement.
Federal Retirement Thrift Investment Board:	
Federal Retirement Thrift Investment Board	Director of Investments.
	Director of Contracts & Administration.
	Director of Automated Systems.
	Director of Accounting.
	Director of Communications.
	Associate General Counsel.
	Deputy Director of External Affairs.
	Director of the Office of Benefits & Investments.
Federal Trade Commission:	
Office of the Inspector General	Inspector General.
Office of the General Counsel	Deputy General Counsel.
Ofc of Executive Director	Deputy Exec Dir for Management.
	Chief Information Officer.
	Deputy Executive Director.
General Services Administration:	
Office of the Chief People Officer	Chief People Officer.
	Chief Information Officer.
	Director Human Resources Policy & Operations.
	Deputy Chief Information Officer.
Office of Governmentwide Policy	Deputy Associate Admin for Acquisition Policy.
	Deputy Assoc Administrator for Real Property.
	Director of Intergovernmental Solutions.
	Deputy Association Administrator for Transportation & Personal Property.
Office of Inspector General	Asst Inspector Gen for Auditing.
	Deputy Inspector General.
	Deputy Asst Inspector General for Auditing.
	Counsel to the Inspector General.
	Asst Inspector Gen for Investigations.
	Dep Asst Inspector General for Investigations.
Office of the Chief Financial Officer	Director of Finance.
	Director of Budget.
	Chief Financial Officer.
	Dir of Financial Management Systems.
Public Buildings Service	Assistant Commr for Fed Protective Service.
	Asst Comm for Portfolio Management.
	Assistant Commr for Property Disposal.
	Asst Commissioner for Financial & Info System.
	Assistant Commissioner for Business Performance.
	Chief Financial Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Project Management Executive.
	Asst Comm for Real Estate Policy/Sales (FPRS).
Federal Technology Service	Assistant Commissioner for Serv Development.
	Assistant Commissioner for Service Delivery.
	Asst Commr for Info Technology Integration.
	Assistant Commissioner for Regional Services.
	Asst Commissioner for S P & Business Dev.
	Asst Commissioner for Acquisition.
	Assistant Commissioner for Information Security.
	Assistant Commissioner for Information Security.
	Assistant Commissioner for Sales.
Office of the Chief Information Officer	Assistant Chief Information Officer.
	Assistant Chief Information Officer.
Federal Supply Service	Asst Commissioner for Acquisition.
	Asst Comr for Transportation & Property Mgt.
	Asst Comm for Bus Management & Marketing.
	Asst Comm for Distribution Mgt.
	Dep Asst Commissioner for Acquisition.
	Fss Chief Information Officer.
	Ast Comm for Vehicle Acquisition & Leasing Svc
	Assistant Commissioner for Supply.
	Assistant Commissioner for Enterprise Planning.
New England Region	Asst Reg Admr for Public Bldg Service.
Northeast & Caribbean Region	Asst Reg Admr for Public Bldg Service.
	Asst Reg Admr for Federal Supply Service.
Mid-Atlantic Region	Asst Reg Admr for Public Bldg Service.
	Asst Regl Admr Federal Supply Service.
	Regional Counsel.
National Capital Region	Assistant Regional Administrator, PBS, NCR.
Southeast Sunbelt Region	Asst Reg Admr for Public Bldg Service.
	Assistant Reg Admin for Fed Tech Service.
	Asst Reg Admr for Federal Supply & Services.
	Deputy Assistant Regional Administrator, PBS
Great Lakes Region	Asst Reg Admr for Public Bldg Service.
The Heartland Region	Asst Reg Admr for Public Bldg Service.
Greater Southwest Region	Asst Reg Admr for Public Bldg Service.
	Asst Regional Admin for Federal Tech Service.
	Asst Reg Admr for Federal Supply Service.
Rocky Mountain Region	Asst Reg Admr for Public Bldg Service.
Pacific Rim Region	Asst Reg Admr for Public Buildings Service.
	Asst Reg Admr for Federal Supply Service.
	Senior Advisor.
Northwest/Arctic Region	Asst Regional Administrator, PBS Region 10.
Department of Health and Human Services:	
ODAS for Budget	Dir Div of Integrity & Organ Review.
ODAS for Finance	Dep Asst Sec, Finance.
	Dir, Office of Financial Policy.
ODAS for Grants & Acquisition Management	Dep Asst Secy, OGAM.
ODAS for Planning and Evaluation	Dep to Deputy Asst Secry for Plann & Evaluat.
ODAS for Public Health and Science	Dir Div of Research Investigations.
	Dir Ofc of HIV/AIDS Policy.
	Dep Dir Ofc of Management.
	Reg Health Administrator.
	Director, Office of Research Integrity.
Associate General Counsel Divisions	Assoc Gen Coun, Business & Adm Law Division.
	Dep Assoc Gen Counl, Bus & Adm Law Div.
Office of the Inspector General	Dep Asst Inspector General for Audit.
	Principal Dep Inspector General.
	Deputy Inspector General for Mgmt & Policy.
	Dep Inspector General for Legal Affairs.
ODIG for Investigations	Dep Insp Gen for Investigations.
	Asst Insp General for Criminal Investigations.
	Asst Insp Gen for Civil & Adm Remedies.
	Asst Insp Gen for Investigation P & O.
	Dep Insp General for Enforcement & Compliance.
ODIG for Audit Services	Dep Inspector General for Audit Services.
	Asst Insp Gen for Adm of C/F & Agin Audits.
	Asst Inspector Gen for Health Care Fin Audits.
	Asst Inspector Gen for Audit Pol & Oversight.
	Asst Insp Gen for Public Health Serv Audits.
ODIG for Evaluation & Inspections	Dep Insp Gen for Evaluation & Inspections.
Program Support Center	Dir Program Support Center.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir of Operations.
Office of Financial Management Service	Director, Financial Management Service.
Office of Program Support	Dir Ofc of Financial Support.
Office of the Actuary (OACT)	Dir, Ofc of the Actuary (Chief Actuary).
	Director, Ofc of Medicare & Medicaid Cost Est.
Center for Beneficiary Choices (CBC)	Deputy Director, Center for Beneficiary Services (Medicare Contractor Mgmt).
	Associate Deputy Director, CBS (Contract Management).
Office of Internal Customer Support (OICS)	Director, Ofc of Internal Customer Support.
Office of Information Services (OIS)	Director, Office of Information Services (Chief Information Office).
	Dep Dir Ofc of Info Services.
Office of Financial Management (OFM)	Deputy Director, Ofc of Financial Management.
	Dir Ofc of Financing Management.
	Dep Dir Ofc Financial Management.
	Dir Program Integrity Group.
	Dir Financial Services Group.
	Deputy Director, CFO Audit Internal Controls.
Office of the Admnistrator	Assoc Admin for Policy & Prog Coordinator.
Center for Substance Abuse Prevention	Dir, Div of State & Community Systems Dev.
Center for Mental Health Services	Director Center for Mental Health Services.
	Dir Div of Stste & Community Systems Develop.
Centers for Disease Control & Prevention	Director, Financial Management Office.
	Director, Office of Facilities Planning and Management.
	Deputy Director for Finance and Accounting.
Natl Institute for Occupational Safety & Health	Deputy Director for Management.
National Center for Chronic Disease Prevention & Hlth Promotion	Director, Office on Smoking and Health.
National Center for HIVN STD and TB Prevention	Associate Director for Management and Operations.
Office of Chief Counsel	Deputy Chief Counsel for Program Review.
	Assoc. Deputy Chief Counsel for Drugs & Biologics.
	Assoc. Dep. Chf. Cnsel for Devices, Foods & Veterinary Medicine.
Office of Management and Systems	Director, Office of Financial Mgmt.
Office of Regulatory Affairs	Dep Assoc Comr for Regulatory Affairs.
	Regl Food & Drug Director, NE Region.
	Regl Food & Drug Director, Southeast Region.
	Regl Food & Drug Director, Southwest Region.
	Dir Ofc of Criminal Investigations.
	Regional Food and Drug Director, Central Region.
	District Food and Drug Director, New York District.
	Deputy Director for Investigations.
	District Food and Drug Director, Los Angeles District.
Center for Drug Evaluation and Research	Director, Office of Management.
	Dir. Div of Imaging S & D Products.
	Director, Office of Generic Drugs.
	Dir, Office of Epidemiology & Biostatistics.
	Director, Office of Compliance.
	Senior Advisor for Policy.
Center for Devices and Radiological Health	Dir Office of Compliance.
	Dir, Office of Science and Technology.
	Dir Ofc of Sys & Management.
Center for Food Safety and Applied Nutrition	Director, Office of Seafood.
	Dir Ofc of Premarket Approval.
	Dir Ofc of Field Programs.
	Dir, Ofc of Plant & Dairy Foods & Beverages.
	Director, Office of Regulations and Policy.
Center for Veterinary Medicine	Director, Office of Science.
	Director, Office of Surveillance and Compliance.
Office of Special Programs	Director, Office of Special Programs.
HIV/AIDS Bureau	Director, Office of Science and Epidemiology.
Office of the Director	Director, Div of Financial Management.
	Director, Division of Contracts & Grants.
	Associate Director for Extramural Affairs.
	Associate Director for Disease Prevention.
	Dir, Ofc of Medical Applications of Research.
	Associate Director for Administration.
	Director, Office of Policy for Extramural Research Administration.
	Senior Advisor for Policy.
	Director, Office of Reports and Analysis.
Natl Heart, Lung & Blood Institute	Dir Div of Heart & Vascular Diseases.
	Dir Div of Lung Diseases.
	Dir, Div of Blood Diseases & Resources.
	Director, Division of Extramural Affairs.
	Assoc Dir for International Programs.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Intramural Research	Dir Ofc of Biostatics Research. Dep Dir Div of Heart Vascular Diseases. Dep Dir Div of Epidem & Clinical Application. Director, Epidemiology and Biometry Program. Director, National Center for Sleep Disorders. Chf Lab of Biochemical Genetics. Chf Lab of Biochemistry. Chief Lab of Biophysical Chemistry. Chief Macromolecules Section. Chf, Intermediary M & B Section. Chf, Lab of Kidney & Electrolyte Metabolism. Chief Lab of Cardiac Energetics. Chief, Metabolic Regulation Section.
National Cancer Institute	Assoc Dir for Intramural Management. Assoc Director for Extramural Management. Associate Director, Cancer Diagnosis Program. Assistant Director for Financial Management. Deputy Director for Management. Associate Director, Referral Review and Program Coordination. Deputy Director for Administrative Operations.
Division of Cancer Biology, Diagnosis and Centers	Chf, Microbial G & B Section, Lab of Biochem. Chief, Lab of Biochem Intramural Res Prog. Assoc Dir, Extramural Research Program. Dep Dir, Div of Cancer Biology Diag & Centers. Chief Dermatology Br, Intramural Res Prog. Chief, Cell Mediated Immunity Section. Chief, Lab of Tumor & Biol Immunology, Irp. Dir, Div of Cancer Biology Diagnosis & Ctrs. Assoc Dir, Ctrs Training & Resources Prog.
Division of Cancer Etiology	Chief Lab of Biology. Chief Laboratory of Molecular Carcinogenesis. Chf Lab of Experimental Pathology. Dir, Div of Cancer Etiology.
Division of Cancer Prevention & Control	Dep Dir, Div of Cancer Prevention & Control. Associate Dir, Surveillance Program, DCPC. Assoc Dir, Early D & C Oncology Program.
Division of Extramural Activities	Dir, Div of Extramural Activities. Deputy Dir, Div of Extramural Activities.
Division of Cancer Treatment	Chf-Radiation Oncology Br. Assoc Dir, Cancer Therapy Evaluation Program.
Natl Institute of Diabetes & Digestive & Kidney Dis	Dir Div Kidney Urologic & Hematlogic Diseases. Dir Division of Extramural Activities. Chf, Lab of Molecular & Cellular Biology. Dep Dir for Management & Operations.
Intramural Research	Chief Section on Biochemical Mechanisms. Chf Sect on Metabolic Enzymes. Chf Sect on Physical Chemistry. Chief, Section on Molecular Structure. Chief Theoretical Biophysics Section. Chief, Laboratory of Bio-Organic Chemistry. Chief Oxidation Mechanisms Section L B C. Chief Laboratory of Biochemistry & Metabolism. Clinical Dir & Chief, Kidney Disease Section. Chief, Section on Molecular Biophysics. Chf, Sec Carbohydrates Lab of Chemistry/NIDDK. Chief, Laboratory of Neuroscience, NIDDK. Chf, Laboratory of Medicinal Chemistry. Chief, Morphogenesis Section.
Natl Inst of Arthr & Musculoskeletal & Skin Diseases	Director, Extramural Program. Deputy Dir. Associate Director for Management and Operations.
National Library of Medicine	Dep Dir, Natl Lib of Medicine. Dep Dir for Res and Education. Associate Director for Library Operations. Assoc Dir for Extramural Programs. Director, Lister Hill National C Enter for Biomedical Commun. Dep Dir Lister Hill Natl Ctr for Biomed Comms. Director, Information Systems. Dir Natl Ctr for Biotech Info. Assoc Dir for Health & Info Prog Development. Associate Director for Administrative Management.
Natl Inst of Allergy & Infectious Diseases	Dir, Div of Allergy/Immunology/Transplantatn.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chf, Lab of Parasitic Diseases.
	Dir, Div of Microbiology/Infectious Diseases.
	Chief, Lab of Immunogenetics.
	Dir, Div of Extramural Activities.
	Ch, Lab of Microbial Structure and Function.
	Chief Lab of Molecular Microbiology.
	Dir, Div Acquired Immunideficiency Syndrome.
	Chief, Biological Resources Branch.
	Head, Lymphocyte Biology Section.
	Chief, Laboratory of Infectious Diseases.
	Dep Dir Div of Acquired Immunodeficiency.
	Head Epidemiology Section.
	Chief, Laboratory of Malaria Research.
	Dir Div of Intramural Research.
	Dep Chief Lab of Imm & Head Lymp Biol Section.
Natl Inst on Aging	Scientific Director Gerontology Rsch Cntr.
	Clin Director and Chief Clin Physiology Br.
	Associate Dir for Behavioral Sciences Res.
	Assoc Dir Biology of Aging Program.
	Assoc Dir, Office of Extramural Affairs.
	Assoc Dir, Epidemi, Demo, & Biometry Program.
	Assoc Dir, Ofc of Plnng, A & I Activities.
	Assoc Dir Neurosci & Neuropsych of Aging Prog.
	Associate Director for Administration.
Natl Inst of Child Health & Human Development	Chief, Laboratory of Molecular Genetics.
	Chf, Endocrinology & Reproduction Research Br.
	Director Ctr Forres for Mothers & Children.
	Director Cntr for Population Research.
	Chief, Section on Growth Factors.
	Assoc Dir for Prevention Research.
	Chief, Laboratory of Mamalian Genes & Develop.
	Chief, Section on Molecular Endocrinology.
	Chief, Section Neuroendocrinology.
	Chief Section on Microbial Genetics.
	Chief, Laboratory of Comparative Ethology.
	Associate Director for Administration.
	Dir. Natl Center for Medical Rehab Research.
National Institute of Dental and Craniofacial Research	Chief, Laboratory of Immunology.
	Dir, Extramural Program.
	Associate Director for International Health.
	Associate Director for Management.
	Associate Director for Program Development.
Natl Inst of Environmental Health Sciences	Chf Lab of Pulmonary Pathobiology.
	Head Mutagenesis Section.
	Head Mammalian Mutagenesis Section.
	Senior Scientific Advisor.
	Associate Director for Management.
	Chief Lab of Molecular Carcinogenesis.
	Dir Natl Inst of Environmental Health Science.
	Dir Environmental Toxicology Program.
Natl Inst of General Medical Sciences	Dir Genetics Program.
	Associate Director for Extramural Activities.
	Director, Division of Pharamcology, Physiology, and Biological Chemistry.
	Dir Bio Phys Sciences Program Branch.
	Dep Dir Natl Institute of General Med Sci.
	Dir, Minority Opportunities in Res Prog Br.
	Associate Director for Administration and Operations.
Natl Inst of Neurological Disorders and Stroke	Dir, Div of Fundamental Neurosciences.
	Associate Director for Administration.
	Dir, Basic Neurosci Prog/Chf/Lab of Neurochem.
	Chf, Lab of Molecular & Cellular Neurobiology.
Intramural Research	Chief Lab of Central Nervous System Studies.
	Chf, Dev & Metabolic Neurology Branch.
	Deputy Chief, Lab of Central Nervous Sys Stud.
	Chief, Neuroimaging Branch.
	Chief, Laboratory of Neurobiology.
	Chief, Laboratory of Neura Control.
	Chief Brain Structural Platicity Section.
	Chief, Stroke Branch.
Natl Eye Institute	Chief Laboratory of Retinal Cell & Mol Biolog.
	Chief, Lab of Molecular & Dev. Biology.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Natl Inst on Deafness & Other Communication Disorders	Chief, Laboratory of Sensorimotor Research. Director, Division of Human Communication. Chief Laboratory of Cellular Biology.
NIH Clinical Center	Associate Director for Administration. Director, Division of Extramural Research. Associate Director for Planning. Assoc Chf, Position Emission T & R. Deputy Director for Management and Operations. Chief Financial Officer. Chief Operating Officer.
Center for Information Technology	Chief, Computer Center Branch. Deputy Director. Assoc Dir Ofc of Computing Resources Services. Senior Advisor to Director, Center for Information Technology.
John E Fogarty Intl Center	Deputy Director Fogarty International Ctr. Assoc Dir for Int'l Advanced Studies.
National Center for Research Resources	Dir, Natl Center for Research Resources. Dir, Gen Clinical Res Ctr for Res Resources. Dep Dir, Natl Center for Research Resources. Associate Director for Biomedical Technology. Associate Director for Comparative Medicine. Associate Director for Research Infrastructure.
Center for Scientific Review	Associate Director for Referral and Review. Assoc Dir for Statistics & Analysis. Director, Division of Molecular and Cellular Mechanisms. Director, Division of Physiological Systems. Director, Division of Clinical & Population-Based Studies.
National Institute of Nursing Research	Director National Cntr for Nursing Research. Deputy Director/Director, Division of Extramural Activities.
National Human Genome Research Institute	Deputy Director. Dir Div of Intramural Res Natl Ctr HGR. Chief Diag Devel Br Natl Ctr Human Gen Res. Chf, Lab of Genetic Dis Res Natl Ctr for Hgr.
National Institute on Drug Abuse	Associate Director for Management. Assoc Dir for Planning & Resources Management. Dir, Office of Extramural Program Review. Director Division of Clinical Research. Dir, Medications Development Division. Chief, Neuroscience Research Branch.
National Institute of Mental Health	Associate Director for Clinical Neuroscience & Medical AFFS, Division of Treatment Research & Development. Dep Dir, National Institute of Mental Health. Associate Director for Special Populations. Associate Director for Prevention. Exec Ofcr, Natl Institute of Mental Health. Dir, Ofc of Legislative Analysis & Coord. Dir, Div of Neuroscience & Behavioral Sci. Chief, Neuropsychiatry Branch. Chief, Child Psychiatry Branch. Chief, Biological Psychiatry Branch. Chief, Laboratory of Clinical Science. Chief, Section on Histopharmacology. Director, Office on AIDS. Chief, Section on Clinical and Experimental Neuropsychology. Director, Division of Mental Disorders, Behavioral Research and AIDS. Director, Division of Services and Intervention Research. Chief, Section on Cognitive Neuroscience.
National Institute on Alcohol Abuse & Alcoholism	Director, Division of Basic Research. Associate Director for Administration.
Agency for Healthcare Research and Quality	Dir Ctr for Outcomes & Effectiveness Research. Executive Officer. Director, Office of Research Review, Education, and Policy.
Department of Housing and Urban Development:	
Office of the Inspector General	Asst Inspector General for Investigations. Assistant Inspector General for Audit. Deputy Inspector General. Asst Inspector General for Management & Policy. Deputy Asst Inspector for Investigation. Deputy Asst Inspector for Investigation. Dep Asst Inspector Gen for Audit. Dep Asst Inspector General for Investigation. Counsel to the Inspector General.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of the Chief Financial Officer	Assistant Chief Financial Officer for Budget.
	Deputy Chief Financial Officer.
	Assistant Chief Financial Officer for Financial Management.
	Assistant Chief Financial Officer for Accounting.
Office of the Chief Procurement Officer	Director, Office of Procurement & Contracts.
	Senior Advisor for Procurement Planning and Program Liaison.
Departmental Enforcement Center	Chief Counsel
	Deputy Director, Departmental Enforcement Center
	Associate Director, Departmental Enforcement Center.
	Director, Departmental Enforcement Center.
Departmental Real Estate Assessment Center	Deputy Director for Finance.
	Comptroller, Real Estate Assessment Center.
	Director, Real Estate Assessment Center.
Assistant Secretary for Administration	Director, Grants Management Center.
Office of the Chief Information Officer	Information Technology Advisor.
	Deputy Chief Information Officer for it Reform.
Assistant Secy for Housing	Housing/Fed Housing Adm Comptroller.
	Housing-FHA Deputy.
	Director, Office of Asset Management.
	Director, Office of Program Systems Management.
	Deputy Assistant Secretary for Finance and Budget.
Assistant Secretary for Fair Housing and Equal Opportunity	Director, Office of Enforcement.
Office of Departmental Equal Employment Opportunity	Dir, Ofc of Departmental Equal Employ Opport.
	Director, Ofc of Community Viability Comptroller.
Government National Mortgage Association	Vice President for Finance.
	Vice President, Ofc of Pol, P & R Management.
	Vice President, Office of Program Administration.
	Vice President, Office of Multifamily Programs.
	Vice President, Office of Customer Service.
	Senior Vice Pres. Office of Capital Markets and Policy.
	Senior Vice President, Office of Finance.
	Senior Vice Pres., Office of Multifamily Programs.
	Senior Vice Pres., Office of Program Operations and Support.
	Senior Vice Pres., Office of Management and Communication.
Assistant Secretary for Public and Indian Housing	Gen Dep Asst for Public & Indian Housing.
	Deputy Public & Indian Housing Comptroller.
	Dir, Ofc of Public Housing Partnership.
	Deputy Asst Sec'y, Office of Troubled Agency Recovery.
	Director, Administrative Operations.
Department of the Interior:	
Office of the Inspector General	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
	Assistant Inspector General for Management and Policy.
	Assistant Inspector General for Strategic Initiatives.
	Assistant Inspector General for Program Integrity.
	General Counsel.
	Deputy Asst Inspector General for Audits.
Office of the Solicitor	Deputy Assoc Solicitor, General Law.
	Deputy Associate Solicitor, Division of Parks and Wildlife.
	Deputy Associate Solicitor—Mineral Resources.
	Associate Solicitor for Administration.
	Dep Assoc Solicitor Land & Water Resources.
Assistant Secretary—Policy, Management and Budget	Asst Dir for Economics.
	Manager, Science and Engineering.
	Designated Agency Ethics Official.
	Deputy Asst Secretary Budget & Finance.
	Dir, Ofc of Fin Mgmt & Dept Chf Fin Officer.
	Chief Div of Budget & Program Review.
	Deputy Agency Ethics Staff Officer.
Assistant Secretary—Fish and Wildlife and Parks	Director for Everglades Restoration.
National Park Service	Financial Advisor (Comptroller).
	Park Manager—Grand Canyon.
Field Offices	Park Manager—Yosemite (Superintendent).
	Park Manager Everglades.
	Park Manager—Yellowstone (Superintendent)
	Asst Dir, Design & Construction (Mgr, Dsc)
	Park Manager—Independence Natl Historic Park.
Field Offices	Executive Dir Regional Ecosystem Office.
Field Offices	Director, Technical Services Center.
	Spec Asst to the Dir, Reclamation Serv Center.
	Director, Management Services Office.
U.S. Geological Survey	Regional Geographer, Western Region.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Regional Hydrologist, Western Region.
Directors Office	Geographic Information Officer.
	Deputy Director, U.S. Geological Survey.
	Regional Director, Eastern Region.
	Regional Director, Western Region.
	Physical Scientist.
	Chief, Office of Administrative Policy and Services.
	Associate Director for Geography.
National Mapping Division	Associate Director for Geography.
	Associate Division Chief for Operations.
Field Offices	Chief, Eros Data Center.
	Chief Mid-Continent Mapping Center.
	Chief Rocky Mountain Mapping Center.
	Chief Mapping Applications.
	Regional Geographer, Eastern Region.
Water Resources Division	Associate Division Chief for Water.
	Associate Chief Hydrologist for Program Operations.
	Asst Chief Hydrologist for Water information.
	Assistant Chief Hydrologic for Research.
	Chf, National Water Data Exchange Program.
Field Offices	Regional Hydrologist Central Region.
	Regl Hydrologist Southeastern Region.
	Regional Hydrologist, Western Region.
	Regional Hydrologist, Northeastern Region.
Geologic Division	Associate Director for Geology.
	Assoc Chief Geologist for Program Operations.
	Associate Chief Geologist for Science.
	Regional Geologist Western Region.
	Regional Gelogist, Eastern Region.
	Chief Scientist for Geology.
Biological Resources Division	Asst Dir, Budget and Administration.
	Associate Chief Biologist for Operations.
	Associate Chief Biologist for Information.
Field Offices	Regional Chief Biologist, Eastern Region.
	Regional Biologist, Western Region.
Field Offices	Regional Director.
	Regional Director.
	Regional Director.
Minerals Management Service	Associate Dir for Policy and Mgmt Improvement.
	Special Assistant to the Director.
Field Offices	Regional Director, Gulf of Mexico OCS Region.
	Asst Program Director for Offshore Compliance & Asset Management.
	Asst Prog Director for Onshore Compliance & Asset Management.
	Regional Director, Alaska OCS Region.
	Regional Director, Pacific OCS Region.
	Deputy Associate Director for Minerals Revenue Management.
Assistant Secretary—Indian Affairs	Chief Financial Officer.
Bureau of Indian Affairs	Deputy Director, Office of Indian Executive Programs.
Office of Hearings and Appeals	Dir, Ofc of Hearings & Appeals.
Department of Justice:	
Office of the Attorney General	Counsel on Professional Responsibility.
	Dep Counsel on Professional Responsibility.
Ofc of the Legal Counsel	Special Counsel.
	Special Counsel.
Office of the Inspector General	Asst Inspector General for Inspections.
	Assistant Inspector General for Audit.
	Assistant Inspector General for Investigation.
	Asst Inspector Gen for Management & Planning.
	Deputy Inspector General.
	General Counsel.
	Dir, Special Investigational Review.
	Sen Exec Strategic Plan & Spec Project.
Office of the Deputy Attorney General	Director, Office of Legal Education.
	Director, Professional Responsibility Advisory Office.
	Federal Detention Trustee.
	Correctional Prog Ofcr/Sr Dep Asst Dir Prd.
Justice Management Division	Asst Attorney General for Administration.
	Deputy Asst Attorney General.
	Dir, Security & Emergency Plnng Staff.
	Dep Asst Attorney Gen Human Res/Admin.
	Dir Library Staff.
	Dir, Facilities and Administrative Svc Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir Telecommunications Services Staff.
	Director Management and Planning Staff.
	Director, Budget Staff.
	Senior Policy Advisor.
	Dep Asst Attorney General, Info Res Mgt.
	Dir Procurement Services Staff.
	Dir, Systems Technology Staff.
	General Counsel.
	Dir, Equal Employment Opportunity Staff.
	Senior Counsel.
	Director, Department Ethics Office.
	Deputy Director, Budget Staff.
	Director, Systems Engineering and Development Staff.
	Senior Program Manager.
Office of the Controller	Dir Finance Staff.
	Dep Asst Attorney General; Controller.
	Director, Debt Collection Management Staff.
	Asst Dir, Management & Planning Staff.
Office of Human Resources and Administration	Director Personnel Staff.
	Director, Ofc of Atty Pers Mgmt.
Office of Info & Admin Servicers	Director, Computer Services Staff.
	Director, Information Mgmt & Security Staff.
Executive Office for U.S. Trustees	Executive Officer.
Executive Office for Immigration Review	Chief Immigration Judge.
	Assistant to the Director.
	Chairman, Board of Imigration Appeals.
	General Counsel.
	Attorney—Examiner (Immigration).
	Chief Admin Hearing Officer.
Antitrust Division	Senior Litigator.
	Executive Officer.
	Chief Computers and Finance Section.
	Senior Litigator.
	Senior Litigator, Atlanta Field Office.
	Deputy Chief, Litigation II Section.
Office of Litigation	Dep Dir of Operations.
	Chief, Competition Policy Section.
Civil Division	Director of Management Programs.
	Deputy Director, Commercial Litigation Branch.
	Appellate Litigation Counsel.
	Deputy Director, Tobacco Litigation Team.
	Deputy Director, Appellate Staff.
Commercial Litigation Branch	Spec Litigation Counsel (Foreign Litigation).
	Spec Litigation Coun, C/L Branch.
	Deputy Branch Director/Commercial Litigation.
	Deputy Branch Dir Civil Frauds.
	Deputy Branch Director.
Federal Programs Branch	Special Litigation Counsel (Federal Programs).
	Deputy Branch Director.
Torts Branch	Spec Litigation Counsel.
	Spec Litigation Counsel.
	Deputy Branch Director.
	Deputy Branch Director.
	Deputy Branch Director
	Director Office of Consumer Litigation.
Civil Rights Division	Special Litigation Counsel.
	Executive Officer.
Environment and Natural Resources Division	Executive Officer.
	Supervisory Trial Attorney.
Office of Environmental Resources	Senior Litigation Coun Attorney-Examiner.
	Dep Chf, Environmental Enforcement Section.
	Principal Deputy Chief Environ Enforce Sec.
Tax Division	Chief Civil Trail Section Southwestern Region.
	Executive Officer.
Deputy Assistant Attorney General—I	Special Litigation Counsel.
	Sr Trial Attorney.
	Special Litigation Counsel.
	Spec Litigation Counsel.
Immigration and Naturalization Service	Asst Commissioner for Detention & Deportation.
	Asst Commissioner for Adjudication & Natural.
	Assistant Commissioner for Border Patrol.
	Director of Internal Audit.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director of Security.
	Asst Comr, Budget.
	Regional Director Central Region.
	Asst Commissioner Administration.
	Chief Patrol Agent.
	District Director.
	Chief Patrol Agent.
	District Dir, Western Reg, Phoenix District.
	Deputy General Counsel.
	Chief Patrol Agent, El Paso, TX.
	Deputy Executive Associate Commissioner For Detention and Removals.
	Associate Commissioner, Field Services Operations.
	Director, International Affairs.
Associate Commissioner for Information Systems	Deputy Associate Commissioner for Information Resources Management.
Associate Commissioner for Examinations	Asst Comm for Inspections.
Associate Commissioner for Enforcement	Assistant Commissioner for Investigations.
	Assistant Deputy Executive Associate Commissioner, Field Operations.
Executive Associate Commissioner for Management	Assistant Comr, Human Resources & Development.
	Assistant Commissioner for Records.
Regional Offices—INS	District Director Newark District.
	District Director, Newark, District.
	Chief Patrol Agent, McAllen, Texas.
	Chief Patrol Agent, Tucson, Arizona.
	Regional Counsel, Western Region.
Ofc of the Associate Attorney General	Executive Officer (Principal Assoc Director).
	Deputy Director for Support Services.
Executive Ofc for U.S. Attorneys	Dir Ofc of Mgnt Information Systems Support.
	Dir, Office of Administration & Review.
	Dep Dir for Operations.
	Deputy Director, Financial Management Staff.
Criminal Division	Senior Counsel to the Assistant Attorney General.
	Deputy Chief, Fraud Section.
	Dir Ofc of Asset Forfeiture.
	Senior Appellate Counsel.
	Senior Counsel.
	Executive Officer.
	Dir Intl Criminal Invest Train Asst Program.
	Chief, General Litigation & Legal Advice Sect.
	Senior Counsel for Natl Security Matters.
	Dep Chief Terrorism & Violent Crime Section.
	Deputy Chief, Computer Crime and Intellectual Property Sec.
	Chf of International Training & Dev Programs.
	Senior Counsel to the Assistant Attorney General.
	Principal Deputy Chief, Narcotic and Dangerous Drug Section.
	Director, Office of Overseas Prosecutorial Development, Assistance, and Training.
	Chief, Asset Forfeiture Office.
	Senior Counsel for National Security Matters.
Ofc of Senior Counsels	Sr Counsel for Litigation.
Ofc of Deputy Asst Attorney General I	Counsel to the Office Fraud Section.
Ofc of Deputy Asst Attorney General II	Chf Public Integrity Section.
	Deputy Chief Public Integrity Section.
Federal Bureau of Prisons	Assistant Director for Administration.
	General Counsel.
	Assoc Commr, Fed Prisons Industries, Unicor.
	Dep Assoc Commr Fed Prison Industries.
	Warden Ft Worth Texas.
	Warden Marianna FL.
	Asst Director for Human Res Mgmt.
	(Warden) Miami, FL.
	Senior Deputy Asst Dire Health Services Div.
	Regional Director Mid Atlantic Division.
	Asst Dir., Community Corrections & Detention.
	Asst Dir, Info, Pol, & Public Afrs Div.
	Gen Counsel, Fed Prison Industries (UNICOR).
	Warden, Allenwood, Pennsylvania.
	Sr Mgt Counsel, (Federal Bureau of Prisons).
	(Warden) Fort Dix, NJ.
	(Warden) FCC, Floren, CO.
	Correctional Inst Admr (ARD) SCR, Dallas, TX.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Corrl Inst Admr (SDAD), CC & D Div, Wash, DC.
	Warden, USP, Florence, CO.
	CIA (Warden) Fed Medical Center Carswell, TX.
	CIA (Warden) U.S. Penitentiary, Allenwood, PA.
	(Warden) FTC, Oklahoma, OK.
	Senior Dep Asst Dir (Administration).
	CIA (Warden) Fed Cortl Inst/El Reno, OK.
	CIA (Warden) Fed Medical, Center/Miami, FL.
	Correctional Prog Offcr/Sr Dep Regl Dir.
	Correctional Inst Admr (Warden) FCI.
	Correctional Program Officer.
	Correctional Prog Officer (WFCI, Estill, SC).
	Correctional Prog Officer (Warden Fed CI, SC).
	Correctional Institution Admin (W, FMC, FTD, MA).
	Correctional Institution Administrator.
	Correctional Institution Admr (Warden).
	Correctional Institution Administrator (Warden, U.S. Pententiary, Beaumont, TX).
	Correctional Program Officer (Assistant Director).
	Deputy Assistant Director.
	Correctional Program Officer.
	Warden.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Program Officer (Sr. Deputy Assistant Director).
	Budget Officer.
	Warden.
	Warden.
	Warden, USP.
	Warden, FCI.
	Senior Counsel.
Office of Correctional Programs	Asst Dir Correctional Programs Div.
Northeast Region	Regional Director, Northeast Region.
	Warden, Lewisburg, PA.
	Warden, McKean, PA.
	(Warden), Oakdale, LA.
	Correctional Institution Admr (Warden).
	Warden.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
Southeast Region	Regional Director, Southeast Region.
	Warden Atlanta.
	Warden, Lexington Kentucky.
	Warden, Butner North Carolina.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
North Central Region	Regional Director, North Central Region.
	Warden Leavenworth Kansas.
	Warden Springfield MO.
	Warden Marion IL.
	Warden Terre Haute, IN.
	Correctional Institution Admr,
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
South Central Region	Regional Director, South Central Region.
	Warden, El Reno, Okla.
	Correctional Institution Administrator (Warden).
	Warden, FCI. Three Rivers, Texas.
Western Region	Regional Director, Western Region.
	Warden, Lompoc, CA.
	Warden, Phoenix, AZ.
	Warden, Federal Correctional Institution.
	Correctional Institution Admr (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
Ofc of Justice Programs	Director of Administration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Director, National Institute of Justice.
	General Counsel.
	Director, Corrections Program Office.
	Comptroller.
	Budget Officer.
	Deputy Director, Office for Victims of Crime (Policy and International Programs).
	Director, Drug Courts Program Office.
	Assistant Director, Office of Administration.
	Principal Deputy Director, OVC.
Ofc of Juvenile Justice and Delinquency Prevention	Deputy Administrator, Office Discretionary Grants.
Bureau of Justice Statistics	Supervisory Statistician.
U.S. Marshals Service	Assistant Director for Human Resources.
	Assoc Director for Operational Support.
	Senior Management Advisor.
	Assistant Director for Prisoner Services.
	Assistant Director for Business Services.
	Associate Director for Mgmt and Budget.
	Assistant Director for Executive Service.
	Assistant Director for Investigative Servs.
	Assistant Director for Judicial Security.
	Asst Director for Organizational Development.
	Assistant Director for Training.
	Assistant Director, Justice Prisoner and Alien Transportation System.
	Assistant Director, for Investigative Services.
Community Oriented Policing Services	Deputy Director, Office of Community Policing Development.
Department of Labor:	
Office of the Inspector General	Deputy Inspector General.
	Asst Inspector General for Investigations.
	Asst Inspector Gen for Audit.
	Deputy Assistant Inspector General for Audit.
	Asst Inspector Gen for Labor Racketeering.
	Asst Inspector Gen for Mgmt & Counsel.
	Asst Inspector Gen/Analysis Complaints/Eval.
	Assistant inspector General for Analysis, Complaints and Evaluations.
	Assistant Inspector General for Communications, Inspections and Evaluations.
	Assistant Inspector General for Legal Services.
Bureau of International labor Affairs	Deputy Director of Budget.
Office of the Solicitor	Associate Solicitor for Labor-Management Laws.
	Assoc Solicitor for Plan benefits Security.
	Regional Solicitor—Chicago.
	Assoc Solicitor for Civil Rights.
	Assoc Solicitor for Occupational Safety & Hlt.
	Assoc Soliticor for Mine Safety & Health.
	Assoc Solicitor for Fair Labor Standards.
	Regional Solicitor—Atlanta.
	Assoc Solicitor for Employee Benefits.
	Regl Solicitor Boston.
	Regl Solicitor New York.
	Regional Solicitor Philadelphia.
	Regl Solicitor Dallas.
	Regl Solicitor Kansas City.
	Regl Solicitor San Francisco.
	Deputy Solicitor (Regional Operations).
	Assoc Sol for Spec Appel & Sup Court Lit.
	Dep Solicitor for Planning and Coordination.
	Associate Solicitor for Black Lung Benefits.
Office of Chief Financial Officer	Deputy Chief Financial Officer.
OAS for Administration and Management	Director of Human Resources.
	Director of Information Technology.
	Director Office of Budget.
	Director Business Operations Center.
	Director of Civil Rights.
	Director, Management Systems Development and Innovation.
	Director of Safety and Health.
	Director of Information Technology Operations.
	Deputy Assistant Secretary for Budget and Strategic and Performance Planning.
	Deputy Assistant Secretary for Operations.
Employment Standards Administration	Dir Ofc of Mgmt, Administration and Planning.
	Deputy Director, Employment Standards Administration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Federal Contract Compliance Programs	Director Division of Programs Operations.
Wage and Hour Division	Dep Natl Ofc Program Administrator.
	Deputy Wage and Hour Administrator (Operations).
	Principal Deputy Wage & Hour Administrator.
Office of Workers Compensation Programs	Dir Federal Employees Compensation.
	Dir Coal Mine Workers Compensation.
Pension and Welfare Benefits Administration	Dir of Regulations & Interpretations.
	Dep Asst Secy for Program Operations.
	Director of Exemption Determinations.
	Senior Policy Advisor.
	Regional Director—Boston.
	Regional Director—Atlanta.
	Regional Director—Kansas City.
	Regional Director—San Francisco.
	Dir of Enforcement.
	Director of Health Plan Standards Compliance and Assistance.
	Director of Participant Assistance and Communications.
	Director of Information Management.
Bureau of Labor Statistics	Associate Commissioner for Field Operations.
	Associate Commissioner for Administration.
	Assoc Commissioner for Employment Projections.
	Assoc Comr for Prices and Living Conditions.
	Assoc Commr Productivity & Technology.
	Deputy Commissioner.
	Assoc Commissioner/Survey Methods Research.
	Assoc Comm for Employment & Unempl Statistics.
	Asst Commr for Indust Prices & Price Indexes.
	Director of Survey Processing.
	Dir of Technology & Computing Svcs.
	Asst Commissioner for Current Employ Analysis.
	Associate Comr for Technology & Survey Processing.
	Asst Comr for Compensation Levels & Trends.
	Asst Comr for Safety', H & W Conditions.
	Assoc Comr Compensation & Working Conditions.
	Asst Comm for International Prices.
	Assoc Commr for Publications & Spec Studies.
	Asst Commr for Consumer Prices/Price Indexes.
	Asst Commr for Fedl/State Coop Stat Programs.
Employment and Training Administration.	Admr, Ofc of Financial & Administrative Mgmt.
	Director, Office of Career Transition Assistance.
Occupational Safety & Health Administration	Director, Technical Support.
	Director Safety Standards Programs.
	Director, Federal/State Operations.
	Dir, Adm Progs.
Mine Safety and Health Administration	Director of Administration and Management.
	Director of Technical Support.
	Director of Prog Evaluation & Info Resources.
Veterans Employment and Training Service	Director of Resource Management.
Merit Systems Protection Board:	
Office of the Clerk of the Board	Clerk of the Board.
Office of Financial and Administrative Management	Director, Financial and Administrative Management.
Office of Policy and Evaluation	Director, Office of Policy & Evaluation.
Office of Information Resources Management	Director, Information Resources Management.
Office of Regional Operations	Director, Office of Regional Operations.
Atlanta Regional Office	Regional Director, Atlanta.
Central Region, Chicago Regional Office.	Regional Director, Chicago.
Northeast Region, Philadelphia Regional Office	Regional Director, Philadelphia.
Western Region, San Francisco Regional Office	Regional Director, San Francisco.
Washington, DC Region, Washington Regional Office	Regional Director, Washington, DC
National Aeronautics and Space Administration:	
National Aeronautics and Space Administration	Manager, Earth Sciences Department.
	Director of Program Operations.
	Senior Program Executive, Advanced Technology Program Management.
	Senior Systems Engineer.
Office of the Chief Financial Officer/Comptroller	Deputy Chief Financial Officer.
	Director, Financial Management Division.
	Director, Resources Analysis Division.
	Deputy Dir, Financial Management Division.
	Associate Chief Financial Officer IFMP.
	Special Assistant.
Office of Headquarters Operations	Director Headquarters Acquisition Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Equal Opportunity Programs	Director, Discrimination Complaints Division.
	Director, Multicultural Prog & Support Div.
Office of Human Resources & Education	Director, Management System Division.
	Associate Administrator for Human Resources.
	Director, Education Division.
	Director, Personnel Division.
	Director, Management Systems Division.
	Dep Assoc Adm for Human Res & Education.
	Special Asst to the Associate Admr.
	Director, Training & Development Division.
Office of Procurement	Asst Admr for Procurement.
	Asst Admr for Procurement.
	Director, Program Operations Division.
	Director, Contract Management Division.
	Dep Assistant Administrator for Procurement.
	Dir Contract Management Division.
	Director Analysis Division.
Office of External Relations	Dep Assoc Admin for External Relations (Space Flight).
	Director, Space Flight Division.
	Manager, International Technol Transfer Pol.
	Director, Space Flight Division.
	Director, Research Division.
	Director, Earth Science Division.
	Director, Space Science and Aeronautics Division.
	Manager, International Technology Transfer Policy.
Office of Management Systems & Facilities	Director, Facilities Engineering Division.
	Special Assistant to the Assoc Administrator.
	Dir Environmental Management Division.
	Deputy Chief Engineer for Systems Engineering.
Security, Logistics & Industrial Relations	Dir, Logistics & Security Division.
Aircraft Management	Director, Aircraft Management Office.
Information Resources Management	Director, Information Resources Mgmt Division.
Facilities Engineering	Deputy Director, Facilities Engineering Div.
	Dir Environmental Management Division.
Office of Small & Disadvantaged Business Utilization	Assoc Admr for S & D Business Utilization.
Office of Legislative Affairs	Dep Assoc Admin.
	Dep Assoc Admin for Programs.
	Director Liaison Division.
Office of Space Flight	Spec Asst to Dep Assoc Adm for Space Shuttle.
	Deputy Chief.
	Director, Advanced Project Office.
	Senior NASA Representative.
	Dep Assoc Administrator for Space Flight Dev.
	Deputy Assoc Admr for Space Communications.
	Deputy Associate Admin, for Business Management.
	Deputy Associate Admin, for Space Operations.
	Special Assistant to the Associate Administrator.
Institutions	Deputy Associate Administrator for Interagency Enterprise.
	Techn Asst to the Dep Assoc Adm for Bus Mgmt.
Chief Engineer	Tech Asst to the Chief Engineer.
	Senior Engineer.
Mission Director	Asst Mission Dir Mir.
Space Flight Operations	Manager Space Shuttle Syst Integration.
	Mgr, Natl Space Trans Syst Integration & Ops.
	Manager, Safety & Obsolescence.
Space Flight Development	Manager Strategic Utilization &amp Ops Office.
	Deputy Director, Space Station Program.
	Deputy Associate Administrator for Space Development.
Johnson Space Center	Chief Financial Officer.
	Director of Human Resources.
	Dir of Tech Transfer & Commercialization.
	Chief Information Officer.
	Deputy Chief Information Officer.
	Associate Director (Technical).
	Assistant Director, Space Operations.
	Manager Advanced Communications Operations.
	Associate Director (Management).
	Assistant Director for University Research and Affairs.
	Manager Eva Project Office.
	Director, Public Affairs Office.
	Manager for International Operations.
	Chief Engineer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Space Operations Office	Manager, Space Operation Mgmt Office.
	Manager, Space Ops Engineering Office.
	Director, Space Operations Office.
	Deputy Dir, Space Operations Office.
	Director Space Operations.
	Space Operations Commercialization Manager.
Space Station Program Office	Space Station Vehicle Manager.
	Director, Management Operations.
	Deputy Space Station Vehicle Manager.
	Manager International Partners Office.
	Tech Asst to the Mgr, Space Station Program.
	Dep Program Manager for Business Management.
	Deputy Program Mgr for Technical Development.
	Manager, Research Programs.
	Technical Assistant for External Reviews.
	Business Manager.
	Manager, Space Station Payloads Office.
	Space Station Program Manager.
	Manager, Avionics and Software Office.
	Manager, Program Integration Office.
Space Shuttle Program Office	Mgr, Space Shuttle Vehicle Engineer Ofc.
	Manager, Shuttle Projects Office (MSFC).
	Mgr, Launch Integration (KSC).
	Mgr, Space Shuttle Business Office.
	Asst Mgr, Space Shuttle Prog Space Flight O/C.
	Asst Manager Space Shuttle Program.
	Manager for Space Shuttle Program Development.
	Manager, Space Shuttle Program Integratin.
Mission Operations	Director, Mission Operations.
	Chief Flight Director Office.
	Deputy Director, Mission Operations.
	Asst Dir for Operations.
	Chief Engineer, Mission Operations Directorate.
	Chief Flight Director Office.
Flight Crew Operations	Chief, Aircraft Operations Division.
	Dep Dir, Flight Crew Operations.
	Manager, Phase One Program Office.
	Asst Chief, Aircraft Operations Division.
	Chief Astronaut Office.
Engineering	Chief Structures and Mechanics Division.
	Chief, Crew & Thermal Systems Division.
	Deputy Director, Engineering.
	Chief, Automation, R&S Division.
	Director, Engineering.
	Chief, Engineer Space Station Program.
	Chief Avionic Systems Division.
	Assistant to the Director, Engineering.
	Deputy Chief, Avionic Systems Division.
	Chief, Aeroscience & Flight Mechanics Div.
	Manager, Advanced Development Office.
	Deputy Mgr, Advanced Development Office.
	Asst Mgr, Advanced Development Office.
	Deputy Manager for Exploration.
	Chief Energy Systems Division.
	Chief, Manufacturing, Materials, & Process Tech Div.
	Deputy Director of Engineering for Flight.
Space & Life Sciences	Chief, Medical Sciences Division.
	Assistant Director for Engineering.
	Assistant to the Director for Russian Progs.
	Chief, Flight Crew Support Division.
	Associate Director, Space & Life Sciences.
	Manager Science Payloads Management Office.
	Chief, Solar System Exploration Division.
	Deputy Director, Space and Life Sciences.
	Assistant Director for Flight Programs.
	Assistant Director for Space Medicine.
	Asst Director, Space and Life Sciences.
	Deputy Director, Astromaterials Research and Exploration Science.
Information Systems	Dep Dir Information Systems.
	Director, Information Systems.
	Deputy Director, Information Systems.
Business Management	Procurement Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Director, Business & Info Systems.
	Special Assistant to the Director.
	Manager Space Station Business Office.
	Asst Dir Business Management.
	Deputy Director, Business Management.
Center Operations	Dir Center Operations.
	Deputy Director, Center Operations.
Safety, Reliability & Quality Assurance	Dir, Safety, Reliability, & Quality Assurance.
	Dir, Enterprise Safety & Mission Assurance.
	Deputy Director for Russian Projects.
	Deputy Director SR&QA.
	Assistant Director for Space Flight Awareness.
White Sands Test Facility	Manager, NASA White Sands Test Facility.
Kennedy Space Center	Dir Public Affairs.
	Associate Director.
	Chief Counsel.
	Asst Dir for Advanced Devel & Shuttle Upgrades.
	Dir, Space Station Hardware Integration Ofc.
	Director, Safety Assurance.
	Deputy Director for Planning and Projects.
	Manager Launch Integration (KSC).
	Dep Mgr Elv & Payload Carriers Program Office.
	Director, John F. Kennedy Space Center.
	Associate Director, John F. Kennedy Space Center.
	Director, Workforce and Diversity Management.
	Chief Financial Officer.
	Executive Director, Joint Performance Management Office.
	Director, Procurement Office.
	Director of Shuttle Processing.
	Deputy Director of Shuttle Processing.
	Director of Safety, Health & Independent Assessment.
	Deputy Director of Safety, Health & Independent Assessment.
	Associate Director for Agency Occupational Health Program.
	Associate Director for Safety & Mission Assurance.
	Associate Director for Systems Management.
	Director, Space Station Hardware Integration Office.
	Director of Spaceport Services.
	Deputy Director of Spaceport Services & CIO.
	Associate Director of Spaceport Services and Chief Medical Officer.
	Director of ISS/Payload Processing.
	Associate Director for Spaceport Technology Projects.
	Special Assistant to the Director.
	Deputy Director, Safety & Mission Assurance.
Shuttle Management & Operations	Dir of Shuttle Operations.
	Director of Process Integration.
	Deputy Dir of Shuttle Processing.
	Director Process Engineering.
Safety and Mission Assurance	Dep Dir of Safety and Mission Assurance.
Installation Operations	Director, Installation Operations.
	Deputy Dir. of Installation Mgmt & Operations.
Payload Processing	Director, Expandable Vehicles.
	Director Logistics Operations.
	Dir Inter Space Station Launch Site Support.
Procurement	Director, Procurement.
Biomedical Office	Director, Biomedical Office.
Marshall Space Flight Center	Chief Financial Officer.
	Director, Safety & Mission Assurance Office.
	Associate Director.
	Assistant to the Center Dir for Space Station.
	Associate Director (Technical).
	Manager, Space Transportation Prog Office.
	Manager X–34 Program.
	Assistant to the Manager, X–34 Program.
	Deputy Manager, Space Shuttle Projects Office.
Science Directorate	Deputy Manager for Space Station Research.
	Deputy for Management.
	Assistant Director for Space Propulsion Systems.
	Deputy Director, Science.
	Manager, Microgravity Science and Applications Department.
	Chief Operating Officer, National Space Science & Technology Center.
Program Development	Deputy Manager, Technology Transfer Office.
	Dir, Research & Technology Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Engineering Directorate	Deputy Director, Program Development.
	Deputy Director, Program Development.
	Director, Space Sciences Lab.
	Director, Propulsion Laboratory.
	Director, Syst Anal & Integration Laboratory.
	Dep Dir Structures & Dynamics Laboratory.
	Deputy Dir, Materials & Processes Laboratory.
	Dep Dir, Mission Operations Laboratory.
	Dep Dir, Syst Anal & Integration Laboratory.
	Deputy Director, Propulsion Laboratory.
	Manager, Avionics Department.
	Dir Structures Dynamics Laboratory.
	Deputy Director, Structures & Dynamics Lab.
	Chief Engineer Space Shuttle Main Engine Proj.
	Asst Director Science & Engineering.
	Manager Space Station Furnace Facility.
	Director, Mission Operations Laboratory.
	Dep Manager Super Lightweight External Tank.
	Manager, Engineering Systems Department.
	Deputy Director, Space Sci Laboratory.
	Chf Eng. Reusable Launch Vehicle Project.
	Assistant to the Director, Engineering.
	Deputy Director, Engineering.
	Deputy Manager, Materials, Processes and Manufacturing Dept.
	Deputy Manager, Structures, Mechanics and Thermal Department.
Avionics Department	Deputy Manager, Avionics Department.
Center Operations Directorate	Director, Information Systems Services Office.
	Director, Procurement Office.
	Dep Dir, Institutional & Program Support.
	Director, Facilities Office.
	Dir Environmental Engineering & Mgnt Office.
	Director Center Operations.
	Deputy Director, Center Operations.
	Manager, Information Services Department.
Space Shuttle Projects	Manager, External Tank Project.
	Mgr Solid Rocket Booster Project.
	Manager Space Shuttle Main Engine Projects.
	Manager, Reusable Solid Rocket Motor Project.
	Chief Engineer Space Shuttle Main Engine Prog.
Global Hydrology Research Office	Manager, Global Hydrology Research Office.
	Manager, Materials, Processes, and Manufacturing Department.
	Manager Microgravity Research Program Office.
Chandra X-Ray Observatory Program Office	Manager, Observatory Projects Office.
	Dep Mgr, Observatory Projects Office.
Flight Projects Directorate	Deputy Director, Flight Projects.
	Assistant to the Director, Flight Projects.
	Manager, Payload Operations and Integration Department.
	Chief Engineer.
	Manager, Ground Systems Department.
	Manager, Flight Systems Department.
Space Transportation Directorate	Director, Advanced Transportation Syst Office.
	Dep Manager Space Transportation Prog Ofc.
	Manager X–33 Program.
	Manager, Vehicles and Systems Development Department.
	Manager, Test and Evaluation Department.
	Manager, Second Generation Rlv Program Office.
	Manager, Pathfinder Program.
	Manager, Pathfinder Program.
	Manager, Subsystem and Components Development Department.
	Deputy Director Space Transportation Directorate.
	Chief Engineer, Space Transportation.
	Manager, Propulsion Research Center.
Technology Transfer	Director, Technology Transfer Office.
	Mgr Earth & Space Sciences Projects.
Customer and Employee Relations Directorate	Director, Customer and Employee Relations.
	Deputy Dir, Customer and Employee Relations.
	Liaison for Diversity Administration.
Stennis Space Center	Deputy Director, NASA Stennis Space Center.
	Director, Propulsion Test Directorate.
	Deputy Director, Propulsion Test Directorate.
	Chief Financial Officer.
	Special Assistant to the Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Center Operations & Support Directorate.
	Manager, Propulsion Test Program Office.
Office of Space Communications	Chief, Communications Systems Branch.
Ground Networks	Assistant Associate Administrators (Plans).
Communications & Data Systems	Dep Dir, Ground Network Division.
Office of Public Affairs	Senior Public Affairs Advisor.
Office of Safety & Mission Assurance	Dep Assoc Adm for Safety & Mission Quality.
	Director, Programs Assurance Division.
	Mgr Intl Sp Stn Indep A & O Act.
	Technical Advisor for Sr M Qa Initiatives.
	Dir, Human E & D of Space (HEDS) Indep Assur.
Safety & Risk Management	Director, Safety & Risk Management Division.
Engineering & Quality Management	Director, Quality Management Office.
Office of Aerospace Technology	Dep Assoc Admin for Aeronautics Mgmt.
	Director, Commercial Dev & Technol Transfer.
	Dir Space Transportation Division.
	Senior Engineer.
	Director, Inter-Enterprise Operations.
	Director, Research Support Division.
	Director, Goals Division.
Resources & Management Systems	Director, Resources Management Office.
High Performance Aircraft	Assistant Director for Program Evaluation.
High Speed Research	Director, Alliance Development Office.
National Aero-Space Plane	Assistant Dir for Aircraft Certification Serv.
Ames Research Center	Chief Financial Officer.
	Deputy Director, Information Science and Technology.
	Deputy Director, Ames Research Center.
	Assistant Director for Information Technology.
	Director, Office of Safety, Environment & Mission Assurance.
	Assistant to the Director.
	Chief, Computational Sciences Division.
	Associate Director for Astrobiology & Space Programs.
	Chief Counsel.
	Associate Director for Systems Management and Planning.
	Special Assistant for Software Integration.
Aerospace	Dep Dir Flight Projects Office.
	Chief, Space Technology Division.
	Chief, Aviation Systems Research Technology & Simulation.
	Chief, Army/NASA Rotorcraft Division.
	Deputy Director of Aerospace.
Aerophysics	Chief, NAS Systems Division.
Astrobiology and Space Research	Director of Astrobiology and Space Research.
	Chief, Life Sciences Division.
	Deputy Director of Astrobiology and Space Research.
Center Operations	Deputy Director, Center Operations.
Research and Development Services	Chief Systems Engineering Division.
	Chief, Wind Tunnel Operations Division.
	Director, Research and Development Services.
	Deputy Director, Research and Development Services.
Information Sciences and Technology	Chief, Human Factors Research & Technology Div.
Dryden Flight Research Center	Dir Aerospace Projects Directorate.
	Chf, Flight Operations Division.
	Asst Chief, Flight Operations Division.
	Director, Intercenter Aircraft Operations.
	Asst Dir for Program Integration.
	Assistant Director of Research Facilities.
	Director, Airborne Science Directorate.
	Associate Director For Operations.
	Director Research Facilities Directorate.
	Chief Financial Officer (Financial Manager).
	Chief Information Officer.
	Director, Aerospace Proj Directorate.
	Dep, Director, Aerospace Projects.
	Aerospace Engineer (Ch Engineer.
	Associate Director for Planning.
Langley Research Center	Chief Atmospheric Sciences Division.
	Facility Group Director for the Aerospace Technology Enterprise.
	Dir Independent Prog Assess Office.
	Dir of Education Programs.
	Assistant Director for Planning.
	Special Assistant for Outreach.
	Manager, Hyper-X Phase One Program.
	Dep Dir Indep Progr Assessment Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir Indep Progr Assessment Office.
	Director, Airborne Systems.
	Director.
	Special Assistant to the CFO.
	Director, Aviation Safety Program Office.
	Associate Director for Program Integration.
	Director, Earth and Space Science Program Office.
	Dir., Aerodynamics, Aerothermodynamic, and Aeropropulsion Facility Group.
	Deputy Director, Facilities and Test Techniques, AAAC.
Aeronautics	Chief, Aeornautics Systems Analysis Div.
	Deputy Director, Airframe Systems Prog Office.
Space & Atmospheric Sciences	Deputy Dir, S & A Sciences Program Group.
	Dir, Aerospace Transportation Program Office.
	Chief, Space Systems and Concepts Division.
Research & Technology Competencies	Director.
	Chief Structures Division.
	Chief Information & Electromagnetic Tech.
	Chf, Flight Dynamics & Controls Division.
	Chief, Fluid Mechanics Division.
	Deputy Dir, Research & Technology Group.
	Chief Aerodynamics Division.
	Director, Research & Technology Group.
	Chief, Aero & Gas Dynamics Division.
	Chief, Materials Division.
Technology Applications	Manager Space Technologies Thrust Office.
Internal Operations	Deputy Dir, Internal Ops Group (FE&O).
	Chief Aerospace Mechanical Systems Division.
	Chief Experimental Testing Technology Div.
	Special Asst, Internal Operations Group.
	Special Assistant.
	Procurement Officer.
	Chief Aerospace Mechanical Systems Division.
	Director, Internal Operations Group.
	Chief, Simulation and Research Aircraft Div.
High-Speed Research Project	Director for High-Speed Res Project Office.
	Chief Engineer, High-Speed Research.
Aerospace Vehicle Systems Technology Program Office	Dep Dir Aerospace Trans Technol Office.
	Dep Dir Aerospace Transportation Tech Ofc.
	Dir Aerospace Transport Technology Office.
Safety & Mission Assurance	Dir, Ofc of Safety, E&M Assurance.
Comptroller	Chief Financial Officer.
Glenn Research Center	Special Assistant to the Director for Policy.
	Chief Financial Officer.
	Deputy Director for Operations.
	Assistant Deputy Director for Policy.
	Chief, Engineering Design and Analysis Division.
Aeronautics	Chf, Internal Fluid Mechanics Division.
	Chf, Aeropropulsion Analysis Office.
	Deputy Director of Aerospace Technology.
	Chief, High-Speed Systems Office.
	Chief, Subsonic Systems Office.
	Chief, Ultra Efficient Engine Technology Office.
Research and Technology	Chief, Space Propulsion Technology Division.
	Chief, Turbomachinery & Propulsion Syst Div.
	Chief, Materials Division.
	Chief, Structures and Acoustics Division.
	Chief, Space Communications Division.
	Chief, Power & On-Board Propulsion Techn Div.
	Chief, Interdisciplinary Technology Office.
Space	Chief, Microgravity Division.
	Chief, Space Experiments Division.
	Deputy Director of Space.
	Chief Power Systems Project Office.
	Senior Advisor for Advanced Concepts.
Engineering and Technical Services	Chief, Computer Services Division.
	Chf, Electronics & Control Systems Division.
	Director of Engineering & Technical Services.
	Deputy Dir of Engineering & Tech Services.
	Chief Engineer.
	Chief, Systems Engineering Division.
Administration & Computer Services	Dir, Adm & Computer Services Directorate.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
External Programs	Director, External Programs.
Mission Safety & Assurance	Dir, Ofc of Sfty, Environml & Mission Assur.
Office of Space Science	Special Ast to the Deput Assoc Admin.
	Asst Associate Admr for Technology.
	Director, Research Program Management.
	Technical Assistant to the Director, Office of Space Science.
	Technical Assistant to the Director, Office of Space Science.
	Science Program Director.
	Director, Administration and Resource Management Division.
	Senior Program Executive Space Science Program Management.
	Deputy Director Research Program Management Division.
	Deputy Director Flight Program Division.
	Senior Program Executive for Decadal Planning Team (Science).
Solar System Exploration	Science Program Director.
	Director, Mission & Payloa Development Div.
	Senior Program Executive for JPL Program.
	Dir. Advanced Technol & Mission Studies Div.
Space Physics	Senior Program Executive for GSFC/Apl Progs.
	Science Program Dir. Sun-Earth Connection.
	Sr Sci Prog Executive for Review & Evaluation.
Technology & Information Systems	Director, Hq Info, Technology and Comm Divi.
	Sr Sci Program Executive for Information Syst.
Astrophysics	Science Program Director, Galaxy & Universe.
	Deputy Dir Astrophysics Division.
	Asst Assoc Admr for Education & Outreach.
	Science Prog Dir. Origins & Planetary Systems.
Office of Life & Microgravity Sciences & Applications	Chief, Advanced Plans Office (Staff).
	Manager, Life Sciences and Technology.
	Dir Life & Biomedical Science & Applics Div.
	Chief Mission Management Branch.
	Dir, Microgravity Sciences & Applications Div.
	Dir, Space Processing Division.
	Director, Space Utilization & Product Development Division.
Office of Inspector General	Assistant Inspector General for Audits.
	Assist Inspector General for Investigation.
	Manager, Advanced Technology Programs.
	Assistant Inspector General for Inspections, Administrative.
	Investigations, and Assessments.
	Counsel to the Inspector General.
	Assistant Inspector General, Network and Advanced Technology.
	Protections Office.
	Director, Technical Services Office.
	Director, Computer and Technology Crimes Office.
Office of Space Access & Technology	Manager Systems Integration.
	Manager, Communications Experiments.
	Manager for Propulsion Technology.
	Special Assistant for Special Projects.
Office of Earth Science	Dep Assoc Admr for Mission to Planet Earth.
	Senior Science Advisor for Intl Programs.
	Director, Mission to Planet Earth.
	Senior Engineer, Program Integration.
	Dir Applications & Outreach Division.
	Director, Business Division.
	Deputy Associate Administrator Advanced Planning.
	Deputy Associate Administrator for Mission to Planet Earth.
	Assistant Associate Administrator for Office of Earth Science.
Science	Director Science Division.
Goddard Space Flight Center	Dir of University Programs.
	Chief, NASA Somo Mission Services Offices.
	Associate Director Program Manager for Exlporers.
	Deputy Associate Director for EOS–G Development.
	Associate Director/Program Manager for the Hubble Space Telescope (HST).
	Deputy Associate Director for Hubble Space Telescope (HST) Development.
	Deputy Director for Systems Management.
	Deputy Director of Applied Engineering and Technology for Planning and Development.
Human Resources	Director of Human Resources.
Comptroller	Chief Financial Officer/Comptroller.
Managment Operations	Dep Dir of Management Operations.
	Associate Director for Acquisition.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Flight Assurance	Director of Flight Assurance.
	Dep Dir of Flight Assurance.
Flight Projects	Deputy Director of Flight Projects.
	Project Mgr. Opns & Ground Systems.
	Project Mgr, Earth Observing Syst AM Project.
	Geostationary Opl Environmental Satellite PM.
	Dir of Flight Projects.
	Tracking & Data Rela Satellite TDRS Proj Mgr.
	Assoc Dir for Earth Sci Data & Info System.
	Proj Mgr, EOS–Pm Proj Flight Proj Direct.
	Project Mgr, Earth Sci D & I Syst Project.
	Dep Dir Flight Projects for Plan & Bus Mgnt.
	Project Manager, Poes.
	Associate Director of Fight Projects for Eos.
	Associate Director/Program Manager for the Earth Explorers Program Office.
Applied Engineering & Technology Directorate.	Deputy Asso Dir of Flight Proj Cor Net & Miss Serv Proj.
	Asso Dir of Flight Proj for Network & Miss Serv Proj.
	Deputy Director of Applied Eng & Technology.
	Chief Information Systems Center.
Systems, Technology and Advanced Concepts	Dep Dir of Systems, Tech & Advanced Concepts.
Space Sciences	Chief, Lab for Astronomy and Solar Physics
	Chief, Lab for Extraterrestrial Physics.
	Director of Space Sciences.
	Chief, Goddard Institute for Space Studies.
	Chief Laboratory for High Energy Astrophysics.
	Deputy Director of Space Sciences.
Engineering	Chief Engineer.
	Associate Director of Flight Projects.
	Chief, Mechanical System Center.
	Chief, Systems Engineering Division.
	Chief Technology Commercialization Office.
Earth Sciences	Chief Lab for Hydrospheric Processes.
	Chief, Space Data and Computing Division.
	Asst Dir of Earth Sci for Projects Eng.
	Chf, Laboratory for Atmospheres.
	Deputy Director for Earth Sciences.
	Director for Earth Sciences.
	Chief Laboratory for Terrestrial Physics.
	Deputy Assoc Dir for Earth Sci D & I Syst.
	Asst Dir of Mission to P/E Prog for Globe.
Office of Policy and Plans	Director of Special Studies.
	Director of Special Projects.
National Archives & Records Administration:	
Archivist of US Dep Archivist of the US/Chf of Staff	Deputy Archivist of the United States.
Office of Administrative Services	Assistant Archivist for Administrative Serv.
Office of the Federal Register	Director of the Federal Register.
Office of Regional Records Services	Asst Archivist for Regional Records Services.
Office of Human Resources and Information Services	Asst Archivist for Human Resources & Info Ser.
Office of Records Services—Washington, DC	Asst Archivist for Records Services.
Office of Presidential Libraries	Asst Archivist for Presidential Libraries.
	Director, Lyndon B. Johnson Library.
National Capital Planning Commission:.	
National Capital Planning Commission Staff	Executive Director.
	Assistant Executive Director (Management).
	Deputy Executive Director.
	Assistant Executive Director (Programs).
	General Counsel.
National Endowment for the Arts:	
National Endowment for the Arts	Deputy Chairman for Guidelines, Panel and Council Operations.
	Deputy Chairman for Management and Budget.
	Chief Information Officer.
National Endowment for the Humanities:	
National Endowment for the Humanities	Director, Office of Strategic Planning.
	Assistant Chairman for Planning and Operations.
National Labor Relations Board:	
Ofc of the Board Members	Executive Secy.
	Deputy Executive Secretary.
	Inspector General.
Div of Enforcement Litigation	Deputy Assoc. Gen. Counsel Appellate Court Br.
	Director, Office of Appeals.
Div of Advice	Associate Gen Counsel, Div of Advice.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Assoc Gen Counsel.
Div of Administration	Director of Administration.
	Deputy Director of Administration.
	Chief Information Technology Branch.
Div of Operations Management	Assoc General Counsel, Div of Operation-Mgmt.
	Dep Asso Gen Counsel, Div of Operation-Mgmt.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Asst to the General Counsel.
Regional Offices	Regl Dir Reg 1 Boston
	Regional Director, Reg. 2, New York.
	Regional Director, Reg. 3, Buffalo.
	Regl Dir Reg 4 Philadelphia.
	Regional Director, Reg. 5, Baltimore
	Regional Director, Reg. 6, Pittsburgh.
	Regl Dir, Region 7, Detroit Mich.
	Regional Director, Reg. 8, Cleveland.
	Regional Director, Reg. 9, Cincinnati.
	Regl Dir Reg 10 Atlanta.
	Regl Dir., Reg 11, Winston Salem.
	Regional Director, Reg. 12, Tampa .
	Regional Director, Reg. 13, Chicago.
	Regl Dir Reg 14 St Louis.
	Regl Dir Reg 15 New Orleans.
	Regl Dir Reg 16 Ft Worth.
	Regl Dir Reg 17 Kansas City.
	Regl Dir Reg 18 Minneapolis.
	Regl Dir Reg 19 Seattle.
	Regional Dir, Reg. 20, San Francisco.
	Regional Director, Reg 21, Los Angeles.
	Regional Director, Reg 22, Newark.
	Regional Director, Reg 24, Hato Rey Puerto Rico.
	Regl Dir Reg 25, Indianapolis.
	Regl Dir Reg 26 Memphis.
	Regl Dir Reg 27 Denver.
	Regl Dir Reg 28 Phoenix.
	Regl Dir Reg 29 Brooklyn.
	Regl Dir Reg 30 Milwaukee.
	Regl Dir Reg 32 Oakland.
	Regional Director Reg 33, Peoria, Ill.
	Regl Dir Reg 31 Los Angeles.
	Regional Director, Reg. 34 Hartford.
National Science Foundation:	
Office of the Director	Senior Advisor.
	Senior Advisor.
	Senior Advisor.
	Senior Staff Associate.
	Senior Advisor.
Office of Integrative Activities	Senior Science Advisor.
	Senior Science Advisor.
	Senior Scientist.
Office of the General Counsel	Deputy General Counsel.
Office of Polar Programs	Head Polar Research Support Section.
Office of the Inspector General	Inspector General.
	Associate Inspector General for Scientific Integrity.
	Deputy Inspector General.
	Associate Inspector General for Audit.
National Science Board	Senior Policy Officer.
Directorate for Geosciences	Sr Science Assoc for Geosciences Education.
Division of Atmospheric Sciences	Head, Upper Atmosphere Section.
Division of Earth Sciences	Head, Special Projects Section.
	Head, Special Projects Section.
	Head, Research Grants Section.
Division of Ocean Sciences	Head, Oceans Section.
	Senior Scientist/Section Head.
Directorate for Engineering	Senior Advisor.
Division of Engineering Education & Centers	Deputy Division Director (Education).
	Senior Staff Associate.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Senior Engineering Advisor.
Division of Design, Manufacture & Industrial Innovation	Senior Advisor, Technology Integration
	Senior Advisor.
Division of Civil and Mechanical Systems	Senior Advisor.
Directorate for Biological Sciences	Deputy Assistant Director.
Division of Environmental Biology	Deputy Division Director.
Directorate for Mathematical and Physical Sciences	Executive Officer.
	Senior Science Associate.
Division of Physics	Executive Officer.
Division of Mathematical Sciences	Executive Officer.
Division of Materials Research	Executive Officer.
Directorate for Education & Human Resources	Deputy Assistant Director.
	Dep Asst Dir for Integrative Activities.
Division of Research, Evaluation & Communication	Senior Advisor for Research.
Directorate for Social, Behavioral and Economic Sciences	Senior Advisor.
Division of International Programs	Deputy Division Director.
	Senior Staff Associate.
	Senior Advisor.
	Senior Staff Associate.
Directorate for Computer & Info Science & Engineering	Executive Officer.
Office of Budget, Finance and Award Management	Director, BFA and CFO.
	Senior Advisor.
	Deputy Director—Management, Operations and Policy.
	Deputy Director—Planning, Coordination & Analysis.
Budget Division	Division Director.
Division of Financial Management	Division Director and Deputy CFO.
Division of Grants & Agreements	Division Director.
Division of Contracts, Policy & Oversight	Division Director.
	Senior Advisor.
Office of Information and Resource Management	Deputy Director, OIRM and Deputy CIO.
Division of Information Systems	Dep Dir, Div of Information Systems.
Division of Human Resource Management	Division Director.
	Deputy Division Director.
Division of Administrative Services	Division Director.
	Deputy Division Director.
National Transportation Safety Board:	
National Transportation Safety Board	Chief Technical Advisor.
Office of the Managing Director	Managing Director.
	Assoc Managing Dir Safety & Development.
	Assoc Managing Director for Quality Assurance.
Office of Aviation Safety	Director Ofc of Aviation Safety.
	Dep Dir, International Aviation Safety Affairs.
	Deputy Director, Tech and Inv Operations.
Office of Research & Engineering	Dir Ofc of Research and Engineering.
	Deputy Dir Ofc of Research and Engineering.
Office of Chief Financial Officer	Chief Financial Officer.
Office of Safety Recommendations and Accomplishments	Dir Ofc of Safety Recommendations & Accomplis.
Office of Railroad, Pipeline and Hazardous Materials Investigations	Director, Office of Railroad, Pipeline and Hazardous Materials Investigations.
Nuclear Regulatory Commission:	
Atomic Safety and Licensing Brd Panel	Chief Administrative Judge.
	Deputy Chief Administrative Judge (Executive).
Office of the Chief Information Officer	Dir, Applications Development Division.
	Dir, Information Technology Infrastructure Division.
	Director, Information, Records and Document Division.
	Director, Planning & Resource Mgmt Division.
	Director, Web Publishing and Distribution Division.
Office of the Chief Financial Officer	Director, Division of Planning, Budget and Analysis.
	Dir Division of Accounting and Finance.
	Special Assistant for Internal Controls.
	Deputy Chief Financial Officer.
	Director, Starfire Project.
Office of the Inspector General	Asst Inspector General for Audits.
	Deputy Inspector General.
	Assistant Inspector Gen for Investigations.
Associate General Counsel for Licensing and Regulation	Deputy Assistant GC/Legislative Counsel.
Associate General Counsel for Hearings, Enforcement and Administration.	Deputy Assistant GC for Administration.
Office of Commission Appellate Adjudication	Dir Ofc of Comm Appellate Adjudication.
Office of Administration	Director Div of Contracts & Prop Mgmt.
	Dir, Div of Administrative Services.
	Dir, Div of Facilities and Security.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Incident Response Operations	Director, Incident Response Operations.
	Dep Dir, Incident Response Operations.
Office of Investigations	Deputy Director, Office of Investigations.
Office of Small Business and Civil Rights	Director.
Office of Nuclear Reactor Regulation	Proj Dir Project Directorate II 1.
	Dir, Prog Mgmt, Policy Dev & Analysis Staff.
Division of Licensing and Project Management	Project Director, Project Directorate I.
	Project Director, Project Directorate II.
	Project Director, Project Directorate IV & Decommissioning.
	Project Director, Project Directorate III.
Associate Director for Inspection and Programs	Director, New Reactor Licensing Project Office.
Division of Inspection Program Management	Chief, Equipment and Human Performance Branch.
	Chief, Reactor Safeguards, Radiation Safety & Emergency Preparedness.
	Chief, Inspection Program Branch.
Division of Regulatory Improvement Programs	Chief, License Renewal and Standardization Branch.
	Chief, Events Assess, Generic Comm & Non-Pwr Reactors Branch.
	Chief, Generic Issues, Envir, Financial & Rulemaking Branch.
	Chief, Technical Specifications Branch.
Division of Engineering	Chief, Materials & Chemical Engineering Br.
	Chief, Mechanical & Civil Engineering Branch.
	Chief, Electrical & Instrumentation & Controls Branch.
Division of Systems Safety & Analysis	Chf, Plant Systems Branch.
	Chf, Reactor Systems Branch.
	Chief, Probablistic Safety Assessment Branch.
	Chief Containment Sys & Severe Accident Brch.
Division of Fuel Cycle Safety & Safeguards	Chief, Fuel Cycle Licensing Branch.
	Chief Special Projects.
	Chief, Safety and Safeguards Support Branch.
Div of Industrial & Medical Nuclear Safety	Chief, Operations Branch.
	Chief, Medical, Acad & Com Use Sfty Branch.
	Chief, Rulemaking and Guidance Branch.
	Chief, Materials Safety and Inspection Branch.
Division of Waste Management	Chief, Engineering & Geosciences Branch.
	Chief, Decommissioning Branch.
	Chief, High-Level Waste Branch.
	Chief, Environmental and Performance Assessment Branch.
Spent Fuel Project Office	Deputy Director, Licensing & Inspection Directorate.
	Dep Dir, Technical Review Directorate.
Ofc of Nuc Regulatory Research	Dir, Program Mgmt, Policy Development & Analysis Staff.
Division of Engineering Technology	Chief, Generic Safety Issues Branch.
	Chief, Elect, M & M Engineer Branch.
	Chief, Structural & Geological Eng Branch.
	Chief, Materials Engineering Branch.
	Chief, Engineering Research Applications Branch.
Division of Systems Analysis and Regulatory Effectiveness	Chief, Regulatory Effectiveness & Human Factors Branch.
	Chief, Safety Margins and Systems Analysis Branch.
	Dep Director, Division of Systems Analysis and Regulatory Effectiveness.
Division of Risk Analysis and Application	Chf Reliability & Risk Assessment Branch.
	Chf, Probabilistic Risk Analysis Branch.
	Chief, Radiation Protection, Environ Risk & Waste Mgmt.
Region I	Deputy Regional Administrator.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director, Division of Reactor Projects.
	Director, Division of Reactor Safety.
	Director, Division of Reactor Projects.
	Dep Dir, Div of Reactor Safety.
	Dep Dir, Div of Nuclear Materials Safety.
Region II	Deputy Regional Administrator Region II.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director, Division of Reactor Projects.
	Director, Division of Reactor Projects.
	Director, Division of Reactor Safety.
	Dep Dir, Div of Reactor Safety.
Region III	Director, Division of Reactor Safety.
	Director, Division of Reactor Projects.
	Dep Regional Administrator Region III.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director Division of Reactor Projects.
	Dep Dir, Div of Reactor Safety.
	Dep Dir, Nuclear Materials Safety.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Region IV	Deputy Regional Administrator Region IV.
	Deputy Director, Div of Reactor Projects.
	Director Div of Reactor Projects.
	Dir, Div of Nuclear Materials Safety.
	Dir, Division of Reactor Safety.
	Dep Dir, Division of Reactor Safety.
Office of Government Ethics:	
Office of Government Ethics	Deputy Director.
	Deputy Dir., for Government R & S Projects.
	Senior Assoc Director for Agency Programs.
Office of Management and Budget:	
Office of the Director	Deputy Associate Dir for Economic Policy.
	Senior Advisor to the Dep Dir for Management.
	Deputy Associate Director for Legislative Affairs.
	Deputy Assistant Director for Administration.
Legislative Reference Division	Asst Dir Legislative Reference.
	Chief, Economics, Science & Govt. Branch.
	Chief, Resources-Defense-International Branch.
	Chief, Labor, Welfare, Personnel Branch.
	Associate General Counsel for Budget.
Office of Federal Procurement Policy	Associate Administrator for Procurement Law and Legislation.
	Associate Administrator for Acquisition Implementation.
Office of Information and Regulatory Affairs	Chief, Information Policy & Technology Branch.
	Chief, Human Resources and Housing Branch.
	Chief, Commerce and Lands Branch.
	Chief, Statistical Policy Branch.
	Chief, Natural Resources Branch.
	Senior Advisor.
	Senior Advisor.
Office of Federal Financial Management	Chief, Financial Standards, Reporting and Management Integrity Branch.
	Deputy Controller.
	Chief Federal Financial Systems Branch.
	Senior Advisor to the Director.
	Senior Advisor to the Director.
Budget Review Division	Dep Asst Dir for Budget Review & Concepts.
	Dep Chief Budget Analysis Branch.
	Chief Budget Analysis Branch.
	Asst Dir for Budget Review.
	Dep Assit Dir for Budget Analysis & Systems.
	Chief, Budget Concepts Branch.
	Chief, Budget Systems Branch.
	Chief, Budget Review Branch.
	Deputy Chief, Budget Review Branch.
International Affairs Division	Chief, State-USIA Branch.
	Chief, Economic Affairs Branch.
	Dep Assoc Dir for Internatl Affairs.
National Security Division	Chief, Command, Ctrl, Comms, & Intellig Branch.
	Chief, Force Structure & Investment Branch.
	Chief Veteran Affairs Branch.
	Dep Assoc Dir for National Security.
	Chief Operations Sup Branch.
Associate Director for Educ, Income Maintenance & Labor	Chief, Labor Branch.
	Chief, Education Branch.
	Dep Assoc Dir for Ed, Income Maint & Labor.
	Chf, Income Maintenance Branch.
	Chief, Personnel, Portal, Exop Branch.
	Senior Advisor.
Transportation, Commerce, Justice & Services Division	D/A for Transp Commerce, Justice & Services.
	Chief Commerce Branch.
	Chief Transportation Branch.
	Chief, Justice/GSA Branch.
Housing, Treasury and Finance Division	Deputy Assoc Dir for Housing Treasury Finance.
	Chief, Treasury Branch.
	Senior Advisor for Cash & Credit Mgmt.
	Chief, Financial Institutions Branch.
	Chief, Housing Branch.
Assoc Dir for Natural Resources, Energy, and Science	Senior Advisor.
Natural Resources Division	Dep. Associate Dir. for Natural Resources.
	Chief, Agricultural Branch.
	Chief, Environment Branch.
	Chief Interior Branch.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Energy and Science Division	Chief, Water and Power Branch.
	Chief Science and Space Programs Branch.
	Dep. Assoc. Dir for Energy & Science.
	Chief, Energy Branch.
	Deputy Associate Director for Energy and Science Division.
Health Division	Deputy Associate Director for Health.
	Chief Health & Financing Branch.
	Chief, Health & Human Services Branch.
	Chief, Public Health Branch.
VA/Personnel Division	Deputy Assoc Director for VA & Personnel.
Office of Personnel Management:	
Office of the Chief Financial Officer	Chief Financial Officer.
	Deputy Chief Financial Officer.
Office of the Inspector General	Deputy Inspector General.
	Asst Inspector General for Audits.
	Assistant Inspector Gen for Investigations.
	Deputy AIG for Audits.
Retirement and Insurance Service	Asst Dir for Retirement Programs.
	Director, Office of Actuaries.
Employment Service	Director, Personnel Res & Development Center.
	Senior Advisor.
	Special Assistant to the Associate Director.
Office of Workforce Relations	Director, Office of Workforce Relations.
	Dir Office of Labor and Employee Relations.
	Director for Human Resources Development.
Investigations Service	Assistant Director for Operaitons.
Office of the Chief Information Officer	Chief Information Officer.
Office of Contracting and Administrative Services	Director of Contractding & Administrative Serv.
Office of Merit Systems Oversight and Effectiveness	Assistant Director for Merit Systems Oversight.
Office of Special Counsel:	
Headquarters, Office of Special Counsel	Assoc Special Counsel (Prosecution).
	Assoc Spec Counsel (Investigation).
	Deputy Associate Spec Counsel for Prosecution.
	Assoc Special Counsel for Disclosure and Complaints Examination.
	Director for Management.
	Assoc Special Counsel Planning and Oversight.
	Associate Special Counsel for Plan & Advice.
Railroad Retirement Board:	
Board Staff	Chief of Technology Service.
	Director of Hearing and Appeals.
	Chief Actuary.
	Director of Field Service.
	Director of Administration.
	Deputy General Counsel.
	Asst Inspector General for Investigations.
	Chief Financial Officer.
	Assistant Inspector General for Audit.
	Director of Taxation.
	General Counsel.
	Director of Programs.
	Chief Information Officer.
	Dir of Operations.
	Dir of Policy & Systems.
	Director of Fiscal Operations.
Securities and Exchange Commission:	
Office of the Executive Director	Associate Executive Director (Finance).
	Associate Executive Director (Administration).
Division of Corporation Finance	Associate Director (Operations).
	Associate Director (Legal).
Office of Compliance Inspections & Examiantions	Senior Adviser.
Small Business Administration:	
Office of the Inspector General	Asst Inspection General for Auditing.
	Asst Inspector General for Investigations.
	Counsel to the Inspector General.
	Deputy Inspector General.
	Assistant Inspector Gen/Inspection & Eval.
	Asst Inspector General for Legal Cousl.
	Assistant Inspector General for Inspections and Evaluation.
Office of the General Counsel	Associate General Counsel for General Law.
	Assoc Gen Counsel Litigation.
	Associate General Counsel for Procurement Law.
Office of Field Operations	District Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
Office of Equal Employment Opportunity and Civil Rights Compliance.	Asst Admr for Equal Employment Opportunity & Civil Rights Compliance.
Office of Hearings and Appeals	Asst Administrator for Hearing and Appeals.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Chief Financial Officer.
Office of Capital Acess	Deputy to the Assoc Dep Administrator for Capital Access.
Office of Financial Assistance	Assoc Administrator for Financial Assist.
	Dep Assoc Admr for Financial Assistance.
	Asst Admr for Portfolio Management.
Office of Surety Guarantees	Assoc Administrator for Surety Guarantees.
Office of Entrepreneurial Development	Deputy to the ADA for Entrepreneurial Dev.
Office of the Chief Information Officer	Chief Information Officer.
Office of Human Resources	Asst Administrator for Human Resources.
Office of Business Development	Associate Administrator for Business Development.
Office of Policy, Planning & Liaison	Associate Administrator for Procurement Policy and Liaison.
Social Security Administration:	
Office of the Inspector General	Deputy Inspector General.
	Counsel to the Inspector General.
Office of Investigations	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigations.
Office of Audits	Asst Inspector Gen for Audits.
	Dep Asst Inspector General for Audits.
Office of Executive Operations	Assistant Inspector General for Executive Operations.
Office of Hearings and Appeals	Assoc Comm for Hearing & Appeals.
	Deputy Assoc Comr for Hearings and Appeals.
	Executive Dir., Ofc of Appellate Operations.
Office of Actuary	Chief Actuary.
	Deputy Chief Actuary (Long-Range).
	Deputy Chief Actuary (Short-Range).
Office of Civil Rights and Equal Opportunity	Deputy Associate Commissioner for Civil Rights and Equal Opportunity.
Office of Labor-Management and Employee Relations	Dir Ofc Labor-Management Employee Relations.
Office of Finance, Assessment & Management	Senior Financial Executive.
Office of Financial Policy and Operations	Assoc Comr, Office of Fin Policy & Operations.
	Dep Assoc Comm Financial Policy & Operations.
Office of Quality Assurance and Performance Assessment	Assoc Commr for Quality Assurance & Performance Assessment.
	Dep Assoc Commr for Quality A & P Assessment.
Information Technology Systems Review Staff	Dir Information Technology System Review Stf.
Office of Acquisition and Grants	Assoc Commissioner for Acquisition & Grants.
Office of Telecommunications and Systems Operations	Assoc Comm for Telecommunications & Sys Oper.
	Deputy Associate Commissioner for T&SO.
	Dep Assoc Commr for T & S Ops (Telecomm).
Office of General Law	Associate General Counsel for General Law.
Department of State:	
Office of the Inspector General	Assistant Inspector General for Audits.
	Asst Inspector General for Investigations.
	Counsel to the Inspector General.
	Dep Asst Inspector General for Audits.
	Asst Insp Gen for Policy, Plng and Management.
	Dep Asst Inspector Gen for Inspections.
	Deputy Inspector General.
	Asst Inspector Gen for Security Oversight.
	Senior Inspector—Thematic Review.
Bureau of Intelligence and Research	Executive Director.
Bureau of International Organizational Affairs	Director, Office of International Conferences.
Office of Under Secy for Management	Principal Deputy Assistant Secretary.
Bureau of Administration	Director, Office of Acquisitions.
Bureau of Personnel	Director, Ofc of Civil Service Personnel Mgmt.
	SES Long Term Training.
Bureau of Arms Control	Office Director.
	Office Director.
	Office Director.
	Office Director.
	Deputy Asst. Secretary.
	Director, Office of Strategic negotiations and Implementation.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Bureau of Nonproliferation	Office Director.
Department of Transportation:	
Asst Secretary for Budget & Programs	Deputy Chief Financial Officer.
Assistant Secretary for Administration	Asst Secy for Administration.
Office of the Senior Procurement Executive	Senior Procurement Executive.
Office of Inspector General	Deputy Inspector General.
	Senior Counsel.
Assistant Inspector General for Auditing	Asst Insp General for Auditing.
	Dep Asst Inspector General for Auditing.
Office of Financial, Information Technology and Department-Wide Programs.	Deputy Assistant Inspector General for Financial, Information Technology, & Dept Wide Programs.
Office of Aviation	Dep Asst Inspector General for Aviation.
Assistant Inspector General for Investigations	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigations.
Office of National Transportation Infrastructure	Deputy Assistant Inspector General for National Transportation Infrastructure.
Assistant Inspector General for Maritime & Highway Safety	Deputy Assistant Inspector General for Maritime & Highway Safety.
Asst Inspector Gen for Competition, Oversight, Rail, Economic, and Special Prog.	Deputy Assistant Inspector General for Competition Oversight, Economic, Rail, & Special Programs.
Associate Administrator for Safety	Assoc Admr for Safety.
Office of Safety Enforcement	Director, Office of Safety Assurance and Compliance.
Associate Administrator for Pipeline Safety	Assoc Admr for Pipeline Safety.
Associate Admr for Ship Analysis and Cargo Preference	Assoc Admr for Ship Fin A & C Preference
Associate Admr for Shipbuilding	Director, Office of Shipbuilding and Marine Technology.
Administrator	Executive Director.
Office of Real Estate Services	Dir Ofc of Real Estate Services.
Safety	Program Manager, Safety.
Office of Budget and Finance	Dir Ofc of Budget & Finance.
Office of Acquisition Management	Director, office of Acquisition Management.
Office of Safety Research and Development	Director, Office of Safety R & D.
Administrator	Assistant Administrator/Chief Safety Officer.
Office of Bus & Truck Standards and Operations	Director, Office of Bus & Truck Standards and Operations.
Office of Enforcement and Compliance	Director, Office of Compliance.
Associate Administrator for Safety Assurance	Associate Administrator for Safety Assurance.
Office of Defects Investigation	Dir—Ofc of Defects Investigation.
Office of Vehicle Safety Compliance	Dir—Ofc of Vehicle Safety Compliance.
Chief of Staff	Director of Finance and Procurement.
Office of the Assistant Commandant for Acquisition	Deputy Assistant Commandant for Acquisition.
Proceedings	Deputy Director—Legal Analysis.
Economic Environmental Analysis and Administration	Director of Economics, Environmental A & A.
Office of the Administrator	Senior Advisor.
Department of the Treasury:	
Under Secretary for Domestic Finance	Director, Office of Procurement.
Fiscal Assistant Secretary	Fiscal Assistant Secretary.
	Deputy Assistant Secretary for Fiscal Operations and Policy.
	Deputy Assistant Secretary (Accounting Policy).
Financial Management Service	Director, Regl Fin Ctr (San Francisco).
	Director, Regl Fin Ctr (Austin).
	Director Platform Services Directorate.
	Assistant Commissioner, Governmentwide Accounting.
	Director, Kansas City Financial Center.
	Commr of Financial Management Service.
	Asst Commissioner, Information Resources.
	Assistant Commissioner, Federal Finance.
	Director Operations Group.
	Dep Com Financial Management Service.
	Director Cash Management Directorate.
	Director, Birmingham Debt Management Operations Center.
	Assistant Commissioner, Regional Operations.
	Asst Comr, Management (Chief Fin Ofcr).
	Director, Systems Management Directorate.
	Assistant Commissioner (Agency Services).
	Chief Accounting Officer.
	Assistant Commissioner, Financial Operations.
	Deputy Director, Operations Directorate.
	Director, Asset Management Directorate.
	Assistant Commissioner Debt Management Sercs.
Bureau of the Public Debt	Commissioner.
	Dep Commr of the Public Debt.
	Asst Commissioner (Savings Bond Operations).
	Asst Commr (Financing).
	Executive Director Administrative Resource Center).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Executive Director.
	Assistant Commissioner, Office of Securities Operations.
	Asst Commr/Securities & Accounting Services.
	Assistant Commissioner, Office of Investor Services.
	Assistant Commissioner (Office of Information Technology).
	Executive Director, Marketing.
	Asst Commissioner (Public Debt Accounting).
Assistant Secretary (Enforcement)	Dep Dir, Financial Crimes Enforcement Network.
	Director Fincen.
	Executive Assistant Director, Fincen.
	Dir Exe Ofc for Asset Forfeiture.
Bureau of Alcohol, Tobacco and Firearms	Special Agent in Charge (NY Field Division).
	Spec Agen in Charge (Washington Field Div).
	Assistant Director (Inspection).
	Dep Asst Dir (Liaison & Public Information)
	Division Director/Special Agent in Charge.
	Division Director/Special Agent in Charge.
	Division Director/Special Agent in Charge.
	Division Director/SAC, Atlanta.
	Dep Assoc Dir Reg Enforcement Field Operation.
	Deputy Asst Director (Inspection).
	Division Director/Special Agent in Charge.
	Deputy Asst Dir (CE Field Operations)—East.
	Deputy Assistant Director (CE Field Operations)—Central.
	Asst Dir (Science & Technology).
	Asst Dir (Field Operations).
	Associate Chief Counsel (Admin & Ethics).
	Deputy Asst Dir (Science & Technology).
	Director Laboratory Services.
	Deputy Director.
	Asst Dir (Alcohol & Tobacco).
	Deputy Assistant Director (Recruitment/Hiring).
	Deputy Asst Director (Alcohol & Tobacco).
	Dep Asst Dir (Firearms Explosives Arson).
	Assistant Director (Firearms, Explosives, and Arson).
	Asst Dir (Liaison & Public Information).
	Chair, Professional Review Board.
	Division/Special Agent in Charge, New York.
US Customs Service	Asst Commissioner for Internal Affairs.
	Associate Chief Counsel (Miami).
	Associate Chief Counsel (Chicago).
	Associate Chief Counsel (New York).
	Dir Ofc of Regulatory Audit.
	Special Agent in Charge, Miami.
	Associate Chief Counsel Enforcement.
	Assoc Chief Counsel (Trade Tariff & Leg).
	Associate Chief Counsel (Houston).
	Dir, Applied Technology.
	Special Agent in Charge—New York.
	Special Agent in Charge—Los Angeles.
	Deputy Assistant Commissioner, Human Resources.
	Deputy Assistant Commissioner, Internal Affairs.
	Regional Special Agent in Charge (SAIC).
	Regional Special Agent in Charge (SAIC).
	Regional Special Agent in Charge (SAIC).
	Deputy Assistant Commissioner, Office of Training and Development.
	Executive Director, Communications Management.
	Director, Asset Acquisition & Management.
	Executive Director, Labor and Employee Relations.
	Director, Office of Trade Compliance.
	Dir Customs Management Center New York.
	Area Dir, Newark.
	Dir Custioms Management Center N Atlantic.
	Asst Commissioner, Field Operations.
	Dir Customs Management Center Mid-America.
	Dir Customs Management Center—S. Texas.
	Asst Commissioner, Regulations & Rulings.
	Dir Strategic Trade Center Chicago.
	Deputy Asst Commissioner (Investigations).
	Assoc Chief Counsel (Administration).
	Associate Chief Counsel (Los Angeles).
	Area Director, JFK Airport.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Secret Service	Asst Commissioner Chief Information Officer. Special Agent in Charge (New Orleans). Assistant Commissioner, Public Affairs. Port Director, Los Angeles International Airport. Executive Director, Equal Employment Program. Asst Commissioner, Investigations. Director Strategic Trade Center-Plantation. Dir Laboratories & Scientific Services. Project Executive. Deputy Assistant Commissioner, Field Operations. Director, Field Operations, El Paso. Director, Passenger Programs. Director, Field Operations—Houston. Executive Director, Field Programs. Exec Dir The Interdiction Committee. Assistant Commissioner, Finance. Executive Director, Mission Support Service. Project Executive. Dir Tariff Classification Appeals Division. Dir Strategic Trade Center Long Beach. Processes and Policy Executive. Director, Field Operations—Miami. Deputy Assistant Commissioner, International Affairs. Director, U.S. Customs Academy. Director, Ofc of Air Interdiction. Special Agent in Charge (Houston). Dir Customs Management Center—S California. Dir Office of Planning. Director, Strategic Trade Center Operations. Director, Intelligence and Communications Division. Director, Software Development. Director, Budget Division. Executive Director, South West Border Coordination. Dir Customs Management Center South Pacific. Executive Director, Field Operations. Associate Executive Director (West). Director, Administration Policy & Planning. Asst Commissioner, Strategic Trade. Special Agent in Charge, Chicago. Special Agent in Charge, (San Diego). Asst Commissioner, Human Resources Mgmt. Regional Special Agent in Charge. Port Director, Miami. Associate Executive Director, East. Asst Commissioner, Office of Training and Development. Director, Field Operations, Laredo. Director, Infrastructure Division. Director, Management Inspection. Associate Executive Director, Central. Deputy Chief Financial Officer. Special Agent in Charge—El Paso. Special Advisor Renforcement). Director of the Secret Service. Deputy Director U.S. Secret Service. Asst Director, Investigations. Asst Dir (Protective Operations). Asst Dir (Protective Research). Assistant Director, Administration. Assistant Director, Inspection. Dep Asst Dir (Protective Operations). Spec Agent in Charge—Presidential Protective. Special Agent in Charge, New York Office. Special Agent in Charge, Chicago. Special Agent in Charge, Los Angeles Office. Dep. Asst. Dir. (Protective Research). Assistant Director—Training. Asst Director—Govt Liaison and Public AFF. Spec Agent in Charge—VP Protect Div. Spec Agent in Charge—Tech Sec Div. Spec Agent in Charge—Intelligence Div. Spec Agent in Charge—Washington Field Office. Spec Agent in Charge—Philadelphia Field Offic.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Spec Agent in Charge—San Francisco Office.
	Special Agent in Charge, Dallas Field Office.
	Deputy Chief Counsel.
	Deputy Assistant Director, Government Liaison and Public Affairs.
	2002 Winter Olympics Coordinator.
	Deputy Assistant Director—Human Resources & Training.
	Deputy Special Agent in Charge, Protective Operations (Tactical Operations).
	Deputy Asst Dir Investigations.
	DAD Administration.
	Deputy Special Agent in Charge Pres Prot Div.
	DAD (Uniformed Forces, F & E Dev), Ofc Trng.
	Dep Special Agent in Charge—PPD White House.
	Dep Asst Dir Investigations.
	Special Agent in Charge—Houston Field Ofc.
	Special Agent in Charge, Rowley Training Center.
	Special Agent in Charge, Paris.
	Deputy Assistant Director—Technology.
	Deputy Asst Director Office of Inspection.
	Spec Agent in Charge—Miami Field Office.
	Deputy Special Agent in Charge—VP Prot Div.
	Dep Asst Dir Protective Operations.
	Chf, Info, Resources Management Division.
	Spec Agent in Charge—Atlanta Field Office.
	Deputy Asst Dir Protective Operations.
	Special Agent in Charge.
Ofc of the Inspector General	Dep Asst Inspector Gen for Audit (Fin Mgmt).
	Dep Insp Gen Investigation (DAIGI).
	Counsel to the Inspector General.
	Assistant Inspector General for Management Services.
	Assistant Inspector General for Audit.
	Dep Asst Inspect General for Audit Prog Audit.
	Asst Inspector General for Investigations.
Office of the General Counsel	Chief Counsel.
Inspector General for Tax Administration	Deputy Associate Inspector General for Investigations.
	Assistant Inspector General for Management Services.
	Deputy Inspector General for Investigations.
	Associate Inspector General for Audit.
	Counsel to the Treasury Inspector General for Tax Administration.
	Associate Inspector General for Audit (Wage and Investment)
	Associate Inspector General for Audit (Small Business and Tax Exempt).
	Deputy Inspector General for Audit.
	Assistant Inspector General for Information Technology.
	Assistant Inspector General for Investigation (Investigative Support).
	Assistant Inspector General for Investigation (Field Operations).
Assistant Secretary (Economic Policy)	Sr Economist.
Assistant Secretary (Tax Policy)	Dir (Economic MOD & Computer Applications).
Assistant Secretary (Management)	Deputy Chief Financial Officer.
United States Mint	Associate Dir, Information Resources/CIO.
	Associate Director for Circulating.
	Associate Director for Numismatics.
	Assoc Dir for Pol & Mgmt Chf Fin Officer.
Internal Revenue Service	Regional Commissioner, Southeast.
	District Dir, Los Angeles.
	District Dir, Manhattan.
	District Director, Georgia.
	Dir Martinsburg Computing Center.
	District Director, Ohio.
	Assistant District Director, N California.
	Chief EEO and Diversity.
	Assistant District Director, Georgia.
	Director, Technical Contract Management Division.
	Director, Submission Processing Division.
	Director, Complaint Processing and Analysis Group.
	Assistant to the Commissioner.
	Director, Workforce Relations.
	Director of Research.
	Director of Compliance, Atlanta—W & I.
	Project Director—BSMO.
	Senior Advisor to the Commission.
	Director, Leadership and Organizational Development—NHQ.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, National Customer Research Study. Director, National Public Liaison. Special Agent in Charge, New York. Special Agenct in Charge, Chicago. Director, Personnel Operations—AWSS. Project Director. Director, Field Operations—Fin Srvc & Healthcare. Director, Field Operations—Fin Srvc & Healthcare. Deputy Director, Strategy, Research & Program Planning. Director, Reporting Compliance—SBSE. Director, Centralized Workload Selection & Delivery—SBSE. Director, Compliance Los Angeles Area Office—SBSE. Director, Compliance New York Area Office—SBSE. Director, Human Resources—SBSE. Director, Filing & Payment Compliance—SBSE. Project Director. Director, Business Systems Planning. Accounts Management Field Director, Atlanta, W & I. Area Director, Field Assistance (San Francisco)—W & I. Director, Remote Shared Serviced Division. Transition Executive for Strategy, Criminal Investigation. Transition Executive for Operations, Criminal Investigation. Project Manager, Service Center Transition—W & I. Commissioner, Tax Exempt & Government Entities Division. Director, Exempt Organizations Examinations. Director, Facilities Operations—AWSS. Director, Service Center Operations. Asst Deputy Commissioner (Modernization). Director, Customer Support—AWSS. Director, Compliance Area, Laguna Niguel—SBSE. Director, Retailers, Food and Pharmaceuticals. Project Director. Director, Taxpayer Education Area, Brooklyn—SBSE. Director, Compliance Area. Director, Taxpayer Education Area, Dallas—SBSE. Director of Field Operations (Central Area)—CID. Director, Quality Assurance and Performance Management. Director, Revenue and Accounting. Project Director. Director, Tax Forms & Publications—W & I. Director, Legislative Affairs Division. Director, Statistics of Income. Director, Electronic Tax Administration—W & I. Submission Processing Field Director, Memphis. Director, Field Operations—Retailers, Food, and Pharmaceuticals. Deputy Division Commissioner, Large and Mid-Size Business. Director, Compliance Area, St. Paul—SBSE. Director, Government Entities. Director, Field Assistance Area (Greensboro) W & I. Director, Taxpayer Education Area, Nashville—SBSE. Director, Taxpayer Education Area, Seattle—SBSE. Compliance Service Field. Director, Management and Finance, SBSE. Division Information Officer—SBSE. Director, Criminal Investigation Modernization—CID. Special Agent in Charge, Los Angeles. Director, Field Assistance Area (Phoenix)—W & I. Director, Compliance Area, Denver—SBSE. Assistant District Director—New Jersey. Deputy Director, Strategic Human Resources. Project Director. Deputy Director, International. Director, Field Assistance Area, Hartford—W&I. Director, Compliance Services—SBSE. Privacy Advocate. Director, Taxpayer Education Area, Baltimore—SBSE. Director, Enterprise Operations. District Director, Central California. National Director of Appeals. Director, Appeals—LMSB. Project Director, San Francisco—Appeals. Director of Support Services, Northeast.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief Compliance.
	Associate Inspector General for Audit (Information Systems and Financial Mgmt).
	Area Director of Information Technology—Western.
	Compliance Services Field Director.
	Dir of Investigations, Central Area of Ops.
	Deputy Executive Officer for Customer Service.
	Deputy CFO Finance.
	Chief Communications and Liaison.
	Special Assistant to Chief, Management and Finance.
	Director of Procurement.
	Dean School of Information Technology.
	Project Director.
	Director, Taxpayer Education Area, Cincinnati—SBSE.
	Director, Strategy, Research and Performance Management.
	Deputy Commissioner (Operations).
	Director, Compliance Area, Baltimore—SBSE.
	Director, Field Operations—Retailers, Food & Pharm.
	Director, Stakeholder, Partnership, Education & Communication —W & I.
	Director, Employee Plans.
	Director, Electronic Crimes Program Office.
	Deputy National Taxpayer Advocate.
	Project Director, Joint Transition Planning Team Leader.
	Area Director, Spec—Hartford—W & I.
	Director of Research, W & I.
	Natl Dir, Submission Processing Division.
	Director, Field Assistance—W & I.
	Director, Submission Processing (Cincinnati)—W & I.
	Director, Submission Processing Center, Fresno.
	Accounts Management Field Director, Brookhaven.
	Accounts Management Field Director, Cincinnati.
	Accounts Management Field Director—Odgen.
	Accounts Management Field Director, Austion—W & I.
	Area Director Information System Technology (Southeast).
	Deputy Chief, Appeals.
	Deputy Director, Management & Finance, SBSE.
	Area Director, Stakeholder Partnership Education and Communication.
	Director, Systems Support Division.
	Compliance Services Field Director.
	Executive Director, Modernization Design.
	Director, Field Operations.
	Director of Field Operations (Mid-Atlantic Area).
	Project Director.
	Director, Compliance Area, Chicago—SBSE.
	Director, Exam, Strategy and Selection—W & I.
	Area Director of Information Technology, NE.
	Director, Operations Policy and Support—CID.
	Director, Tennessee Computing Center.
	Director of Field Operations (Pacific Area)—CID.
	Director, Refund Crimes.
	Director, Strategy—CID.
	Deputy Chief, Criminal Investigation.
	Associate Director, Facilities Operations.
	Regional Commissioner, Midstates.
	District Director, S Florida.
	Project Director.
	Director, Natural Resources Industry—LMSB.
	Director, Product Assurance Division.
	Director, Compliance Area, Philadelphia—SBSE.
	Asst Dist Dr, Virginia–West Virginia.
	Director, Field Operations, Communications, Technology & Media, LMSB.
	Director, Program and Project Management Division.
	Dep Chief Info Officer (Info Resources Mgmt).
	Director, Field Assistance Area, Indianapolis—W&I.
	Director, Submission Processing Center—Austin.
	Director, Field Operations (Natural Resources), Houston.
	Director of Field Operations (Midstates Area)—CID.
	Assistant Commissioner (Customer Service).
	National Director, Strategic Planning & Client Services.
	Project Director, BSMO.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dean School of Taxation. Director, Program Analysis Customer Account Services—W & I. Director, Field Operations—Heavy Manufacturing, Construction, & Transportation. Deputy Associate Commissioner for Program Management. Director, Learning and Education. Director, Office of Program Eval & Risk Analysis. Director, Communications. Project Director. Director, Business Systems Planning—LMSB. Director, Compliance Area, Jacksonville—SBSE. Director, Compliance Area, Dallas—SBSE. Director, Telecommunications. Director, Taxpayer Education Area, Denver—SBSE. Dir Office of System Standards & Evaluation. District Director, S California. Accounts Management Field Director. Director of Field Operations, North Atlantic Area—CID. Director, Field Operations (Heavy Manufacturing), Laguna Niguel. Director, Strategy, Research and Performance Management, SBSE. Deputy Chief, Management and Finance. Project Director. Director, Field Operations, Spec—W&I. Director Customer Account Services, SBSE. Director, Program Filing and Payment Compliance—SBSE. Project Director. Project Director, CIO. Director, Program and Project Coordination. Director, Field Assistance Area, St Louis—W & I. Director, Cyber Security Operations. Accounts Management Field Director—ANDOVER. Project Director. Director, Field Assistance Area, New Orleans—W&I. Deputy Chief Information Officer (Systems). Director, Employee Plans Examination. National Dir, Collection Field Operations. Compliance Service Field Director—Atlanta. Submission Processing Field Director—Philadelphia. Director, Compliance—W & I. Project Director. Director, Field Operations—Heavy Manufacturing. Director, Communication, Assistance, Research & Education. Director, Compliance Area, Nashville—SBSE. Submission Processing Field Director, Austin—W & I. Submission Processing Field Director—Brookhaven. Accounts Management Field Dir, Kansas City—W&I. Regional Commissioner, Western. Director, Corporate Processing Division. Asst to the Senior Dep Commissioner. Director, Strategic Human Resources. Director, Tax Exempt Bonds. Director, Facilities Operations. Director, Submission Processing/ETA Systems Division. Director, Human Resources, Wages & Investment. Director, Financial Services and Healthcare Industry. Director, Strategy & Finance—W & I. Director, Appeals—SB/SE & TE/GE. Deputy Commissioner, Small Business/Self Employed Division. Deputy Director, Taxpayer Education and Communication, SBSE. Deputy Program Executive for Organizational Performance Management. Deputy Division Commissioner, Tax Exempt and Government Entities. Deputy Director, Procurement. Deputy CIO (Operations). Director, Exempt Organizations. Deputy Director, Customer Account Services. Deputy Director, Submission Processing. District Director, South Texas. Director, Compliance Services. Director, Office of Security Evaluation and Oversight. National Director for Systems & Account Stds. Deputy Asst Commissioner (International).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Business Systems Planning. Project Director. Director, Pre-Filing and Technical Guidance—LMSB. Deputy Director, Compliance, SBSE. Director, Business Systems Requirements. Director, Compliance, SBSE. Deputy Director, Pre-Filing and Technical Guidance. Director, Collection Strategy—W&I. Director, Electronic Program Operations—W&I. Director, Research Analysis & Statistics of Income. Executive Director Modernization Design. Director, Office of Tax Administration. Project Director. Director, Martinsburg Computing Center. Project Director. Transition Executive For Shared Services. Director, Finance and Administration System Division—CIO. Project Director. Project Director. Deputy Director, Systems Development. Project Director—SBSE. Compliance Service Field Director—Philadelphia. Director, Compliance Area, Baltimore—SBSE. Director, Enterprise Systems and Asset Management. Submission Processing Field Director—Atlanta. Director, Heavy Manufacturing, Transportation & Construction Industry. Director, Multimedia—W&I. Director, Accounts Management—W&I. Deputy Associate Commissioner, Systems Integration—BSMO. Director, Compliance Area. Area Director, Spec, Dallas—W&I. Chief, Management and Finance, LMSB. Accounts Management Field Director—Memphis. Modernization Team Executive. Chief Financial Officer. Director, Customer Service/Taxpayer Advocate Division. Chief, Compliance, Western. Director, Personnel Policy. Director, Field Specialists—LMSB. Deputy Chief Operations. Director, Real Estate and Facilities Management. Director, Field Operations (Financial Services), Laguna Nigules. Submission Processing Field Director—Cincinnati. Compliance Service Field Director, Ogden—W&I. Director, Exempt Organizations, Rulings and Agreements. Program Executive for Organization Performance Management. Director, Procurement. Deputy Director, Business Systems Moderzation. Project Director. Executive Director Modernization Design. Director, Taxpayer Education & Communication Area, St. Louis—SBSE. Deputy Director, Strategic Planning and Client Services—IS. Director, Compliance Area, Dallas—SBSE. Director, Personnel Services. Commissioner Wage & Investment Division. Deputy CFO, Strategic Planning and Budget. Director, Research and Management System Division—CIO. Chief, Management and Finance. Senior Counselor to the Commissioner (Tax Administration, Practice and Professional Responsibility). Electronic Tax Administration Modernization Executive. Director, Communications, Technology & Media Industry, LMSB. Division Information Officer—LMSB. Director, Corporate Systems Division. Director, Human Resources Policy & Programs, IS. Director, Detroit Computing Center. Director, Systems Division. Director, Customer Account Services, W&I. Compliance Service Field Director—Kansas City. Director, Portfolio Management, OITS. Deputy Chief, Agencywide Shared Services.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
IRS Chief Counsel	Deputy Director, Procurement. Director, Telecommunications. Director, Electronic Program Enhancement—W & I. Director, Specialty Tax and Technical Support—SBSE. Director, Business Systems Planning—SBSE. Director, Taxpayer Education Area, Chicago—SBSE. Director, Financial Policy, Planning & Programs—BSMO. Director, EEO and Diversity. Director, Compliance Systems Division. Assistant Deputy Commissioner. Director, Taxpayer Education and Community, SBSE. Submission Processing Field Director—Andover. Accounts Management Field Director, Fresno. Project Director. Director of Field Operations (Southeast Area) CID. Division Information Officer (Wage & Investment). Regional Counsel SE Region. District Counsel, New England. District Counsel, Ohio. District Counsel, New Jersey. District Counsel, S. Florida. Assistant Chief Counsel (International) (Litigation). Dep Asst Chf Coun (Income Tax & Accounting). Assistant Chief Counsel (Collection, Bankruptcy & Summonses). Regional Counsel, Midstates. Division Counsel (Wage and Investment). Dep Div Counsel/Dep Asst Chief Counsel (Criminal Tax). Deputy Associate Chief Counsel (General Legal Services). Assistant Chief Counsel (Disclosure & Privacy Law). Dep Asst Chief Coun (Financial Inst & Prod). Area Counsel (SBSE) (Area 7). Area Counsel (SBSE)—Los Angeles. Deputy Associate Chief Counsel (GLS) (Labor & Personnel Law). Area Counsel (SBSE)—Philadelphia. Deputy Assoc Chief Counsel (International). Area Counsel (SBSE)—Chicago. Area Counsel (SBSE)—New York. Deputy Division Counsel #1 (SBSE). Division Counsel (Large and Mid-Size Business). Division Counsel (Small Business/Self Employed). Deputy Associate Chief Counsel (Corporate). Asst Chf Coun (Fin Institutions & Products). Area Counsel (Large & Mid-Size Business) (Area 1) (Financial Services & Health Care). Deputy Associate Chief Counsel #2 (Passthroughs & Special Industries). Associate Chief Counsel (Procedure & Administration). Associate Chief Counsel (Passthroughs & Special Industries) Associate Chief Counsel (Corporate). Deputy Division Counsel #2 (Small Business/Self Employed). Deputy Associate Chief Counsel (Finance and Management). Deputy Associate Chief Counsel #1 (ITA). Area Counsel (LMSB) (Area 2) (Heavy Manufacturing, Construction and Transportation). Special Counsel to the National Taxpayer Advocate. Assistant Chief Counsel (International) (Technical). Associate Chief Counsel (General Legal Services). Assoc Chief Counsel (Enforcement Litigation). Area Counsel (LMSB) (Area 5)(Communications, Technology, & Media). Assistant Chief Counsel (Administrative Provisions & Judicial Practice). Special Counsel (Modernization & Strat Plnng). Area Counsel (SBSE)—Jacksonville. Assistant Chief Counsel (Employee Benefits). Deputy Associate Chief Counsel (Procedure and Administration). Deputy Associate Chief Counsel (Strategic International Programs). Deputy Division Counsel (Large and Mid-Size Business). Deputy Chief Counsel (Technical). Area Counsel (SBSE)—Dallas. Deputy Associate Chief Counsel #2 (Income Tax and Accounting). Deputy Division Counsel and Deputy Associate Chief Counsel (Tax Exempt & Government Entities).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Area Counsel, LMSB (Area 3) (Food, Mass Retailers, & Pharmaceuticals.
	Associate Chief Counsel (International).
	Assoc Chf Counsel (Finance & Management).
	Deputy Associate Chief Counsel (Financial Institutions & Products).
	Associate Chief Counsel/Operating Division Counsel (TEGE).
	Dep Assoc Chief Coun (Domestic) (Field Serv).
	Deputy Chief Counsel (Operations).
	Assistant Chief Counsel (EO/ET/GE).
	Associate Chief Counsel (Income Tax and Accounting).
	Area Counsel (LMSB) (Area 4) (Natural Resources).
	Area Counsel (SBSE)—Denver.
	Deputy Associate Chief Counsel #1 (Passthroughs & Special Industries).
	Division Counsel/Associate Chief Counsel (Criminal Tax).
U.S. Agency for International Development:	
Office of the Administrator	Counselor to the Agency.
Office of the General Counsel	Deputy General Counsel.
	Asst General Counsel for Ethics & Adm.
Office of the Inspector General	Assistant Inspector General for Management.
	Deputy Assistant Inspector General for Audit.
	Counsel to the Inspector General.
	Deputy Inspector General.
Office of Security	Director, Office of Security.
Office of Equal Opportunity Programs	Dir Ofc of Equal Opportunity Programs.
Bureau for Global Programs, Field Support and Research	Assoc Asst Admr Center for Economic Growth.
	Senior Deputy Assistant Administrator.
	Dep Asst Admr, Ctr for Pop, Health, Nutr.
	Associate Assistant Administrator.
Bureau for Europe and Eurasia	Deputy Asst Administrator.
Bureau for Management	Chf Fin Ofcr, Office of Financial Management.
	Dir Office of Information Resource Management.
	Deputy Director Ofc of Procurement.
	Deputy Director, Office of Human Resources.
	Dir. Ofc of Admin Services.
	Deputy Director, Ofc of Procurement.
	Deputy Asst Admr Bureau for Management.
	Dep Director, Office of Financial Management.
U.S. International Trade Commission:	
Office of Industries	Dir Ofc of Industries.
Office of Investigations	Dir. Ofc of Investigations.
Department of Veterans Affairs:	
Office of the Secretary and Deputy	Director, Office of EDCA.
Office of the Inspector General	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
	Dep Inspector General.
	Asst Inspector Gen for Dept Rev & Magnt Sup.
	Dep Asst Inspector General for Investigations.
	Counselor to the Inspector General.
	Asst Inspector General for Healthcare Inspect.
	Dep Asst Inspector General for Auditing.
	Deputy Assistant Inspector General for Healthcare Inspections.
	Deputy Assistant Inspector General for Management and Administration.
	Director of Medical Consulation and Review.
	Associate Director of Medical Consulation and Review.
Board of Veterans Appeals	Vice Chairman.
Office of the General Counsel	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
Office Assistant Secretary for Management	Principal Deputy Assistant Secretary for Management.
	Corefls Project Director.
Office of Finance	Deputy Assistant Secretary for Finance.
	Assoc Dep Asst Secy for Financial Operations.
	Director, Financial Services Center.
Office of Acquisition and Materiel Management	Dep Asst Sec for Acquisition & Materiel Mgmt.
	Assoc Dep Assistant Secy for Acquisitions.
	Assoc Dep Asst Secy for Prog Mgmt & Oper.
	Executive Director/Chief Operating Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Asset Enterprise Management	Deputy Director, Asset Enterprise Management.
Ofc Asst Secy for Policy and Planning	Chief Actuary.
Office of Human Resources Management	Assoc Dep Asst Secy for Human Res Management.
	Assoc Dep Asst Secy for Human Res Management.
Office of Security and Law Enforcement	Dep Asst Secy for Security & Law Enforcement.
Office Asst Secretary for Information and Technology	Dir, VA Automation Ctr, Austin, TX.
	Assoc Dep Asst Secy for Telecommunications.
	Assoc Dep Asst Secy for Pol & Prog Assistance.
	Associate Deputy Assistant Secretary for Cyber Security.
National Cemetery Administration	Director, Office of Finance and Planning.
	Director, Office of Construction Management.
Veterans Benefits Administration	Deputy Chief Financial Officer.
	Dep Dir Compensation & Pension Service.
	Chief Financial Officer.
Veterans Health Administration	Dir VA/DOD Medical Sharing Office.
	ACFO for Revenue.
	Deputy Director Emergency Medical Prep Ofc.
	Chief Financial Officer.
	Director, Financial Management Office.
	Associate Chief Financial Officer for Compliance.
	Deputy Chief Financial Officer.
	Associate Chief Facilities Management Officer for Strategic Management.
	Associate Chief Facilities Management Officer for Service Delivery.
	Deputy Associate Chief Facilities Management Officer for Service Delivery.
	Associate Chief Facilities Management Officer for Resource Management.
	Deputy Chief Information Officer.
	Chief Operating Officer.
	Financial Manager.
	Logistics Management Officer.
	ACIO Implementation and Training Services.
Veterans Integrated Service Network Directors	Dir Canteen Service.

[FR Doc. 02–3873 Filed 2–20–02; 8:45 am]

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Federal Register

Thursday,
February 21, 2002

Part III

Office of Personnel Management

SES Positions That Were Career Reserved During 2001; Notice

OFFICE OF PERSONNEL MANAGEMENT

SES Positions That Were Career Reserved During 2001

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: As required by the Civil Service Reform Act of 1978, this gives notice of all positions in the Senior Executive Service (SES) that were career reserved during 2001.

FOR FURTHER INFORMATION CONTACT: Nancy Gauthier, Office of Executive Resources Management, (202) 606–1125.

SUPPLEMENTARY INFORMATION: Below is a list of titles of SES positions that were career reserved at any time during calendar year 2001, regardless of whether those positions were career reserved on December 31, 2001. Section 3132(b)(4) of title 5, United States Code, requires that the head of each agency publish such list by March 1 of the following year. OPM is publishing a consolidated list for all agencies.

Office of Personnel Management.

Kay Coles James,

Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001

Agency organization	Career reserved positions
Advisory Council on Historic Preservation:	
Ofc of the Exec Director	Executive Director.
	Special Assistant.
Department of Agriculture:	
Office of the Chief Information Officer	Deputy Chief Information Officer.
	Associate Deputy Director, NTIC.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Project Manager.
National Finance Center	Director, Applications Systems Division
	Dir, INFO Resources Management Division.
	Director, Financial Services Division.
	Dir. Thrift Savings Plan Division.
	Deputy Director.
Office of the Inspector General	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigation.
	Asst Inspector General for Audit.
	Dep Assistant Inspector General for Audit.
	Dep Asst Inspector General for Audit.
	Asst Inspector Gen for Pol Dev & Res Mgmt.
	Dep Asst Insp Gen for Invest Immediate Office.
	Deputy Inspector General.
Office of the Chief Economist	Dir Ofc of Risk Assessment & Cost-Benefit Anl. Chairperson.
	Dir Global Change Program Office.
	Director, Office of Energy Policy and New Uses.
Office of Operations	Director Office of Operations.
Procurement and Property Management	Director, Procurement and Property Management.
Office of Outreach	Director, USDA Program Outreach Division.
Rural Housing Service	Controller.
	Director Centralized Servicing Center.
Rural Business Service	Deputy Administrator for Business Programs.
Agricultural Marketing Service	Deputy Administrator, Fruit & Vegetable Programs.
	Deputy Administrator, Dairy Programs.
	Deputy Administrator, Livestock & Seed Programs.
	Deputy Administrator, Tobacco Programs.
	Deputy Administrator, Compliance and Analysis.
	Deputy Administrator, Cotton Programs.
	Deputy Administrator, Science and Technology Programs.
	Deputy Administrator, Transportation & Marketing Programs.
	Deputy Administrator, Poultry Programs.
Grain Inspection, Packers & Stockyards Administration	Dir Field Management Division.
Animal & Plant Health Inspection Service	Deputy Administrator for Marketing & Regulatory Programs-Business Services.
	Assoc Dep Administrator for Mgt. & Budget.
	Deputy Administrator, Animal Care.
	Director, Center for Plant Health Science & Technology.
	Assistant Deputy Administrator for Emergency Programs, Plant Protection & Quarantine.
	Associate Deputy Administrator, Wildlife Services APHIS International Organization Coordinator.
Veterinary Services	Director, South Eastern Region, Veterinary Services.
	Director, Western Region.
	Director, Central Region.
	Director, Central Region.
	Deputy Administrator, Wildlife Services.
	Director, Animal Health Programs, Veterinary Services.
	Director, Center for Epidemiology & Animal Health.
Plant Protection & Quarantine Service	Dep Admr, International Services.
	Director, Western Region.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Plant Health Programs, PPQ.
	Director, Eastern Region.
Food Safety & Inspection Service	Deputy Administrator, Office of Management.
	U.S. Coordinator for Codex Alimentarius.
	Assistant Deputy Administrator, Office of Management.
	Assistant Deputy Administrator, Ofc. of Policy, Prog. Dev. & Eval.
	Assistant Deputy Administrator, Office of Management.
	Deputy Administrator.
	Assistant Deputy Administrator.
	Deputy Administrator.
	Associate Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator, District Enforcement Operations.
	Director, Technical Service Center, Office of Field Operations.
	Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator, OPPDE.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Deputy Administrator.
	Associate Administrator.
	Associate Deputy Administrator, Ofc. of Public Health & Science.
	Assistant Deputy Administrator, District Inspection Operations.
	Assistant Administrator, Staff Services.
	Director, Enforcement Operations.
Food and Nutrition Service	Deputy Admin for Financial Management.
	Deputy Admr for Management.
	Deputy Administrator for Operations & Mgmt.
	Associate Administrator.
	Director, Office of Analysis and Evaluation.
Farm Service Agency	Deputy Administrator, Poultry Programs.
	Deputy Administrator, Transportation & Marketing Programs.
	Deputy Administrator, Science & Technology Programs Controller.
	Director Management Services Division.
	Director, Budget Division.
	Deputy Administrator for Farm Loan Programs.
	Director, Financial Management Division.
Foreign Agricultural Service	Dir, Grain, & Feed Div.
	Assistant Deputy Administrator Management.
	Director, Cotton, Oilseeds, Tobacco and Seeds Division.
Risk Management Agency	Deputy Administrator for Research & Development.
	Deputy Administrator for Insurance Services Division.
Agricultural Research Service	Asst Administrator for Technology Transfer.
	Assistant Administrator for Genetic Resources.
	Dep Admin for Admin & Financial Mgmt.
	Director, Office of Pest Management Policy.
	Director, National Animal Disease Center.
	Associate Administrator, Special Interagency Programs.
	Issues Manager.
	Associate Deputy Administrator.
National Program Staff Office	Deputy Administrator National Program Staff.
	Assoc Deputy Administrator for Animal PPV&S.
	Assoc Dep Admin for Natural Resources & SAS.
	Associate Deputy Administrator for Crop Production, Product Value, and Safety.
Beltsville Area Office	Director Beltsville Area Office.
	Assoc Dir Beltsville Area.
	Dir U.S. National Arboretum.
	Dir Beltsville Human Nutrition Research Ctr.
	Director Plant Sciences Institute.
	Dir Livestock & Poultry Sciences Institute.
	Dir Natural Resources Institute.
North Atlantic Area Office	Director, Eastern Regl Research Center.
	Assoc Dir, North Atlantic Area.
	Director, Plum Island Animal Disease Center.
	Director, North Atlantic Area.
South Atlantic Area Office	Associate Dir South Atlantic Area.
	Director, South Atlantic Area.
	Dir, Center for Medical A & V Entomology.
Midwest Area Office	Dir Midwest Area.
	Assoc Dir, Midwest Area.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Supervisory Veterinary Medical Officer.
	Dir Natl Ctr for Agri Utilization.
Midsouth Area Office	Dir, Southern Regional Res Center, New Orleans.
	Director, Mid-South Area.
	Associate Director, Mid South Area.
Southern Plains Area Office	Director Southern Plains Area.
	Assoc Dir, Southern Plains Area.
Northern Plains Area Office	Director, Northern Plains Area.
	Associate Director, Northern Plains Area Ofc.
	Director, U.S. Meat Animal Research Center.
Pacific West Area Office	Director, Western Regional Research Center.
	Dir, Western Human Nutrition Research Center.
	Director, Pacific West Area Office.
	Associate Director, Pacific West Area Office.
	Dir, Western Cotton Research Laboratory.
Cooperative State Research, Education & Extension Service	Deputy Administrator Partnerships.
	Special Asst to the Administrator, CSREES.
	Deputy Administrator, Economic and Community Systems.
	Director, Office of Extramural Programs.
Economic Research Service	Admr, Economic Research Service.
	Associate Administrator—Economic RSCH SVC.
	Dir, Natural Res & Environment Divison.
	Director, Information Services Division.
	Budget Coordinator and Strategic Planner.
	Dir Food & Consumer Economics Divison.
	Director, Market and Trade Economics Division.
National Agricultural Statistics Service	Admr, National Agricultural Statistics Serv.
	Deputy Administrator for Field Operations.
	Associate Administrator.
	Deputy Administrator for Programs & Products.
	Director, Statistics Division.
	Director, Research & Development Division.
	Director, Census & Survey Division.
	Director, Information Technology Division.
	Associate Deputy Administrator (Western U.S.).
	Associate Deputy Administrator (Eastern U.S.).
Natural Resources Conservation Service	Director Engineering Division.
	Dir Ecological Sciences and Technology Division.
	Asst Dep Admin (Admin Mgt).
	Dir, Soils (Soil Scientist).
	Deputy Administrator
	Director, Strategic Planning Division.
	Director, Operations Management and Oversight.
	Regional Conservationist—South Central.
	Regional Conservationist—Midwest Region.
	Dir Conservation Operations Divison.
	Dep Chief for Mgmt & Strategic Planning.
	Director.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Assistant Deputy Administrator.
	Asst Deputy Administrator.
	Director.
	Senior Soil Scientist.
	Natural Resources Manager.
	Special Asst to the Chief (Program Manager).
	Deputy Chief for Strategic Planning and Accountability.
	Director, Resource Conservation & Community Development Division.
	Director, Resource Inventory Division.
	Director, Animal Husbandry and Clean Water Programs Division.
	Associate Deputy Chief for Programs, Air, Water & Soil
	Director, Resource Assessment Division.
	Associate Deputy Chief for Programs (Animal Husbandry).
	Director, Resource Economics & Social Sciences Division.
	Regional Conservationist—Northern Plains.
	Special Assistant to the Chief.
Forest Service	Associate Deputy Chief—Business Operations.
	Director, Fire and Aviation Staff.
	Deputy Chief, Office of Finance (CFO).
	Deputy Chief, Business Operations.
	Chief Operating Officer.
	Director, Financial Management Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Research	Director, Vegetation Management & Protection Research Staff.
	Director, Resource Valuation and Use Research Staff.
	Director, Wildlife, Fish & Watershed Research Staff.
	Director, Science Policy, Planning, and Information Staff.
National Forest System	Dir, Range Management Staff.
	Director, Forest Management Staff.
	Director, Engineering Staff.
	Director, Lands Staff.
	Director, Ecosystem Management Coordination.
	Director, Wildlife, Fish and Rare Plants.
	Director, Minerals & Geology Management Staff.
	Director, Watershed & Air Management Staff.
	Director, Recreation, Heritage & Wilderness Research Staff.
State & Private Forestry	Director, Cooperative Forestry.
	Director, Forest Health Protection.
Field Units	NE Area Director, State & Private Forestry.
	Station Director, North Eastern Forest Experiment Station (Newtown Square).
	Director, North Central Forest Experiment Station (St. Paul).
	Dir, Pacific Northwest Forest & Range Experiment Station (Portland).
	Director, Pacific Southwest Forest & Range Experiment Sta (Vallejo).
	Director Rocky Mtn Forest & Range Experiment State (Ft. Collins).
	Director, Southern Research Station (Asheville).
	Director, Forest Products Laboratory (Madison).
	Dep Regional Forester, Pacific Northwest Region (Portland).
International Forest System	Dir International Institute of Tropical Forest (Rio Piedras).
National Program Staff Office	Assoc Dep Admr.
North Atlantic Area Office	Director, North Atlantic Area.
South Atlantic Area Office	Supervisory Research Geneticist.
Southern Plains Area Office	Dir, Subtropical Agricultural Res Laboratory.
Pacific West Area Office	Supervisory Soil Scientist.
Cooperative State Res Education, & Extension Service	Deputy Admin for Rural, Economic & Social Dev.
	Deputy Admini Communication Tech Distance Edu.
Natural Resources Conservation Service	Director, Resource Economics & Social Sciences Division.
American Battle Monuments Commission:	
Office of Executive Director	Executive Director.
Broadcasting Board of Governors:	
International Broadcasting Bureau	Dir Engineering and Technical Operations.
	Deputy for Engineering Resource Control.
	Deputy for Network Operations.
Department of Commerce:	
Department of Commerce	Deputy Director for Financial Services/Deputy CFO.
	Chief Financial Officer and Chief Administrative Officer.
	Deputy Chief Financial Officer/Direct of Budget.
	Deputy Chief Administrative Officer.
	Deputy Chief Financial Officer/Deputy Chief Administrative Officer.
	Chief Information Officer.
	Deputy Director for Financial Policy.
	Chief Information Officer & Director for High Performance Computing and Communciations.
	Chf Standard Reference Materials Program.
Office of the Secretary	Director, Office of Information Policy, Planning and Review.
Office of the Chief Financial Officer and Assistant Secretary for Administration.	Director for Y2K Outreach.
	Deputy Director, Office of Budget.
	Deputy Chief Information Officer.
	Director for Administrative Services.
Office of the General Counsel	Asst General Counsel for Finance & Litigation.
	Director, Office of Executive Support.
Office of the Assistant Secretary for Administration	Deputy Director for Security.
Director for Human Resources Management	Director for Human Resources Management.
	Dep Dir of Human Resources Management.
Director for Financial Management	Dir for Financial Management and Deputy Chief Financial Officer.
Office of Budget Mgmt & Info & Chief Information Offcr	Director, Office of Budget.
	Chief Information Officer.
Director for Executive Budgeting & Assistance Mgmt	Dir for Federal Asst & Management Support.
Office of Security and Administrative Services	Director, Office of Security.
	Director, Office of Acquisition Management.
Office of the Assistant Secretary for Administration	Director for Technology Management.
	Deputy Assistant Secretary and Director for Security.
Office of Inspector General	Asst Inspect Genrl for Compliance Admin.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Asst Inspector General for Syst Evaluation.
Office of Counsel to the Inspector General	Counsel to the Inspector General.
Office of Inspections and Program Evaluation	Assistant Inspector General for Inspections and Program Evaluation.
Office of Audits	Assistant Inspector General for Auditing.
Office of Investigations	Asst Inspector General for Investigations.
Economics and Statistics Administration	Director, Stat-USA.
Bureau of the Census	Assistant Director for Marketing and Customer Liaison.
	Chief, Human Resource Division.
Office of the Director	Assoc Dir for Field Operations.
	Chief Decennial Sys & Contracts Magnt Office.
	Principal Assoc Dire and Chief Financial Offc.
	Principal Associate Director for Programs.
	Special Advisor to the Deputy Director.
	Chief, Policy & Strategic Planning Division.
	Assistant to the Director.
Administrative and Customer Services Division	Chief Admin & Customer Services Division.
Associate Director for Information Technology	Assistant to the Director for Information Technology.
	Assoc Dir for Information Technology.
Data Preparation Division	Chief National Processing Center.
Associate Director for Economic Programs	Associate Director for Economic Programs.
	Assistant Director for Economic Programs.
Economic Planning and Coordination Division	Chf, Economic Planning & Coordination Div.
Economic Statistical Methods and Programming Division	Chf, Economic Statistical M & P Division.
Agriculture and Financial Statistics Division	Chief Company Statistics Division.
Services Division	Chief Service Sector Statistics Division.
Foreign Trade Division	Chf, Foreign Trade Div.
Governments Division	Chf, Government Div.
Manufacturing and Construction Division	Chf, Manufacturing & Construction Division.
Associate Director for Decennial Census	Associate Director for Decennial Census.
	Asst to the Assoc Dir for Decennial Census.
	Assistant Director for Decennial Census.
Decennial Management Division	Chief Decennial Management Division.
Geography Division	Chf, Geography Div.
Decennial Statistical Studies Division	Chief, Decennial Statistical Studies Div.
Associate Director for Demographic Programs	Associate Dir for Demographic Progs
	Chf, Population Div.
	Chief Demographic Surveys Division.
Housing & Household Economic Statistics Division	Chf, Housing & Household Econ Statistics Div.
Demographic Statistical Methods Division	Chief, Statistical Methods Division.
Associate Director for Methodology & Standards	Chief, Planning, Research, and Evaluation Division.
	Assoc Dir for Methodology & Standards.
Statistical Research Division	Chief Statistical Research Division.
Bureau of Economic Analysis	Associate of Economic Analysis.
Office of the Director	Director.
	Dep Dir, Bur of Economic Analysis.
	Chief Economist.
	Chf Statistician.
	Associate Director for Management and Chief Administrative Officer.
Associate Director for Regional Economics	Assoc Dir for Regional Economics.
Associate Director for International Economics	Assoc Dir for International Economics.
Assoc Director for Natl Income, E & W Accounts	Assoc Dir for Natl Inc, Exp, Wealth Accounts.
	Chf, Natl Income & Wealth Div.
	Chief International Investment Division.
	Chief, Computer Systems and Services Division.
Director of Administration	Director of Administration.
Office of the Asst Secretary for Export Enforcement	Deputy Assistant Secretary for Export Enforcement.
	Director Office of Export Enforcement.
Office of the Asst Secretary for Economic Development	Chief Financial Officer/Chief Administrative Office (CFO/CAO).
International Trade Administration	Director, Office of Environmental Technologies Industries.
Office of the Under Secretary	Chief, Financial Officer & Director of Admin.
Office of the Director of Administration	Human Resources Manager.
Office of Consumer Goods	Director Office of Consumer Goods.
Das for Market Access and Compliance	Dir Trade Compliance Center.
Market Access and Compliance	Director, Office of Eastern Europe, Russia, and Independent States.
	Director, Office of Multilateral Affairs.
Deputy Assistant Secretary for Agreement Compliance	Associate Director for Management.
National Oceanic Atmospheric Administration	Chief Financial Officer/Chief Admin Officer.
	Dir Staff Ofc for International Programs.
	Director, Office of Operations, Management and Information.
Office of International Affairs	Chief Financial Officer/Admin Officer.
Office of Finance and Administration	Director, Budget Office.
	Director, Major Projects Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir for Human Resources Management.
	Dir, Finance Office/Comptroller (FO/Compt).
Office of High Performance Computing and Communications	Director for High Performance Computing and Communications.
Systems Acquisition Office	Chief Information Officer and Information Technology Acquisition Manager.
Office of Assistant Administrator Ocean Serv and CZM	Senior Ocean Policy Advisor.
National Ocean Service	Associate Assistant Administrator for Management and Chief Financial Officer/Chief Administrative Officer.
	Director, National Centers for Coastal Ocean Science and Scientist for NOS.
	Deputy Director, National Centers for Coastal Ocean Science.
	Dir, Office of National Geodetic Survey (NGS).
Strategic Environmental Assessments Division	Chf, Strategic Environmental Assessments Div.
Coastal Monitoring and Bioeffects Assessment Division	Chief Coastal Monitoring Bioeffects Asses Div.
Hazardous Materials Response and Assessment Division	Chf, Hazardous Materials R & A Division.
Office of the Assistant Administrator for Weather Services	Senior Advisor.
	Director, Strategic Planning and Policy Office.
Office of the Chief Information Officer	Chief Information Officer.
Management and Budget Officer	Dep Chf Fin Ofc Chief Adm Officer.
Office—Fed Coordinator—Meteorology	Dir, Ofc of the Fed Coord for Meteorology.
Office of Hydrologic Development	Director, Office of Hydrologic Development.
Hydrologic Operations Division	Chief, Hydrologic Operations Division.
Hydrology Laboratory	Director, Hydrology Laboratory.
Office of Science and Technology	Chief, Programs and Plans Division.
	Director, Office of Science and Technology.
Meteorological Development Laboratory	Director, Meteorological Development Laboratory.
Systems Engineering Center	Director, Systems Engineering Center.
Office of Operational Systems	Director, Office of Operational Systems.
Field Systems Operations Center	Director, Field Systems Operation Center.
Telecommunications Operations Center	Chief Telecommunications Operations Center.
Maintenance, Logistics, and Acquisition Division	Chief, Maintenance, Logistics, and Acquisition Division.
Radar Operations Center	Dir, Nexrad Operational Support Facility.
National Data Buoy Center	Director, National Data Buoy Center.
Office of Climate, Water, and Weather Services	Director, Office of Climate, Water and Weather Services.
	Chief, Meteorological Services Division.
Eastern Region	Dir Eastern Region NWS.
Southern Region	Dir Southern Region, Ft Worth.
Central Region	Director Central Region.
Western Region	Dir, Salt Lake City Region.
Alaska Region	Dir. Alaska Region, Anchorage.
National Centers for Environmental Prediction	Dir Nat'l Severe Storms Lab.
	Dir Natl Ctr for Environmental Prediction.
	Director, Environmental Modeling Center (EMC) and Deputy Director for Science.
	Director, Aviation Weather Center.
NCEP Central Operations	Director, Central Operations.
Hydrometeorological Prediction Center	Chf, Meteorological Operations Division.
Climate Prediction Center	Dir Climate Prediction Ctr (CPC).
Storm Prediction Center	Director, Storm Prediction Center.
Tropical Prediction Center	Dir Tropical Prediction Ctr Natl Hurricane Ct.
National Marine Fisheries Service	Dir Seafood Inspection Program.
	Director Office of Sustainable Fisheries.
	Deputy Assistant Administrator for Regulatory Programs.
	Director, Office of Habitat Protection.
Office of Fisheries Conservation and Management	Chief Intergovernmental & Recreational F&M.
Office of Protected Resources	Dir Ofc of Science & Technology.
Northeast Fisheries Science Center	Science & Research Dir Northeast Region.
Southeast Fisheries Science Center	Science & Research Dir.
Northwest Fisheries Science Center	Science & Research Dir.
Southwest Fisheries Science Center	Science & Research Dir Southwest Region.
Alaska Fisheries Science Center	Science & Research Director.
Office of asst Administrator Satellite, Data Info Serv	Chief Financial Officer/Chief Administrative Officer.
	Sr Sci for Environ Satel, D & I Serv (NESDIS).
Director NPOESS Integrated Program	Systems Program Director.
National Climatic Data Center	Director, National Climatic Data Center.
National Oceanographic Data Center	Dir, Natl Oceanographic Data Center.
National Geophysical Data Center	Dir, Natl Geophysical Data Center.
Office of Systems Development	Director, Requirements, Planning and System Integration Division.
	Dir Ofc of Sys Development.
Ofc of Asst Administrator, Ocean & Atmospheric Research	Program Director for Weather Research.
	Director, Weather and Air Quality Research.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief Financial Officer/Chief Administrative Officer.
	Dep Asst Admr for Extramural Research.
National Sea Grant College Program	Director, National Sea Grant College Program
Aeronomy Laboratory	Director, Aeronomy Laboratory.
Air Resources Laboratory	Director Air Resources Laboratory.
Atlantic Ocean and Meteorology Laboratory	Dir, Atlantic Oceanographic & Meteorological.
Geophysical Fluid Dynamics Laboratory	Director.
Great Lake Environmental Research Laboratory	Dir Great Lakes Environmental Research Lab.
Pacific Marine Environmental Research Laboratory	Dir Pacific Marine Environmental Lab.
Space Environment Center	Dir, Space Environment Laboratory.
Environmental Technology Laboratory	Director.
Forecast Systems Laboratory	Director, Forecast Systems Laboratory.
Climate Monitoring and Diagnostics Laboratory	Dir Climate Monitoring & Diagnostics Lab.
Institute for Telecommunication Sciences	Assoc Admr for Telecommunication Science.
ITS, Systems and Networks Division	Deputy Dir for Systems & Networks.
Patent and Trademark Office	Dep Admin for Legislative & International Aff.
	Deputy General Counsel for Intellectual Property and Solicitor.
Chemical Patent Exam Groups	Group Director 110.
	Group Director 120.
	Group Director—130.
	Group Director 150.
	Deputy Group Director—110.
	Group Director—180.
	Deputy Group Director 150.
Office of Asst Commissioner for Patents	Administrator for Search & Information Res.
	Dep Asst Comm for Patent Process Services.
	Deputy Group Director—1300.
Examining Group Directors	Group Director.
	Group Director.
	Group Director.
	Group Director.
	Group Director.
	Patent Examining Group Director.
	Patent Examining Group Director.
	Patent Examining Group Director.
Electrical Patent Exam Groups	Group Director FOR260.
	Group Director 210.
	Group Director 220.
	Group Director—230.
	Group Director 240.
	Group Director 250.
	Group Director—250.
	Group Director—260.
	Group Director—230.
Mechanical Patent Exam Groups	Group Director—310.
	Group Director—320.
	Group Director—330.
	Group Director—340.
	Group Director—350.
Office of Asst Commissioner for Trademarks	Chairman, Trademark Trial & Appeal Board.
	Deputy Asst Commissioner for Trademarks.
	Director, Trademark Examining Operation
	Group Director, Trademark Law Offices.
	Group Director, Trademark Law Offices.
	Deputy Commissioner for Trademarks Examination Policy.
	Group Director, Trademark Law Offices.
	Group Director, Trademark Law Offices.
National Institute of Standards and Technology	Deputy Director, NIST Center for Neutron Research.
	Chief, Optical Technology Division.
	Director, Information Technology and Applications Office.
Office of the Director, NIST	Director for Administration and Chief Financial Officer.
	Deputy Director for Management Services.
	Deputy Director for Safety and Facilities.
	Executive Director, Visiting Committee on Advanced Technology Program.
	Director, Boulder Laboratories.
Office of Quality Programs	Director for Quality Programs.
	Dep Dir, Ofc of Quality Programs.
Program Office	Director, Program Office.
Office of International and Academic Affairs	Dir International & Academic Affairs.
	Chief Financial Officer.
Office of the Director for Technology Services	Deputy Director, Technology Services.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Manufacturing Extension Partnership Program	Assoc Dir for National Programs.
	Dir, Manufacturing Extension Partnership Prog.
	Dep Dir, Manufacturing Ext Partnership Prog.
Directors Office, Technology Innovation	Dir, Ofc of Technol Evaluation & Assessment.
Directors Ofc, Advanced Technology Program	Dir Information Technology Laboratory.
	Associate Dir for Policy & Operations
	Dep Dir Advanced Technology Program.
	Director, Advanced Technology Program.
	Dir, Materials & Manufacturing Technology Ofc.
	Director, Electronics & Photonics Technology Office.
Economic Assessment Office	Director, Economic Assessment Office.
Electronics and Electrical Engineering Laboratory	Electronics & Electrical Eng Laboratory.
	Chief Optoelectronics Division.
	Deputy Director.
	Dir, Office of Microelectronics Programs.
Manufacturing Engineering Laboratory Office	Chief, Office of Manufacturing Programs.
	Dep Dir, Manufacturing Engineering Laboratory.
	Dep Dir, Manufacturing Engineering Laboratory.
Precision Engineering Division	Chief, Precision Engineering Division.
Intelligent Systems Division	Chief, Intelligent Systems Division.
Chemical Science and Technology Laboratory Office	Chief Process Measurements Division.
	Dir, Chemical Sci & Technology Laboratory.
	Dep Dir, Chemical Sci & Technol Laboratory.
Physical and Chemical Properties Division	Chief, Physical & Chemical Properties Div.
Analytical Chemistry Division	Chief, Analytical Chemistry Division.
Physics Laboratory Office	Mgr, Fundamental Constants Data Center.
	Director, Physics Laboratory.
	Deputy Director, Physics Laboratory.
Electron and Optical Physics Division	Chief Electron and Optical Physics Division.
Atomic Physics Division	Chief, Atomic Physics Division.
	Chief, Quantum Metrology Division.
Time and Frequency Division	Chief, Time and Frequency Division.
Quantum Physics Division	Senior Scientist & Fellow of JILA.
	Senior Scientist & Fellow of JILA.
	Chief, Quantum Physics Division.
Materials Science and Engineering Laboratory Office	Dir, Materials Sci & Eng Laboratory.
Ceramics Division	Dep Dir, Materials Sci & Eng Lab.
	Chief, Cermanics Division.
Materials Reliability Division	Chief Materials Reliability Div.
Reactor Radiation Division	Chief, Reactor Radiation Division.
	Group Leader Neutron Consensed Matter Science.
	Chief, Reactor Operations.
Building and Fire Research Laboratory	Chief, Fire Safety Engineering Division.
	Dir, Building & Fire Research Laboratory.
	Dep Dir, Building & Fire Research Laboratory.
	Chief, Fire Safety Engineering Division.
Building Materials Division	Chf, Building Materials Div.
Building Environment Division	Chief, Building Environment Division.
Fire Science Division	Chief, Fire Science Division.
Computer Systems Laboratory Office	Associate Director for Program Implementation.
Advanced Network Technologies Division	Chief Advanced Network Technologies Div.
Computing and Applied Mathematics Laboratory Office	Associate Director for Computing.
	Chief High Perf Systems & Services Division.
National Technical Information Service	Deputy Director, Natl Technical Info Service.
O/AD for Financial & Administrative Management	Assoc Dir for Finance & Administration.
	Comptroller.
Commodity Futures Trading Commission:	
Office of the General Counsel	Deputy General Counsel (Litigation).
	Deputy General Counsel (Opinions & Review).
	Deputy General Counsel (Reg & Adm).
	Deputy General Counsel.
Office of the Executive Director	Dep Exec Dir.
	Dir, Ofc in Information Resources Mgmt.
	Director, Office of Financial Management.
Division Economic Analysis	Dep Chf Economist.
	Chief Counsel.
	Associate Director for Surveillance.
Division of Enforcement	Deputy Director (Western Operations).
	Deputy Director (Eastern Operations).
	Associate Director.
	Associate Director.
	Associate Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Division of Trading and Markets	Deputy Director (Contract Markets).
	Chief Counsel.
	Counsel for Special Projects.
Consumer Product Safety Commission:	
Ofc of Executive Dir	Assistant Executive Director for Compliance.
	Associate Executive Dir for Field Operations.
	Asst Exec Director for Information Services.
Office of Hazard Identification & Reduction	Assoc Exec Dir for Engineering Sciences.
	Associate Executive Director for Economics.
	Asst Exec Dir for Hazard I & R.
	Deputy Assistant Executive Director for Hazard Identification and Reduction.
	Assoc. Exec. Director for Epidemiology.
Office of the Secretary of Defense:	
Office of the Secretary	Asst to the Secy of Def Intelligence Oversig.
	Deputy Assistant to the Secretary of Defense (Intelligence Oversight).
Office of Under Secretary for Policy	Foreign Relations and Defense Policy Manager.
Office of the ASD (International Security Policy)	Director for Nuclear Safety and Security NATO Policy.
	DUSD for Technology Security Policy/Director, Technology Security.
Office of Assistant Secretary (SOLIC)	Dep Asst Secy of Defense (Forces & Resources).
	Director for Programs, Resources and Assessments.
	Dir Requirements & Technology & Acquisition.
	Deputy Assistant Secretary of Defense for Special Operations Policy and Support.
Director Operational Test and Evaluation	Dep Dir for Live Fire Test & Evaluation.
	Associate Director for Test and Evaluation Studies & Analyses.
	Deputy Director for Resources and Ranges.
Ofc of Inspector General	Deputy Inspector General.
	Asst Inspector General for Investigations.
	Dep Asst Inspector Gen for Investigations.
	Asst Insp Gen for Adm & Info Management.
	Dir, Audit Planning & Technical Support.
	Director, Contract Management.
	Director, Financial Management.
	Deputy Asst Inspector General for Auditing.
	Asst Inspector General for Auditing.
	Dir for Investigative Operations.
	Director, Acquisition Management Directorate.
	Dep Asst Insp Gen for Criminal Invest P & O.
	Director, Office of Departmental Inquiries.
	Director, Office of Intelligence Review.
	Director, Readiness and Logistics Support.
	Director for Audit Follow-up and Technical Support.
	Deputy Assistant Inspector General for Audit Policy and Oversight.
	Director, Office of Administration and Information Management.
Ofc of Asst Secy of Defense (Reserve Affairs)	Principal Director (Manpower and Personnel).
Ofc Dep Asst Secy (Civilian Personnel P/E Opportunity)	Principal Director and Director, Workforce Relations and Development.
ODASD (Requirements & Resources)	Director, Program and Budget Coordination.
Department of Defense Education Activity	Associate Director for Management.
	Deputy Dir Dept of Defense Education Activity for DOD Dependents Schools—(DODDS) Europe.
	Deputy Director, DODEA for Dept. of Defense Dependent Schools—Pacific.
Office Assistant Sec Health Affairs	Dir Info Management Tech & Reengineering.
	Director Acquisition Management & Support.
	General Counsel.
Office of Asst Secy of Def for Public Affairs	Director, AFIS.
	Dir Armed Forces Radio & Television Service.
	Deputy Director, American Forces Information Service.
	Special Assistant to the ASD (Public Affairs).
Deputy Comptroller (Program Budget)	Dir, Prog & Fin Control.
	Dep Dir for Program & Finanical Control.
Deputy Comptroller (Management Systems)	Deputy Chief Financial Officer.
Washington Headquarters Services	Director of Personnel and Security.
	Dir, Freedom of Information & Security Review.
	Director Real Estate and Facilities.
	Dep Dir, Real Estate & Facilities.
	Dep Dir, Personnel and Security.
Office of the General Counsel	Deputy General Counsel (IG).
	Dir Def Ofc of Hearings & Appeals.
Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).	Executive Director, Defense Science Board.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Deputy Under Secretary of Defense (Acquisition and Technology)	Deputy Director, Defense Acquisition Regulations System. Director for Defense Procurement. Deputy Dir, Cost Pricing & Finance. Dep Dir, Contract Pol & Administration. Director, Pacific Armaments Cooperation. Dep Dir, Def Syst Procurement Strategies. Dir Planning & Analysis. Dep Dir, Foreign Contracting. Dep Dir for Policy Initiatives. Dir OSD Studies & FFRDCA. Director Ind Capabilities & Assessments. Assistant Deputy Under Secretary of Defense (Acquisition Process & Policies). Principal Assistant Deputy Under Secretary of Defense (Acquisition, Reform). Director, Acquisition Resources and Analysis. Deputy Director, Resource Analysis. Principal Deputy, Acquisition Resources and Analysis. Deputy Director, OSD Studies & FFRDC Programs. Deputy Director, Electronic Business.
Asst to the Sec of Def for Nuclear & Chemical & Biological Defense Programs.	DAS of DEF (Nuclear Treaty Programs). Deputy Assistant to the Under Secretary of Defense (Nuclear Matters).
Office of the Director of Defense Research & Engineering	Dep Dir Naval Warfare. Dep Dir Munitions. Sr Staff Special for Air Superiority Systems. Dep Dir Land Warfare. Dep Dir Electronic Warfare. Special Asst Concepts & Plans. Deputy Director (Missile Warfare). Princ Dep Dir, Strategic & Tactical Systems. Deputy Director Air Warfare. Dep Dir Arms Control Implementation Compl. Asst Dep Dir, Arms Control I & C. Director for Information Systems. Director, Sensor & Electronics Technology. Director for Weapons Systems. Deputy Director, Development Test and Evaluation. Assistant Deputy Under Secretary of Def (FDP). Director for Bio Systems. Director for Science and Technology Plans and Programs. Director for Technology Transition. Director for Multi-Disciplinary Systems. Assistant Deputy Director, Air Warfare.
Ofc of Asst Secy (Command, Control, Commun & Intel)	Director, Program Analysis & Integration. Director, Counterintelligence. Director, International Affairs.
Deputy Assistant Secretary of Defense (Defense-Wide)	Deputy Director, Communications and C2 Battle Management.
DASD (Information Management)	Special Assistant to the DASD (Deputy Cio).
Director for Special Technology	Director, Technology and Evaluation.
Defense Advanced Research Project Agency (DARPA)	Dir, Contracts Management Office. Special Asst, Information Technology. Deputy Director DARPA. Prog Manager (Joint Applications Study Group). Director, Tactical Technology Office. Deputy Director, Management Operations. Program Manager (Acquisition Innovation). Director, Microsystems Technology Office. Deputy Director, Information Technology Office. Director, Information Technology Office. Executive Director, Future Combat Systems. Joint Applications Study Group Program Manager.
Office of the Joint Chiefs of Staff	Dep Dir for Wargaming, Simulation & Analysis.
Ballistic Missile Defense Organization	Deputy for Program Operations. Director, Contracts Directorate. Deputy for Technology. Asst Dep for Theater Air & Missile Defense. Chief Architect/Engineer. Deputy Chief Architect/Engineer. Asst Deputy for Technical Operations. Deputy for System Development. Executive Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Program Manager, National Missile Defense Joint Program Office.
	National Missile Defense Technical Director (NMD TD).
	Deputy for Acquisition Strategy & Long Range Planning.
Defense Contract Audit Agency	Deputy Director, DCAA.
	Assistant Director, Operations.
	Asst Dir, Policy & Plans.
	Director, Field Detachment.
	Director, DCAA.
	Deputy Regional Director, Western Region.
Regional Managers	Regional Director, Eastern.
	Regional Director, Northeastern.
	Regional Director, Central.
	Regional Director, Western.
	Regional Director, Mid-Atlantic.
	Dep Regional Director Eastern Region.
	Deputy Regional Director Northeastern Region.
	Deputy Regional Dir Central, Region.
	Dep Reg Dir Mid Atlantic Region.
Defense Logistics Agency	Chief Actuary.
	Dir, Defense Manpower Data Center.
	Dep Commander, Def Construction Supply Ctr.
	Deputy Commander Defense Distribution Center.
	Exe Dir, Resource, Planning & Performance Dir.
	Director, Information Operations (J–6).
	Dir, Civilian Personnel Mgmt Service.
	Director, Defense Property Accountability System (DPAS) Program Management Office.
	Executive Director Human Resources.
	Director, Defense Automated Printing Service.
	Director, Defense Energy Support Center.
	Executive Director, Electronic Business Office.
	Executive Director.
	Executive Director, Information Technology Policy, Plans and Assessment.
	Executive Director, Business Modernization.
	Executive Director, Logistics Policy and Acquisition Management.
	Program Executive Officer.
	Executive Director, Business Operations.
	Deputy Director, Information Operations/Chief Technical Operator.
Office of General Counsel	General Counsel, DLA.
	Deputy General Counsel (Administration).
Office of the Comptroller	Comptroller.
Office of the Deputy Director, Material Management	Deputy Commander, Defense General Supply Ctr.
	Deputy Commander (DLSC).
Defense Personnel Support Center	Deputy Commander, DPSC.
Defense Training & Performance Data Center	Deputy Dir Defense Manpower Data Center.
Defense Contract Management Agency	Executive Director, Contract Mgmt Operations.
	Executive Director, Program Integration (Acquisition).
	Deputy Commander, Defense Contract Management Agency.
	Executive Director, Business Operations.
	Chief Information Officer.
	Program Executive Officer/Executive Director, Standard Business Systems.
	General Counsel.
	Deputy General Counsel.
Defense Information Systems Agency	Comptroller.
	Dep Director for Strategic Plans & Policy.
	Special Assistant for Liaison Activities.
	Chief, Technology & Standards Division.
	Dep Dir For C4I Programs.
	Special Asst/Infrastructure & Information Systems Security.
	Chief Engineer, Information Systems Security.
	Advisor for Cross Program Integration.
	Chief Spectrum Anal & Mangnt Division.
	Commander, Disa Westhem.
	Chief, Policy, Plans, and Appropriated Programs Division.
	Chief, Defense Computing Business Office.
	Chief, Defense Information Systems Network Business Office.
	Assistant for Program Oversight.
	Chief Engineering Executive for Information Transport.
	Commander, Center for Horizontal Integration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief, Defense Information Systems Network Support Division.
	Chief Engineering Executive, Office of Chief Information Officer.
	Chief, Defense Information Systems Network Transition and Integration Division, Operations Directorate.
	Deputy Director for Manpower, Personnel and Security.
	Deputy Director for Information Engineering.
	Deputy Comptroller.
	Chief, Plans, Concepts and C2 Applications Division.
	Assistant for C4I Enterprise Program Integration.
	Chief Engineer, Center for Integrated Switched Network Services.
	Chief Executive Engineer, Network Services Directorate.
	Chief, Center for Defense Information Systems Networks Services.
	Chief, Customer Focus Center.
	Chief Technology Officer, Disa Westhem.
Office of the Director	Deputy Manager National Commun Systems.
	Inspector General.
Directorate for Strategic Plans and Policy	Chief Information Officer.
Directorate for C4 & Intelligence Programs	Tech Dir Adv Info Tech Services Joint Prog.
	Dep Dir for C4I Modeling, Simulation & Assess.
	Chief Current Network Operations.
Directorate for Operations	Technical Dir, Space Information Syst Office.
Directorate Disa, for Logistics, F & S Projects	Dep Dir for Procurement & Logistics.
Directorate for Personnel and Manpower	Dep Dir for Personnel & Manpower.
Directorate for Engineering & Interoperability	Assoc Dir For Technical & Management Support.
Directorate for Enterprise Integration	Deputy Director for Joint R A & I.
Defense Threat Reduction Agency	Staff Spec for Spec Tech Program.
	Chief, Weapons Lethality Division.
	Deputy Director, Operations Directorate.
	Director for Electronics and System.
	Director for Weapons Effects.
	Chief, Simulation and Test Division.
	Director for Programs.
	Program Director, Special Programs Office.
	Dir for Counterproliferation Programs.
	Comptroller.
	Deputy Director, on Site Inspection Plans and Resources.
	Director, Counterproliferation Support & Operations.
	Director, Acquisition Management.
	Director, Chemical-Biological Defense.
Defense Security Assistance Agency	Chief Information Officer.
Defense Finance & Accounting Service	Deputy Director, Cleveland.
	Deputy Director Defense Finance and Accounting Service.
Defense Security Service	Dir, Defense Investigative Service.
	Dir DoD Polygraph Institute.
	Deputy Director for Developmental Programs.
	Deputy Director for Security Programs.
	Deputy Director for Field Operation.
	Deputy Director for Resources.
	Deputy Director for Program Analysis and Evaluation.
	Deputy Director for Resources.
Department of the Air Force:	
Office of Administrative Assistant to the Secretary	Administrative Assistant.
	Dep Admin Assistant.
Office of Small & Disadvantaged Business Utilization	Dir, Ofc of Small & Disadv Bus Utilization.
Auditor General	Auditor General of the Air Force.
Air Force Audit Agency (FOA)	Asst Aud Gen (Materiel & Systems Audits).
	Asst Aud Gen (Field Activities).
	Asst and Gen (Operations).
	Asst Aud Gen (Financial & Support Audits).
	Deputy Auditor General of the Air Force.
Office of the Inspector General	Executive Director.
AF Office of Special Investigations (FOA)	Executive Director.
	Executive Director, Defense Cyber Crime Center (DCCC).
Office of the General Counsel	Deputy General Counsel (Dispute Resolution).
Office of ASAF for Financial Management & Comptroller	Principal Dep Asst Secry (Financial Mgmt).
ODAS Budget	Director of Budget Investment.
	Chief, Budget Management Division.
	Deputy for Budget.
ODAS Cost & Economics	Associate Deputy Assistant Secretary (Cost and Economics).
	Dep Asst Secy (Cost & Economics).
Office of ASAF for Acquisition	Air Force Program Executive Officer, Launch Systems.
	Principal DAS (Acquisition & Mgmt).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
ODAS Science, Technology & Engineering	DAS (Science, Technology & Engineering).
ODAS Management Policy & Program Integration	Associate Deputy Assistant Secretary, Management Policy and Program Integration.
	Dep Asst Secy (Mgmt Pol & Prog Integration).
ODAS Contracting	Assoc Dep Asst Secy (Contracting).
Directorate of Space and Nuclear Deterrence	Deputy Director, Space & Nuclear Deterrance.
Air Force Program Executive Office (FOA)	Program Exec Officer, Info Systems.
	Air Force Program Executive Officer, Weapons.
	Prog Executive Officer for Joint Logistics Systems.
	Air Force Program Executive Officer Space.
	Deputy Program Executive Officer (Command and Control & Combat Support Systems).
Ofc of ASAF for Manpower and Reserve Affairs	Associate Deputy Assistant Secretary of the AF (Environment, Safety, and Occupational Health).
	Deputy Assistant Secretary of the AF (Personnel, Force Management, and Strategy).
Air Force Review Boards Agency (AFRBA)—FOA	Dep for Air Force Review Boards.
Air Force Base Conversion Agency (FOA)	Dir Air Force Base Conversion Agency.
Office of the Chief of Staff	Air Force Historian.
Test and Evaluation	Deputy Dir Test & Evaluation.
Air Force Studies and Analyses Agency (DRU)	Director, Air Force Studies and Analyses Agency.
Deputy Chief of Staff, Communications & Information	Director, Architecture and Interoperability.
Deputy Chief of Staff, Installations & Logistics	Asst Dep Chief of Staff Installation & Logist.
Civil Engineer	Deputy Civil Engineer.
Services	Director of Services.
Maintenance	Deputy Director of Maintenance.
	Deputy Director of Maintenance.
Plans & Integration	Director of Plans & Integration.
Supply	Chief, Aircraft/Missile Support Division.
	Chief, Combat Support Division.
AF Center for Environmental Excellence (FOA)	Dir AF Center for Environmental Excellence.
Manpower & Organization	Deputy Director for Manpower and Organization.
	Deputy Director for Manpower and Organization.
Programs	Associate Director of Programs & Evaluation.
Strategic Planning	Dep Dir of Strategic Planning.
Deputy Chief of Staff, Personnel	Asst Deputy Chief of Staff Personnel.
	Dir of Personnel Force Development.
	Deputy Director Personnel Force Management.
	Director, Palace Compass Program Management Office.
Deputy Chief of Staff, Air and Space Operations	Dep Dir of Operational Requirements.
	Assoc Dir Modeling Simulation & Analysis.
	Director Nuclear Weapons and Counterproliferation Agency.
	Associate Director for Ranges and Airspace.
	Associate Director for Operations.
AF Operational Test & Eval Ctr (DRU)	Scientific Advisor.
Air Force Materiel Command	Executive Director.
	Chief Technology Officer.
Personnel	Director, Personnel.
Contracting	Deputy Director Contracting.
Logistics	Deputy Director for Depot Maintenance.
	Deputy Director for Supply Management.
Engineering & Technical Management	Director, Engineering & Technical Mgmt.
Financial Management & Comptroller	Dep Director, Financial Mgmt & Comptroller.
Communications & Information	Director, Communications & Information.
Plans & Programs	Deputy Director, Plans & Programs.
Requirements	Director, Requirements.
Operations Directorate	Deputy Director of Operations.
Directorate of Civil Engineer	Deputy Command Civil Engineer.
Electronic Systems Center	Executive Director.
	Prog Dir Strategic & Nuclear Deterrence C2.
	Director, Materiel Systems Group.
	Director, Plans & Programs.
	Program Director, Defense Information Infrastructure Air Force.
	Director, Information Programs Office.
	Director, Contracting.
Standard Systems Center	Director, Standard Systems Center.
Aeronautical Systems Center	Executive Director.
	Director System Management.
	Director, Contracting.
	Dir Financial Management & Comptroller.
Directors of Engineering	Dir of Engineering F–22.
	Director of Engineering, F–22.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director of Engineering Propulsion.
	Director of Engineering Joint Strike Fighter.
Systems Program Offices	Program Director, Air Combat SPO.
	Program Director, Mobility SPO.
Human Systems Center	Deputy Director.
Air Force Research Laboratory	Executive Director, AFRL.
	Director, Plans & Programs.
	Assoc Dir for Investment Strategy.
	Director, AFRL Washington Office.
Air Vehicles Directorate	Assoc Dir for Air Platforms.
AFRL—Munitions Directorate	Associate Director for Weapons.
Space Vehicles Directorate	Director, Space Vehicles.
Information Directorate	Dir Information.
Directed Energy Directorate	Director Directed Energy.
Materials and Manufacturing Directorate	Director, Materials & Manufacturing.
	Assoc Dir for Manufacturing Tech & Afford.
Sensors Directorate	Director Sensors.
	Associate Director for Sensors.
Human Effectiveness Directorate	Director, Human Effectiveness Directorate.
Arnold Engineering Development Center	Executive Director.
Air Force Flight Test Center	Executive Director.
Air Logistics Center, San Antonio	Director, Financial Management.
	Executive Director.
	Dir. Privatization & Realignment.
Air Logistics Center, Oklahoma City	Director, Commodities Management.
	Executive Director.
	Product Group Manager, Propulsion Systems.
	Director, Logistics Management.
Air Logistics Center, Warner Robins	Director, Financial Management.
	Director, Technology & Industrial Support.
	Executive Director.
	Director, Logistics Management.
	Director, Contracting.
Air Logistics Center, Ogden	Director, Financial Management.
	Executive Director.
	Director Commodities.
	Director, Logistics Management.
	Director, Contracting.
Air Logistics Center, Sacramento	Director, Financial Management.
	Center Director, Vice Executive Director.
Air Armament Center	Executive Director.
	Director, Plans and Programs.
AAC—Systems Program Office	Prog Dir Joint Air-To Surface Standoff Miss.
	Program Dir Air to Air Joint SPO.
Air Combat Command	Senior Technical Director.
Air Mobility Command	Principal Dep Dir of Operations for Transport.
Air Force Reserve Command	Air Commander 4th Air Force.
	Air Commander 10th Air Force.
	Air Commander 22nd Air Force.
	Assistant Vice Commander.
	Director, Plans.
	Director of Operations.
AF Space Command	Associate Director of Plans & Programs.
U.S. Central Command	Scientific Advisor.
U.S. Space Command	Director of Programs and Resources.
	Chief Technical Officer and Director of Analysis.
Space and Missle Systems Center	Director, Systems Acquisition.
	Executive Director.
	Director Contracting.
	Program Director, Milsatcom JPO.
U.S. Strategic Command	Assoc Dir for Strategic Planning.
	Dep Dir Comd Ctrl Comm Computer & Intel Sys.
U.S. Transportation Command	Dir Program Analysis & Financial Mgmt.
Federal Executive Institute—Dev Assignment	Special Assistant for Financial Management Studies.
Department of the Army:	
Department of the Army	Assistant Deputy Chief of Staff for Personnel (Installation Management).
	Deputy Chief of Staff for Resource Management.
Office of the Secretary	Interagency Coordinator of Military Support to Civil Authorities.
Office Deputy Under Secretary of Army (OPS Research)	Spec Asst for Air & Missil Defense.
	Special Assistant for Systems.
	Assistant Deputy Under Secretary of the Army for Operations.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Research.
	Dir, Test and Evaluation Management Agency.
Office Deputy Under Secretary of the Army (Intl Affairs)	Assistant Deputy Under Secretary (International Affairs) (Security Cooperation).
Office Administrative Asst to the Sec of Army	Adm Asst to the Secy of the Army.
	Dep Admin Asst to the Secy of the Army.
	Dir Single Agency Mgr for Pentgon Info Tech.
Office of the General Counsel	Deputy General Counsel (Ethics & Fiscal).
Ofc Asst Secretary Army (Civil Works)	Deputy Asa (Management & Budget).
	Das of the Army (Policy & Legislation).
Ofc Asst Sec Army (Financial Management & Comptroller)	Assistant Deputy Asa for Army Budget.
	Deputy for Cost Analysis.
	Dir of Investment.
	Das of the Army (Financial Operations).
	Spec Adv for Economic Pol & Productivity Prog.
	Director for Business Resources.
Ofc Asst Sec Army (Manpower & Reserve Affairs)	Deputy Assistant Secretary of the Army (Civilian Personnel Policy).
	Deputy Asst Secy of the Army (ARBA).
	Deputy Assistant Secretary of the Army (Civilian Personnel Policy).
Ofc Asst Sec Army (Acquisition, Logistics and Technology)	Das for Res & Tech/Chief Scientist.
	Deputy Asst Secy of the Army (Procurement).
	Dep Asst Secy for Plans & Programs.
	Director for Research.
	Director for Technology.
	Director for Assessment & Evaluation.
	Director, Procurement Policy and Acquisition Reform.
Hqda Army Acquisition Executive	Dep Prog Mgr for Chem Demiliarization Oper.
	Deputy PEO, Armored Systems Modernization.
	Dep Prog Exec Ofcr, Command & Control Systems.
	Deputy Prog Executive Officer Comm Systems.
	Program Executive Officer Stamis.
	Dep Program Executive Officer for Aviation.
	Deputy Prog Executive Ofcr, Missile Defense.
	Dep Prog Executive Ofcr Tactical Missiles.
	Prog Manager for Chemical Demi Operations.
	Dep Prog Executive Officer for Fire Supp Sys.
	Program Exec. Ofcr, Intel., Electr. Warfare & Sensors.
Ofc of Dir of Inform Sys for Comm, Contl,	Dir of Army Information.
Comms/Computers	Vice Director to the DISC4.
Army Audit Agency	The Auditor General.
	Deputy Auditor General.
	Director, Logistical & Financial Audits.
	Dir, Acquisition & Force Mgmt.
	Director, Policy and Operations Management.
Office, Chief of Staff	Director, Facilities, Housing & Environment.
	Assistant Deputy Chief of Staff for Programs.
Operations Test & Evaluation Command (OCSA FOA)	Tech Dir, Test & Exper Command.
	Dir US Army Evaluation Center.
Army Center of Military History (OCSA FOA)	Chief Historian.
Office, Assistant Chief of Staff for Installation Mgmt	Dep Asst Chief of Staff for Installation Mgnt.
Office, Deputy Chief of Staff for Logistics	Asst Dir for Transportation.
	Executive Director, Strategic Logistics Agcy.
	Chief Aviation Logistics Office.
	Associate Dir for Supply & Maintenance.
Office Dep Chf of Staff for Operations & Plans	Tech Adv to the DCSOPS.
	Director, Army Model & Simulation Office.
Office, Dep Chief of Staff for Personnel	Director of Manprint.
	Director for Personnel Technologies Directorate.
	Director of Plans, Resources and Operations.
Army Research Institute (DCSPER FOA)	Dir, Manp & Pers Res Lab & Assoc Dir, ARI.
	Dir, US Army Res Inst & Chief Psychologist.
U.S. Total Army Personnel Command (DCSPER FOA)	Director, Army Declassification Activity.
National Guard Bureau	Program Executive Officer for Information Systems & Chief.
	Information Officer.
Walter Reed Army Institute of Research	Chief Dept of Pharmacology.
USA Space and Missile Defense Command	Prin Assistant Resp for Contracting.
	Dir, Advanced Technology Directorate.
	Director, Weapons Directorate.
	Director, Space and Missile Defense Battle Laboratory.
	Director, Integration and Interoperability for Missile Defense.
Training and Doctrine Command (TRADOC)	Asst Deputy Chief of Staff for Resources Mgmt.
	Adcos for Training Policy Plans and Programs.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy to the Commanding Gen, CASCOM.
	Asst Dep Chief of Staff for Base Ops Support.
	Asst Dep Chief of Staff for Combat Develop.
	Dep Chief of Staff for Base Operations Supp.
TRADIOC Analysis Center	Director of Operations.
	Director of Operations.
	Director.
U.S. Army Nuclear and Chemical Agency	Dir, U.S. Army Nuclear & Chemical Agency.
Military Traffic Mgmt Command	Special Asst for Transportation Engineering.
	Deputy to the Commander.
U.S. Army Forces Command	Deputy Director Resource Management.
	Asst DCS for Pers & Inst Mgnt.
	Assistant Deputy Chief of Staff for Logistics and Readiness.
U.S. Army Signal Command	Technical Director/Chief Engineer.
U.S. Army Corps of Engineers	Dir of Real Estate.
	Director of Human Resources.
	Director of Resource Management.
	Principal Asst Responsible for Contracting.
	Deputy Chief of Staff for Corporate Information.
	Deputy Director Engineer Research and Development Center.
Directorate of Research & Development	Deputy Chief of Staff for Research & Development.
	Asst Dir for Research & Dev (Civil Works prog).
	Asst Dir Research & Dev (Military Prog).
Directorate of Civil Works	Chief, Programs Management Division.
	Chief, Planning Division.
	Principal Assistant for Civil Works.
	Chief Engineering Division.
	Chf, Ops, Construction & Readiness Division.
	Chief Policy Review & Analysis Division.
Directorate of Military Programs	Deputy Director, Military Programs.
	Chief, Programs Management Division.
	Chief, Environmental Division.
	Chief, Engineering and Construction Division.
	Chief, Installation Support Division.
Directors of Programs Management	Dir Programs Management, MVD.
	Dir Programs Management, NAD.
	Director of Programs Management.
	Director Programs Management.
	Dir Programs Management, POD.
	Dir of Programs Management, SAD.
	Dir Programs Management, SPD.
	Dir Programs Management, SWD.
Director of Engineering & Technical Services	Director of Engineering & Technical Services.
	Dir Engineering & Technical Services, NWD.
	Dir Engineering & Technical Services, NAD.
	Dir Engineering & Technical Services, LRD.
	Dir Engineering & Technical Services, NWD.
	Dir Engineering & Technical Services, LRD.
	Dir Engineering & Technical Services, POD.
	Dir Engineering & Technical Services, SAD.
	Dir Engineering & Technical Services, SPD.
	Dir of Engineering & Technical Services, SWD.
Engineer Waterways Experiment Station, COE	Director, Geotechnical Laboratory.
	Director Environmental Lab.
	Director, Structures Laboratory.
	Director, Coastal and Hydraulics Laboratory.
	Director, Engineer Research and Development.
	Director, Information Technology Laboratory.
Engineer Topographic Laboratories, C of Engineers	Director.
Construction Engineering Res Lab Champaign, IL	Director.
Cold Regions Research & Engineering Lab Hanover, NH	Director.
U.S. Army Materiel Command	Deputy Chief of Staff for Corporate Information/CIO.
Office of DCS for Logistics & Operations	Asst Dep Chief of Staff for Logs & Operations.
	Dir Army Single Stock Fund/Dir AMC Logistics Systems and Processes.
Special Analysis Office	Chief, Stategic Analysis and Planning Office.
Office Deputy Commanding General	Principal Deputy for Logistics.
	Principal Deputy for Acquisition.
	Senior Advisor for Science and Technology.
Office of DCS for Research, Dev and Acquisition	ADCS for RDA Science Technology & Engineering.
	ADCS for RDA—Business OPS/Director AMC TOCR Program.
Office of Deputy Chief of Staff for Ammunition	Asst Deputy Chief of Staff for Ammunition.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of DCS for Acquisition	Asst Dep Chief of Staff for Res DAAC & P Mgmt.
Ofice of Deputy Chief of Staff for Personnel	Dep Chief of Staff for Personnel.
Office of the Deputy Chief of Staff for Res Management	ADCS for Resource Mgmt/Exec Dir for Busin.
	Deputy Chief of Staff for Resource Management.
USA Security Assistance Command	Deputy.
U.S. Army Operations Support Command	Deputy to the Commander.
Natick Soldier Center	Director, Natick Rd & E Center.
U.S. Army Soldier & Biological Command (SBCCOM)	Director, Engineering Directorate.
	Technical Director.
	Deputy to the Commander.
	Director for Operations, Remediation and Restoration.
	Director, U.S. Army Materiel Command Acquisition Center.
U.S. Army Communications Elect Comd (CECOM)	Director CECOM Acquisition Center.
	Assoc Dir, CECOM Acq Center—Washington Operations Office.
	Deputy to the Commander.
CECOM Research, Development & Engineering Center	Dir-Night Vision/Electro Sensors Directorate.
	Dir, Space & Terrestrial Comm Directorate.
	Dir, I & E Warfare Directorate.
	Dir, Software Engineering Directorate.
	Director/Army Systems Engineer.
	Dir for C4I Log & Readiness Center.
	Assoc Tech Dir Resech Devel & Engineering Ctr.
	Director, Command, Ctrl & Syst Integration Dir.
U.S. Army Research Laboratory	Director US Army Research Laboratory.
	Associate Director for Plans, Programs and Budget.
	Deputy Director.
Survivability/Lethality Analysis Directorate	Director, Survivability/Lethality Analysis Directorate.
Army Research Office	Director.
	Dir, Research & Technology Integration.
	Director, Engineering Sciences Directorate.
	Director, Physical Sciences Directorate.
Sensors and Electron Devices Directorate	Deputy Director and Director Electron Devices Research Driector.
Computational and Information Sciences Directorate	Director.
	Deputy Director.
Weapons and Material Research Directorate	Deputy Director and Directorate Materials Research Director.
Human Research and Engineering Directorate (ARL)	Director, Human R & E Directorate.
U.S. Army Aviation and Missile Command (AMCOM)	Executive Director, Acquisition Center.
	Director for Engineering.
	Executive Dir, Integrated Materiel Mgmt Ctr.
	Deputy Executive Director for TMDE.
	Deputy to the Commander.
	Deputy to the Commander.
	Executive Director Acquisition Center.
	Executive Dir Integrated Material Magnt Ctr.
Missile Res Development & Engineering Center (RDEC)	Dir for Systems Simulation & Development.
	Tech Dir for M & D, Res, Dev & Eng Center.
	Associate Director for Systems, Missiles.
	Director for Weapons Sciences.
	Dir for Missile Guidance.
	Director for Propulsion and Structures.
Aviation Research, Development and Engineering Center	Techn Dir (Aviation) & ED–US Army ARD & EC.
	Director of Aviation Engineering.
	Dir of Aeroflight Dynamics.
	Dir of Advanced Syst/Assoc Dir for Technol.
	Assoc Dir for Tech Appl/Dir of Spec Prog.
Tank-Automative and Armaments Comd (TACOM)	Director of Acquisition Center.
	Director, Integrated Materiel Mgmt Center.
	Dir US Army Armament & Chemical A & L ACT
	Deputy to the Commander.
Tank-Automotive Res, D & E Center (TARDEC)	Vice President for Research.
	President/Director.
	Vice President for Customer Engineering.
	Vice President for Product Development.
US Army Armament Research, D & E Center (ARDEC)	Technical Director for Armament.
	Asst Technical Director (System Development & Engineering).
	A/Tech/Dir (Systems Concepts & Technology.
Warheads, Energetics and Combat Support Armaments Center	Dir, WE & Combat Support Armaments Center.
Fire Support Armaments Center	Senior Technical Executive for Fire Support.
Close Combat Armaments Center	Senior Technical Executive for Close Combat.
US Army Simulation, Training & Instrumentation Command	Deputy to the Commander.
US Army Test and Evaluation Command, (TECOM)	Tech Dir & Chf Sci.
	Director, Technical Mission.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir, Joint Prog Ofc for Test & Evaluation.
US Army Materiel Systems Analysis Activity	Director.
	Chief, Combat Integration Division. d
Headquarters, US Army, Europe	Asst Dep Chf of Staff, Personnel (Civ Pers).
	Asst Dep Chief of Staff Eng for Eng & Housing.
	Asst Dep Chf Staff for Eng (Intl Affairs).
	Deputy Chief of Staff for Resource Management.
U.S. Army Military District of Washington	Director of Cemetery Operations.
	Deputy to the Commander for Installation Support.
U.S. Southern Command	Spec Asst for Technology & Requirements Integ.
	Technical Advisor—Sustaining Base/Quality of Life.
Department of the Navy:	
Office of the Secretary	Chief Information Officer.
	Director for Electronic Business and Security.
Office of The Under Secretary of the Navy	Assistant for Administration.
Office of the Auditor General	Eastern U.S. Audit Services, Facilitator.
	Dir, Naval Audit Service Western Region.
	Dir, Naval Audit Service Capital Region.
	Asst. Auditor General for Financial & Force Mgmt. Audits.
	Auditor General of the Navy.
	Deputy Auditor General of the Navy.
	Asst. Auditor General for Infrastructure Audits.
	Asst. Auditor General for Acquisition & Logistics Audits.
Ofc of the Asst Secy of Navy (Manpwr & Res Affs)	Dir, Human Resources Operations Center.
	Assist Gen Coun (Manpower & Reserve Affairs).
	Director, Plans, Programs & Diversity.
	Dep A/S of the Navy (Civilian Persnl P/EEO).
OAS of Navy (Installations & Environment)	Asst General Counsel (Install & Environment).
OAS of the Navy (Research, Dev & Acquisition)	Director, Navy Acquisition R & S Improvement.
	Director, Procurement Policy.
	Head, Contract Policy.
	Asst Gen Coun (Res, Dev & Acquisition).
	Director, Acquisition Career Management.
	Dep Dir Navy International Programs Office.
Program Executive Officers	Deputy Chief Engineer.
	Deputy Program Executive Officer Surface Strike.
	Deputy PEO for Aircraft Carriers.
	Director, Plans & Programs Division.
	Chf Engr.
	Asst for Fire Control & Guidance Systems.
	Branch Head, Reentry Systems Branch.
	DeP P/E Officer for Unmanned Aerial Vehicles.
	Dep Director for Theater Air Missile Defense & SE/Director of Weapons.
	Technical Plans Officer.
	Head, Res Branch & De Dir, Plans & Progs Div.
	Assistant for Missile Engineering Systems.
	Dep P/E Officer for Cruise Missiles Program.
	Dep Prog Officer Submarines.
	Asst for Systems Integration & Compatibility.
	Dep Prog Exec Ofcr for AWS, A/S Mission Prog.
	Dep Prog Exec Ofcr for Tactical Air Programs.
	Deputy PEO, Mine Warfare.
	PEO for Information Technology.
	Aegis Deputy Program Manager.
	Prog Exec Officer ASW Assault & Spec Miss Pro.
	Deputy PEO for Enterprise Solutions.
	Deputy PEO for Information Technology/Tech Dir.
	Deputy Program Mgr., Future Carrier Program Office.
Ofc of the Asst Secy of Navy (Fin Mgmt Comptroller)	Assoc Dir, Budget & Reports/Fiscal Manag Div.
	Asst General Counsel (Financial Management)
	Dir, Investment & Dev Div.
	Dir, Financial Mgmt Pol & Systems Division.
	Director, Program/Budget Coordination Division.
	Dir Resource Allocation & Analysis Division.
	Director, Financial Management Division.
	Director, Business and Civilian Resources Division.
Naval Center for Cost Analysis	Dir Naval Center for Cost Analysis.
Office of the Naval Inspector General	Deputy Naval Inspector General.
Office of the General Counsel	Special Counsel for Litigation.
Naval Criminal Investigative Service	Dir Naval Criminal Invest Service.
	Asst Dir of Counterintelligence.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Special Agent in Charge Norfolk Field Ofc.
	Special Agent in Charge.
	Deputy Director, NCIS.
Chief of Naval Operations	Asst Dep Chf of Naval Operations (Logistics).
	Dep Dir of Naval Training.
	Asst Dep Chief Naval Oper Res Warfare.
	Asst Dep Chf of Naval Oper Manpower/Personnel.
	Assistant Deputy Chief of Naval Operations (Warfare Requirements & Programs).
	Director, Special Programs Division.
	Assistant Director, Space, Information Warfare, Command and Control.
	Assoc Dir Warfare Integration & Assessment Div.
	Head, Studies & Analysis Branch.
	Associate Director, Assessment Division.
	Tech Dir, Submarine & SSBN Security Program.
	Technical Director.
	Deputy Director for Programming.
	Head Force Structure and Analysis Branch.
	Assoc Dir, Expeditionary Warfare Division.
	Director, Logistics Planning and Innovation.
	Dir Naval History/Dir, Naval Historical Ctr.
	Dep Dir Envir Protection Safety Occp Heal Div.
	Director Strategic Sealift Division.
Bureau of Naval Personnel	Acnp for Mpn Financial Management.
Bureau of Medicine & Surgery	Dep Commander for Fin Mgmt & Comptroller.
Military Sealift Command	Counsel.
	Comptroller.
	Executive Director.
Naval Meteorology & Oceanography Comm, Stennis SC, MS	Technical/Deputy Director.
Ofc of Commander in Chf/Allied Forces/Southern Eur	Dir Joint Train Analysis & Simulation Ctr.
	Dep Dir Fleet Maintenance.
	Director, Joint Battle Lab.
	Director, Command, Control Communications and Computers Systems.
	Deputy Director, Shore Activities Readiness.
Ofc of the Commander-In-Chief, U.S. Pacific Command	Chief Information Officer.
Cincpacflt	Deputy Director Fleet Maintenance.
	Deputy Director Shore Installation Management.
	Executive Director, Planning & Resources
	Executive Director, Total Force Management.
Ofc of the Chief of Naval Education and Training	Comptroller.
Naval Recruiting Command	Deputy Commander.
Naval Air Systems Command Headquarters	Standards Improvement Executive.
	Executive Dir, Corporate Operations.
	Deputy Commander for Acquisition & Operations.
	Deputy Assistant Commander for Logistics.
	Deputy Asst Cdr for Contracts.
	Deputy Comptroller.
	Counsel, Naval Air Systems Command.
	Director, Systems Engineering Department.
	Director, Avionics Department.
	Director, Air Vehicle Department.
	Director, Logistics Management Integration.
	Dir, Tactical Aircraft & Missiles Contracts Dept.
	Director, Support Equip/Aircraft Launch Recovery Equip.
	Director, Cost Analysis Department.
	Deputy Acquisition Executive.
	Deputy Assistant Commander, Research & Engineering.
	Dir Industrial Operations.
	Director, Warfare Analysis Department.
	Director, Propulsion & Power Department.
	Director, Air Vehicle & Flight Systems Engineering Dept.
	Director, Test & Evaluation Engineering Department.
	Director, Test & Evaluation Engineering Department.
	Director, Logistics Systems & Analysis Dept.
	Director, Logistics Systems & Analysis Dept.
	Deputy Commander, Naval Air Sys Command.
	Head, Cruise M & U Aerial Vehicles Dept.
	Dir Budget Formulation Justification Exe Div.
	Deputy Counsel, Navair.
	Deputy Asst Cdr for Aviation Depots.
	Dir Naval Aviation Science & Tech Office.
	Asst Commander for Corporate Operations.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Design Interface Main. Planning & Knowledge Req.
	Dir, Air Asw, Assault & Special Mission Prog Contracts Dept.
	Deputy Director for Navy Test & Eval & Tech Rqmts.
Naval Air Warfare Center Aircraft Division	Dep Asst Cdr for T&E/Exec Dir, NAWCAD/Dir, T&E, Nawcad.
	Director, Material Management Dept.
	Director, Avionics Department.
	Dir of Atlantic Ranges & Facilities Dept.
Naval Air Warfare Center Weapons Div, China Lake, CA	Head, Res and Technology Div.
	Head, Pacific Ranges & Facilities Depart.
	Director, Avionics Dept.
	Director, Weapons/Mission Systems Integration Dept.
	Director for Test & Evaluation.
	Director, Weapons and Targets Dept.
	Executive Director, NAWCWD/Director, Research/Engineering.
	Director of Corporate Operations.
	Director, Threat/Target Syst Depart.
Naval Training Systems Center	Executive Director.
	Exec Dir, Nawctsd/Dir., Program Mgmt, NAWCAD.
Space & Naval Warfare Systems Command	Exec Dir, Contracts.
	Deputy Comptroller.
	Counsel Space & Naval Warfare Systems Com.
	Executive Dir, Space Tech Systems Prog Dir.
	Director, Washington Operations Office.
	Program Director, Intell, Surveillance & Reconnaissance Dir.
	Technical Director, Spawar.
	Program Director, Communications Systems Program Directorate.
	Director, Chief Technology Officer.
	Executive Director, C4ISR Installations and Logistics Directorate.
	Prog Dir, I & E Warfare Syst Program Dir.
	Deputy Commander.
	Deputy Chief Engineer.
	Dir Strategic Corporate Plann & Devel Office.
	Exec Dep Dir Info Supp Sys Progr Directorate.
Space and Naval Warfare Systems Center	Head Intelligence S & R Department.
	Executive Director.
	Head Navigation & Applied Sciences Dept.
	Head, Command and Control Department.
	Dep Exec Dir Sci Tech Engineering.
	Head Communication & Information Sys Dept.
	Dep Executive Dir for Corporate Operations.
Space and Naval Warfare Systems Center, Charleston	Executive Director.
Naval Facilities Engineering Command	Director Navy Crane Center.
	Director, Special Venture Acquisition Programs.
	Counsel Naval Facilities Engineering Command.
	Deputy Comptroller.
	Director For Contracts Support.
	Chief Engineer.
	Dir of Real Estate Support.
	Director for Base Development.
	Dir of Base Closure.
	Director of Environment.
Naval Sea Systems Command	Executive Director.
	Counsel Naval Sea Systems Command.
	Executive Director for Contracts.
	Executive Director/Deputy Comptroller.
	Director, Reactor Materials Divisions.
	Deputy Director, Steam Generator Design/Development
	Head, Advanced Reactor Branch.
	Dep Dir Surface Ship Design & Sys Eng Group.
	Dir Cost Engineering & Industrial Analysis.
	Dir, Shipbuilding Contracts Division.
	Assistant Deputy Cdr For Industrial Ops.
	Deputy Commander, Surface Ship Directorate.
	Director, In-Service Submarine Programs.
	Executive Director/Battle Force Systems Eng.
	Director, Corporate Operations.
	Chief Information Officer.
	Executive Director for Logistics, M & I Ops.
	Dep Prog Mgr/Techn Dir, New Attack Submarines.
	Prog Mgr for Submarine Depot Availability Program Office.
	Dep Prog Manager, Aircraft Carrier Progr Ofc.
	Dir Reactor Plant Components Auxil Equip Div.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir/Advanced Submarine Reactor S&SF Mgmt.
	Dir Surface Ship Systems Division.
	Director, Reactor Safety and Analysis Division.
	Dir, Ship S & S Integrity Group.
	Dir Power Systems Group.
	Director, Materials Engineering Office.
	Exec Dir, Ship Design & Engrng Directorate.
	Program Manager for Commissioned Submarines.
	Dir, Surface Systems Contracts Division.
	Deputy PEO Expeditionary Warfare.
	Director, Office of Resource Management.
	Dir, Reactor Refueling Division.
	Deputy Counsel, Naval Sea Systems Command.
	Dir Environmental Protection Office.
	Deputy Dir Environmental Health & Safety.
	Program Manager, Commercial Ship/Craft Program Office.
	Asst Deputy Commander, Fleet Maintenance Policy and Process Division.
	Asst Deputy Cdr Fleet Logistics Support.
	Director, Fleet Readiness Division.
Norfolk Naval Shipyard	Naval Shipyard Nuclear Engineering & Plan Mgr.
	Nuclear Eng & Planning Manager Budget Naval Ship.
Naval Surface Warfare Center	Technical Director.
Naval Undersea Warfare Center	Technical Director.
Naval Surface Warfare Center, Crane Division	Executive Director.
Naval Undersea Warfare Center, Div, Keyport, WA.	Executive Director.
Naval Surface Warfare Center, Pt. Hueneme Division	Executive Director.
Naval Surface Warfare Center, Indian Head Division	Executive Director.
Coastal Systems Station	Executive Director.
	Head, Coastal Sci, Technology & Analysis Dept.
	Head, Coastal Warfare Systems Department.
Naval Surface Warfare Center, Carderock Division	Director for Hydrodynamics.
	Executive Director.
	Assoc Dir for Hydromechanics/Head, Hd.
	Assoc Dir for Syst/P & H Ship S/P Directorate.
	Director for Ship Signatures.
	Assoc Dir for SS & M/HSS & M Directorate.
	Assoc Dir for MISE/HMIS Eng Directorate.
Naval Surface Warfare Center, Dahlgren Division	Head, Weapons Systems Department.
	Head, Combat Systems Department.
	Exec Director.
	Deputy Executive Director.
	Head Strategic & Strike Systems Dept.
	Head, Systems Res & Technology Department.
	Head Joint Warfare Applications Dept.
	Head Warfare Analysis & Systems Dept.
Naval Undersea Warfare Center Division, Newport, RI	Head, Submarine Sonar Department.
	Executive Director.
	Head Test and Evaluation Dept.
	Director for Submarine Combat Systems.
	Director, Submarine Warfare Systems.
	Director, Surface Undersea Warfare.
	Hd, Submarine Electromagnetic Sys Dept.
	Head Combat Control Systems Department.
	Head, Torpedo Systems Department.
Naval Supply Systems Command HdQTRS	Asst Dep Commander for Fin Mgmt/Comptroller.
	Director, Defense Technology Analysis Office.
	Counsel.
	Assistant Deputy Commander for Electronic Business.
	Executive Director Office of Special Projects.
	Assistant Commander for Fleet Logistics Ops.
	Executive Director.
Naval Inventory Control Point	Vice Commander.
Navy Fleet Material Support Office	Executive Director.
U.S. Marine Corps Headquarters Office	Dep Dir Facilities & Services Division.
	Assistant Deputy Commandant for Installations and Logistics (Contracts).
	Counsel for the Commandant.
	Deputy Counsel for the Commandant.
	Director of Administration and Resources.
	Asst Dep Chf for Prog & Resource Fiscal Div.
	Asst Dep Chf of Staff for Installations & Log.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Asst to the Dep Chf of Staff for M & R Affs.
	Asst Dep Chf of Staff for Requirements & Prog.
Marine Corps Systems Command	Deputy Commander, C4ISR.
	Executive Director.
	Deputy for Financial Management.
Marine Corps Materiel Command Albany GA	Executive Director.
Office of Naval Research	Dir, Ship Structures & Systems S&T Div.
	Dir, Mechanics & Energy Conversion S&T Div.
	Director, Marine Corps Science & Technology.
	Director, Physical Sciences S&T Division.
	Commercial Technology Transition Officer.
	Executive Director/Technical Director.
	Head Special Programs Department.
	Executive Dir for Acquisition Management.
	Dir Financial Management Comptroller.
	Patent Counsel.
	Head Engineering.
	Dir Strike Technology Division.
	Dir Math Computer & Information Science Div.
	Dir Oas S & T Processes & Prediction Division.
	Director of Science and Technology.
	Dir Oas at Sensing & Systems Division.
	Head, Industrial and Corporate Programs Department.
	Dir Cognitive & Neural Science & Tech Div.
	Head, Human Systems S & T Department.
	Dir, Bimolecular & Biosyst Sci & Techn Div.
	Head Info Electronics & Surveil Sci Tech Dept.
	Dir of Surveillance Communications Electronic.
	Director, Electronics Division.
	Head Ocean Atmosphere Space Sci Tech Dept.
	Associate Technical Director.
	Director, Naval Fleet/Force Tech Innovation Office.
	Dir Materials Sci and Technology Division.
	Assoc for Integration Oas St Sensing Sys Div.
Naval Research Laboratory	Chf Sci, Lab for Structure of Matter.
	Dir of Research.
	Assoc Dir of Res for Matl Sci & Comp Technol.
	Superintendent, Chemistry Division.
	Superintendent, Optical Sciences Div.
	Superintendent Space Science Div.
	Supt, Radar Div.
	Supt Materials Sci and Tech Division.
	Supt, Acoustics Div.
	Superintendent, Plasma Physics Div.
	Superintendent Electronics Technology Div.
	Superintendent Info Technol Div.
	Supt, Tactical Electronic Warfare Div.
	Chief Scientist Lab for Compt Phy Fluid Dynam.
	Superintendent, Remote Sensing Division.
	Assoc Dir of Res for Business Operations.
	Chief Sci & Head, Beam Physics Program.
	Superintendent, Marine Meteorology Division.
	Mgr. Joint Space Systems Technology Programs.
	Assoc Dir Res for Ocean & Atmospheric Sci Tec.
	Superintendent Ctr Bio/Molecular Science Eng.
	Head Elect Warfare Strategic Planning Org.
	Assoc Dir of Res for Warfare Sys & Senors Res.
	Superintendent, Space Syst Development Dep.
	Superintendent, Oceanography Division.
	Superintendent, Spacecraft Engineering Dep.
	Dir, Naval Center for Space Technology.
	Superintendent, Marine Geosciences Division.
Defense Nuclear Facilities Safety Board:	
Defense Nuclear Facilities Safety Board	Dep Gen Counsel for Pol & Litigation.
	Deputy General Manager.
	Tech Adv for Hazards Anal & Health Physics.
	Technical Advisory for Technical Studies.
	Technical Lead for Engineering Programs.
	Technical Lead for Nuclear Weapons Programs.
	Technical Lead for Materials Processing & Environmental.
	Restoration Programs.
Department of Education:	

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Ofc of the Chief Financial Officer	Deputy Chief Financial Officer.
	Dir Financial Management Operations.
Office of the Chief Information Officer	Deputy Chief Information Officer.
	Chief Information Officer.
	Dep Chief Info Officer (Operations Engineering).
	Dep Chief Information Officer for Info Management.
	Deputy CIO for Information Assurances.
Office of Management	Chairperson, Education Appeal Board.
	Dir Human Resources Group.
Office of Inspector General	Counsel to the Inspector General.
	Deputy Inspector General.
	Deputy Assistant IG for Audit Services.
	Assistant Inspector General for Audit Services.
	Assistant IG for Investigative Services.
Office of the General Counsel	Asst Gen Coun for Busin & Adm Law.
	Asst General Counsel for Educational Equity.
	Asst Gen Counsel for Regulations.
	Asst Gen Coun for Div of Legislative Counsel.
	Asst Gen Coun for Postsecondary Ed & Ed Res.
National Center for Education Statistics	Associate Commr for Data Collection and Dissemination.
	Deputy Commissioner.
	Associate Commissioner for Assessment.
Student Financial Assistance	Chief Financial Officer.
	Director, Collections.
	Director, Student Aid Awareness.
	Deputy Chief Financial Officer.
Department of Energy:	
National Nuclear Security Administration	Chief of Defense Nuclear Counterintelligence.
Deputy Administrator for Defense Programs	Assoc Das for Program A & F Management.
Office of Counterintelligence	Deputy Director.
Office of Security and Emergency Operations	Dir Ofc of Classification & Technology.
	Dep Dir, Ofc of Security Affairs.
	Director, Office of Security Affairs.
Office of Independent Oversight & Performance Assurance	Director, Office of Safeguards and Security Evaluations.
Office of Safeguards & Security Evaluations	Director, Office of Independent Oversight & Performance.
	Deputy Director, Office of Independent Oversight & Performance.
Office of Chief Financial Officer	Dir Ofc of Budget.
	Dep Dir Ofc of Budget.
	Director, Budget Analysis Division.
	Director Capital Accounting Center.
	Director, Budget Operations Division.
	Dir Ofc of Dep Accounting & Fin Sys Dev
	Dir Ofc of Financial Policy.
	Dir Ofc Compliance and Audit Liaison.
	Deputy Controller.
	Controller.
Office of Economic Impact & Diversity	Dir of Sm and Disadv Bus Utilz.
Assistant Secretary for Energy Efficiency & Renewable Energy	Manager, Golden Field Office.
Assistant Secretary for Environment, Safety & Health	Dir Nuclear Operations & Analysis.
	Dir Office of Environmental Compliance.
	Deputy Director Ofc of ES&H Evaluations.
	Dir Office of Price-Anderson Enforcement.
	Dir Ofc of Nuclear Safety, Policy and Standards.
	Dir Office of Regulatory Liaison.
	Director, Office of Environment, Safety, and Health Evaluations.
	Dir, Ofc of Oil and Gas.
Energy Information Administration	Dir Ofc of Coal Nucl Elec & Altern Fuels.
	Director, Ofc of Energy Markets & End Use.
	Director Economics & Statistics Division.
	Director, Statistical and Methods Group.
	Director, Natural Gas Division.
	Director, Petroleum Division.
	Dir, Ofc of Integration Nal & Forecasting.
	Director, Coal 7 Electrical Power Division.
	Director, Electrical Power Division.
	Director, International Economic & Greenhouse Gases Division.
	Dir Survey Mgmt Div.
	Director, Information Technology Group.
Assistant Secretary for Environmental Management	Director, Office of Research & Development.
	Assoc Das for Oversight & Self-Assessement.
	Director, Office of Acquisition Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Office of Budget.
	Science Advisor.
	Director, Office of Budget.
Office of Science	Dir Chem Sci Div.
	Dir Adv Egy Proj Div.
	Chf Processes and Tech Br.
	Dir High En Physics Div.
	Director, Human Health & Assessment Div.
	Deputy Dir for Management.
	Dir. Health Effects & Life Sci Research Div.
	Deputy Dir for Nuclear Safety Safeguard.
	Dir, Office of Assessment & Support.
	Assoc Dir Ofc of Computational & Tech Researc.
	Director, Financial Management Division.
Office of Fossil Energy	Director, Materials Partnerships Research Center.
Office of Field Management	Deputy Manager, DOE Field Office, Ch.
Albuquerque Operations Office	Director, Weapons Surety Division.
	Dir Transportation Safeguards Div.
	Dir, Weapons Programs Div.
	Asst Manager for Management & Administration.
	Carlsbad Area Office Manager.
	Chief Financial Officer.
Chicago Operations Office	Acquisition & Asst Group Manager.
	Area Manager, Fermi.
	Asst Mgr for Laboratory Management.
Idaho Operations Office	Assistant Manager for Administration.
	Asst Mgr Ofc of Program Execution.
	Asst Manager for Applied E & T Transfer.
Nevada Operations Office	Chief Counsel.
	Asst Manager for Business & Financial Service.
Ohio Field Office	Manager Ohio Field Ofc.
	Deputy Manager, Ohio Field Office.
	Director, Fernald Environmental Management Projects.
Oakland Operations Office	Field Chf Fin Officer and Business Manager.
	Assoc Manager for Site Management.
Oak Ridge Operations Office	Asst Manager for Administration.
	Chief Financial Officer.
Rocky Flats Office	Dep Asst Mgr for Matl Stabilization & Disp.
	Manager, Rocky Flats Field Office.
Savannah River Operations Office	Asst Manager for Business & Logistics.
Office of Hearings & Appeals	Dep Dir for Legal Analysis.
	Dep Dir for Financial Analysis.
	Dep Dir for Econ Analysis.
Office of Management and Administration	Dir, HQ Personnel Operations Div.
	Director, Office of Administration.
	Associate Dir, Office of Resource Mgmt.
	Dep Dir of Administrative Services (Wash, DC).
	Dep Dir of Personnel.
	Director, Office of Procurement and Assistance Policy.
	Dir Ofc of Mgmt Sys (Competition Advocate).
	Director Ofc Contract & Resource Management.
	Executive Assistant to the Director.
	Dir, Headquarters & Executive Personnel Serv.
	Chief Information Officer/Director of Information Management.
Office of Inspector General	Asst Inspector General for Investigations.
	Manager, Western Regional Audit Office.
	Director, Audit Policy, Plans & Programs.
	Manager, Eastern Regional Audit Office.
	Dir Capitol Regional Audit Office.
	Deputy Asst Inspector Gen For NNSA and Other Dep'l Investigations.
	Spec Asst for Policy and Planning.
	Counsel to the Inspector General.
	Dir, Office of Contractor Employee Protection.
	Asst Inspector General for Resource Mgmt.
	Principal Deputy Inspector General.
	Assistant Inspector General for Audits.
	Deputy Inspector General for Inspections.
	Deputy Inspector General for Audits.
	Director for Financial Audits.
	Director for Performance Audits and Administration.
	Assistant Inspector General for Audit Services.
	Manager, Capital Regional Audit Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Inspector General for Inspections.
	Principal Deputy Inspector General.
	Deputy Inspector General for Audit Services.
	Director of NNSA Audits.
Office of Nuclear Energy, Science & Technology	Dir Advanced Submarine Systems Division.
	Dir Instrumentation & Control Div.
	Asst Program Manager for Surface Ships.
	Deputy Director for Naval Reactors.
	Senior Naval Reactors Rep (Pearl Harbor).
	Director Nuclear Technology Div.
	Dir Reactor Engineering Division.
	Head, Core Manufacturing Branch.
	Dep Director Reactor Materials Division.
	Director, Fiscal Division.
	Asst Manager for Operations.
	Program Manager for Shipyard Matters.
	Dir Nuclear Components Division.
	Senior Naval Reactors Representative.
	Manager, Idaho Branch Office.
	Program Manager Submarine Technology Develop.
	Assoc Dir, Isotope Production & Distribution.
	Asst Manager for Operations.
	Prog Mgr for Analysis & Regulatory Matters.
	Director Acquisition Division.
	Director for Submarine Refuelings.
	Senior Naval Reactors Representative.
	Dep Program Mgr for Commissioned Subs.
	Prog Mgr Prototype & Moored Training Ship.
	Dir Regulatory Affairs.
Western Area Power Administration	Chief Administrative Officer.
	Chief Financial Officer.
Environmental Protection Agency:	
Ofc of the Administrator	Director, Office of Executive Support.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Director, Financial Management Division.
Office of the Comptroller	Comptroller.
	Deputy Comptroller.
	Director, Annual Planning & Budget Division.
Office of Planning, Analysis & Accountability	Director, Financial Services Division.
	Director, Office of Planning Analy & Account.
	Deputy Director, Ofice of Planning, Analysis & Accountability.
Office of Environmental Information	Deputy Director, Office of Information Analysis & Access.
	Deputy Director, Ofc of Technical Operations & Planning.
	Director, Office of Technical Operations & Planning.
	Director, Office of Planning, Resources & Outreach.
	Director, National Technology Services Division.
Ofc of the Asst Admr for Admin & Resources Management	Director, Ofc of Pol & Resource Mgmt.
	Dep Asst Admr for Admin & Res Mgmt.
Office of Administration	Dir Ofc of Administration.
	Deputy Dir Ofc of Administration.
	Dir, Facilities Management & Services Div.
	Dir, Sfty, Health & Environmental Mgmt Div.
	Senior Advisor to the Director, Office of Administration.
Ofc of Administration & Resources Mgmt—Cincinnati OH	Dir Ofc of Admin and Resources Management.
Office of Administration & Resources Mgmt—RTP, NC	Director Office of Administration & Res Mgmt.
Ofc of Human Resources and Organizational Services	Dir Office of Human Resources & Org Services.
	Dep Dir Ofc of Human Resources & Org Services.
	Assoc Director for Reengineering & Automation.
	Dir Exec Resources & Special Programs Staff.
Office of Acquisition Management	Dir, Superfund/RCRA Regl Procurement Ops/Div.
	Director, Office of Acquisition Management
	Dep Dir, Office of Acquisition Management.
Office of Grants and Debarment	Dir, Grants Admin Div.
	Director, Office of Grants & Debarment.
Office of the Asst Admr for Enf & Comp Assurance	Director, Ofc of Environmental Justice.
Office of Federal Activities	Dir, International Enforcement Program Div.
Office of Regulatory Enforcement	Director, Office of Regulatory Enforcement.
	Dep Dir, Office of Regulatory Enforcement.
	Dir Air Enforcement Division.
Office of Criminal Enforcement, Forensics & Training	Dir Natl Enforcement Training Institute.
	Dir Ofc of Criminal Enforce Forensics Train.
	Director, Criminal Investigations Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Director, Office of Criminal Enforcement, Forensics Training.
Office of Compliance	Director, Office of Compliance.
	Dir, Enforcement PLNG, Targeting & Date Div.
	Dir, Manufacturing, E & T Division.
	Deputy Director, Office of Compliance.
	Dir, Import-Export Program.
Office of Site Remediation Enforcement	Director, Ofc of Site Remediation Enforcement.
	Dep Dir, Ofc of Site Remediation Enforcement.
Federal Facilities Enforcement Office	Dir Federal Facilities Enforcement Office.
Office of the Inspector General	Counsel to the Inspector General.
	Assistant Inspector General for Program Evaluation.
Office of Investigations	Assist Inspector Gen for Investigations.
	Dep Asst Inspector General for Investigations.
Office of Audit	Asst Inspector General for Audits.
	Dep Asst Inspector General for External Audits.
	Dep Asst Inspector General for Internal Audit.
Office of Management	Assistant Inspector General for Management.
Office of Planning, Analysis & Results	Asst. Inspector General for Planning, Analysis & Results.
Office of Wastewater	Director, Municipal Support Division.
	Deputy Director, Municipal Support Division.
	Director, Water Permits Division.
Office of Science and Technology	Dir, Standards & Applied Science Division.
	Dir, Health & Ecological Criteria Division.
	Director, Engineering & Analysis Division.
Office of Wetlands, Oceans and Watersheds	Dir, Assessment & Watershed Protection Div.
	Dir, Oceans & Coastal Protection Division.
	Director, Wetlands Division.
Office of Ground Water & Drinking Water	Dir, E & P Implementation Division.
	Director, Standards & Risk Mgmt Division.
	Dir Implementation & Assistance.
Ofc of the Asst Admr for Solid Waste and Emgy Resp	Director, Outreach and Special Projects Staff.
	Director, Federal Facilities Restoration and Reuse Office.
Office of Solid Waste	Dir Hazardous Waste Identification Division.
	Director, Hazardous Waste Minimization & Management Division.
	Dir., Economics, Methods and Risk Analysis Division.
Office of Air Quality Planning and Standards	Dir, Emission Standards Division.
	Dir Air Quality Strategies & Standards Div.
	Dir Emissions Monitoring & Analysis Division.
	Dir., Info. Transfer and Program Integration Division.
Office of Transportation & Air Quality	Director, Advanced Technology Division.
	Director, Transportation & Regional Programs Divisions.
	Director, Assessment & Standards Division.
	Director, Certification & Compliance Division.
Office of Radiation & Indoor Air	Director, Indoor Environments Division.
	Deputy Director, Office of Radiation and Indoor Air.
	Director, Radiation Protection Division.
Office of Atmospheric Programs	Director, Clean Air Markets Division.
	Director, Atmospheric Pollution Prevention Division.
Office of the Asst Admr for Prevention P & T Substances	Associate Assistant Administrator (Mgmt.).
Office of Pesticide Programs	Dir-Registration Division.
	Dir, Biological & Economic Analysis Division.
	Dir, Spec Review & Reregistration Division.
	Dir Envir Fate and Effects Division.
	Dir Antimicrobials Division.
	Dir Field & External Affairs Division.
	Dir Inf Resources & Services Division.
	Director, Biopesticides and Pollution Prevention Division.
	Dep Director Office of Pesticides Programs (Mgmt.).
Office of Pollution Prevention and Toxics	Dir, Economics Exposure and Technology Div.
	Director, Chemical Control Division.
	Director, Information Management Division.
	Dir, Pollution Prevention Div.
	Director, Chemicals Division.
	Dir Health Effects Division.
	Director, Risk Assessment Division.
Office of Science Coordination and Policy	Director, Office of Science Coordination & Policy.
Office of Resources Management and Administration	Dir, Ofc of Resources Mgmt & Admin.
Office of Science Policy	Director, Office of Science Policy.
National Health & Environmental Effects Res Lab (RTP)	Dir Natl Health & Envir Effects Res Lab (RTP).
	Assoc Dir for Health (NHEERL)—RTP.
	Assoc Dir for Ecology (NHEERL)—RTP.
	Dep Dir For Management (NHEERL)—RTP.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Atlantic Ecology Division-Narragansett	Director, Atlantic Ecology Division.
Western Ecology Division-Corvallis	Dir Western Ecology Division Corvallis.
Gulf Ecology Division-Gulf Breeze	Director, Gulf Ecology Division.
Mid-Continent Ecology Division	Director, Mid-Continent Ecology Division.
Experimental Toxicology Division	Director, Experimental Toxicolgy Division.
National Exposure Research Laboratory (RTP)	Dir, Natl Exposure Research Laboratory—RTP.
	Dep Dir for Management (NERL)—RTP.
	Assoc Dir for Ecology (NERL)—RTP.
Environmental Sciences Division-Las Vegas	Dir Environmental Sciences Division.
Environmental Sciences Division-Athens	Dir Ecosystems Res Div Athens.
Human Exposure and Atmospheric Science Division	Director, Human Exposure & Atmospheric Science Division.
National Risk Mgmt Research Laboratory (Cincinnati)	Dir, Natl Risk Mgmt Research Laboratory—CN.
	Dep Dir for Management (NRMRL)—CN.
	Assoc Dir for Health (NRMRL)—CN.
	Director, Water Supply & Water Resources Division.
Air Pollution Prevention and Control Division—RTP	Dir Air Pollution Prevention Control Div.
Subsurface Processes and Systems Division—ADA	Dir Sub-Surface Process & Systems Division.
National Center for Environmental Assessment	Dir Natl Ctr for Environmental Assessment.
	Assoc Dir for Health (NCEA).
	Assoc Dir for Ecology (NCEA).
	Deputy Director for Management.
National Center for Environmental Assessment—RTP	Dir Natl Ctr Environ Assessment.
National Center for Environmental Assessment—Cincinnati	Dir Natl Ctr for Environmental Assessment.
Natl Center for Environmental Res & Quality Assurance	Deputy Dir for Mgmt (NCERQA).
	Dir Environmental Engineer Research Division.
	Dir Natl Ctr for Env Res & Quality Assurance.
Region I—Boston	Regional Counsel.
	Dir Ofc of Ecosystem Protection.
	Dir Ofc of Site Remediation Restoration.
	Dir, Ofc of Administration & Resources Mgmt.
	Dir, Ofc of Strategic Alignment.
	Director, Office of Environmental Stewardship.
Region II—New York	Asst Regl Admr for Policy and Management.
	Regional Counsel.
	Dir, Office of Emergency & Remedial Response.
	Director, Environmental Planning & Protection Division.
	Dir, Div of Enforcement & Compliance Asst.
	Director, Environmental Science & Assessment Division.
	Director, Caribbean Environmental Protection Division.
Region III—Philadelphia	Regional Counsel.
	Director, Water Protection Division.
	Director, Environmental Services Division.
	Asst Reg Admin for Policy & Management.
	Dir Chesapeake Bay Program Office.
	Director, Air Protection Division.
	Director, Hazardous Site Cleanup Division.
	Director, Waste & Chemical Management Division.
Region IV—Atlanta	Dir Water Management Division.
	Asst Regional Admin for Policy and Mgmt.
	Regional Counsel.
	Director Waste Management Division.
	Director, Science & Ecosystem Support Div.
	Director, Air, Pesticides and Toxics Management Division.
Region V—Chicago	Director, Air & Radiation Division.
	Director Water Management Division.
	Regional Counsel.
	Dir Waste Pesticides & Toxics Division.
	Dir Great Lakes Natl Prog Ofc.
	Director Superfund Division.
	Asst Reg Admr for Resources Management.
Region VI—Dallas	Asst Regional Admr for Management.
	Regional Counsel.
	Director, Compliance A & E Division.
	Dir Superfund Division.
	Dir Water Quality Protection Division.
	Dir Multimedia Plann & Permitting.
Region VII—Kansas City	Regional Counsel.
	Asst Regional Admin for Policy & Management.
	Dir Superfund Division.
	Dir Air RCRA and Toxics Division.
	Dir Water Wetlands & Pesticides Division.
Region VIII—Denver	Assistant Regional Administrator for Ecosystems Protection & Remediation.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Regional Administrator for Pollution Prevention, State & Tribal Programs.
	Assistant Regional Administrator for Technical & Management Services.
	Regional Counsel.
Region IX—San Francisco	Director, Water Management Division.
	Director, Air Division.
	Regional Counsel.
	Asst Regional Admr for Policy & Management.
	Dir, Strategic Planning & Emerging Issues.
	Dir Superfund Division.
	Director, Cross Media Division.
Region X—Seattle	Regional Counsel.
	Assistant Regional Administrator for Management Programs.
	Asst Reg Admr for Water.
	Director, Office of Ecosystems and Communities.
	Director, Office of Environmental Cleanup.
Equal Employment Opportunity Commission:	
Office of the Chairman	Inspector General.
Office of Field Programs	District Director (Baltimore).
	Dist Dir (New York).
	Dist Dir (Atlanta).
	Dist Dir (Houston).
	District Director (Detroit).
	Dist Dir (San Francisco).
	Dist Dir (Dallas).
	Dist Dir (Chicago).
	Dist Dir—(St Louis).
	Dist Dir (Miami).
	Dist Dir—(Indianapolis).
	Dist Dir (Memphis).
	District Director (Los Angeles).
	Dist Dir—(Denver).
	Dist Dir—(Birmingham).
	Dist Dir—(New Orleans).
	Dist Dir—(Phoenix).
	Dist Dir—(San Antonio).
	Dist Dir—(Charlotte).
	District Director (Seattle).
	District Director (Cleveland).
	Dist Dir—(Philadelphia).
	District Director (Milwaukee).
	Program Manager.
Field Management Programs	Director Field Management Programs.
Field Coordination Programs	Director, Field Coordination Programs.
Federal Communications Commission:	
Office of Inspector General	Inspector General.
Office of the Managing Director	Assoc Managing Director/Human Resources Mgmt.
Office of Engineering & Technology	Assistant Bureau Chief for Technology.
Compliance and Information Bureau	Chief Enforcement Division.
Common Carrier Bureau	Chief, Competitive Pricing Division.
	Chief, Accounting Safeguards Division.
Mass Media Bureau	Chief Audio Services Division.
	Chief Video Services Division
	Chf, Enforcement Div.
Federal Emergency Management Agency:	
Office of Inspector General	Deputy Inspector General.
	Asst Inspector General for Auditing.
	Asst Inspector General for Investigations.
Human Resources Division	Division Director.
Financial & Acquisition Management Division	Deputy Chief Financial Officer.
	Senior Procurement Executive.
	Chief Financial Officer.
	Deputy Chief Financial Officer.
	Senior Procurement Executive.
Federal Insurance & Mitigation Administration	Division Director, Technical Services Division
	Deputy Administrator for Insurance.
	Deputy Administrator for Mitigation.
	Director, Program Support Division.
Mitigation Planning & Delivery Division	Division Director.
Readiness, Response & Recovery Directorate	Div Dir, Human Services Support Division.
	Div Dir, Infrastructure Support Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Recovery Division	Division Director.
External Affairs Directorate	Deputy Administrator.
Federal Energy Regulatory Commission (DOE):	
Ofc of Chief Accountant	Chief Accountant and Deputy Director.
Office of Energy Projects	Dir Div of Dam Safety & Inspections.
Office of the Executive Director	Director, Regulatory Accounting Policy.
	Deputy Executive Director and Chief Accountant.
Federal Labor Relations Authority:	
Office of the Chairman	Solicitor.
	Chief Counsel.
Office of Member	Chief Counsel.
Office of Member	Chief Counsel.
Federal Service Impasses Panel	Exec Director FSIP.
Ofc of the Executive Director	Executive Director.
Ofc of the General Counsel	Deputy General Counsel.
	Director of Operations & Resources Management.
Regional Offices	Regional Director—Washington, DC.
	Regional Director—Boston.
	Regional Director—Atlanta.
	Regional Director—Dallas.
	Regional Director, Chicago, Illinois.
	Regional Director, San Francisco.
	Regional Director, Denver.
Federal Maritime Commission:	
Office of the Secretary	Secretary.
Office of the General Counsel	Dep Gen Cnsl for Reports Opinions & Decisions.
Office of the Executive Director	Deputy Executive Director.
Bureau of Consumer Complaints and Licensing	Director, Bureau of Consumer Complaints and Licensing.
Bureau of Trade Analysis	Director, Bureau of Trade Analysis.
Bureau of Enforcement	Deputy Director Bureau of Enforcement.
	Dir Bureau of Enforcement.
Federal Retirement Thrift Investment Board:	
Federal Retirement Thrift Investment Board	Director of Investments.
	Director of Contracts & Administration.
	Director of Automated Systems.
	Director of Accounting.
	Director of Communications.
	Associate General Counsel.
	Deputy Director of External Affairs.
	Director of the Office of Benefits & Investments.
Federal Trade Commission:	
Office of the Inspector General	Inspector General.
Office of the General Counsel	Deputy General Counsel.
Ofc of Executive Director	Deputy Exec Dir for Management.
	Chief Information Officer.
	Deputy Executive Director.
General Services Administration:	
Office of the Chief People Officer	Chief People Officer.
	Chief Information Officer.
	Director Human Resources Policy & Operations.
	Deputy Chief Information Officer.
Office of Governmentwide Policy	Deputy Associate Admin for Acquisition Policy.
	Deputy Assoc Administrator for Real Property.
	Director of Intergovernmental Solutions.
	Deputy Association Administrator for Transportation & Personal Property.
Office of Inspector General	Asst Inspector Gen for Auditing.
	Deputy Inspector General.
	Deputy Asst Inspector General for Auditing.
	Counsel to the Inspector General.
	Asst Inspector Gen for Investigations.
	Dep Asst Inspector General for Investigations.
Office of the Chief Financial Officer	Director of Finance.
	Director of Budget.
	Chief Financial Officer.
	Dir of Financial Management Systems.
Public Buildings Service	Assistant Commr for Fed Protective Service.
	Asst Comm for Portfolio Management.
	Assistant Commr for Property Disposal.
	Asst Commissioner for Financial & Info System.
	Assistant Commissioner for Business Performance.
	Chief Financial Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Project Management Executive.
	Asst Comm for Real Estate Policy/Sales (FPRS).
Federal Technology Service	Assistant Commissioner for Serv Development.
	Assistant Commissioner for Service Delivery.
	Asst Commr for Info Technology Integration.
	Assistant Commissioner for Regional Services.
	Asst Commissioner for S P & Business Dev.
	Asst Commissioner for Acquisition.
	Assistant Commissioner for Information Security.
	Assistant Commissioner for Information Security.
	Assistant Commissioner for Sales.
Office of the Chief Information Officer	Assistant Chief Information Officer.
	Assistant Chief Information Officer.
Federal Supply Service	Asst Commissioner for Acquisition.
	Asst Comr for Transportation & Property Mgt.
	Asst Comm for Bus Management & Marketing.
	Asst Comm for Distribution Mgt.
	Dep Asst Commissioner for Acquisition.
	Fss Chief Information Officer.
	Ast Comm for Vehicle Acquisition & Leasing Svc
	Assistant Commissioner for Supply.
	Assistant Commissioner for Enterprise Planning.
New England Region	Asst Reg Admr for Public Bldg Service.
Northeast & Caribbean Region	Asst Reg Admr for Public Bldg Service.
	Asst Reg Admr for Federal Supply Service.
Mid-Atlantic Region	Asst Reg Admr for Public Bldg Service.
	Asst Regl Admr Federal Supply Service.
	Regional Counsel.
National Capital Region	Assistant Regional Administrator, PBS, NCR.
Southeast Sunbelt Region	Asst Reg Admr for Public Bldg Service.
	Assistant Reg Admin for Fed Tech Service.
	Asst Reg Admr for Federal Supply & Services.
	Deputy Assistant Regional Administrator, PBS
Great Lakes Region	Asst Reg Admr for Public Bldg Service.
The Heartland Region	Asst Reg Admr for Public Bldg Service.
Greater Southwest Region	Asst Reg Admr for Public Bldg Service.
	Asst Regional Admin for Federal Tech Service.
	Asst Reg Admr for Federal Supply Service.
Rocky Mountain Region	Asst Reg Admr for Public Bldg Service.
Pacific Rim Region	Asst Reg Admr for Public Buildings Service.
	Asst Reg Admr for Federal Supply Service.
	Senior Advisor.
Northwest/Arctic Region	Asst Regional Administrator, PBS Region 10.
Department of Health and Human Services:	
ODAS for Budget	Dir Div of Integrity & Organ Review.
ODAS for Finance	Dep Asst Sec, Finance.
	Dir, Office of Financial Policy.
ODAS for Grants & Acquisition Management	Dep Asst Secy, OGAM.
ODAS for Planning and Evaluation	Dep to Deputy Asst Secry for Plann & Evaluat.
ODAS for Public Health and Science	Dir Div of Research Investigations.
	Dir Ofc of HIV/AIDS Policy.
	Dep Dir Ofc of Management.
	Reg Health Administrator.
	Director, Office of Research Integrity.
Associate General Counsel Divisions	Assoc Gen Coun, Business & Adm Law Division.
	Dep Assoc Gen Counl, Bus & Adm Law Div.
Office of the Inspector General	Dep Asst Inspector General for Audit.
	Principal Dep Inspector General.
	Deputy Inspector General for Mgmt & Policy.
	Dep Inspector General for Legal Affairs.
ODIG for Investigations	Dep Insp Gen for Investigations.
	Asst Insp General for Criminal Investigations.
	Asst Insp Gen for Civil & Adm Remedies.
	Asst Insp Gen for Investigation P & O.
	Dep Insp General for Enforcement & Compliance.
ODIG for Audit Services	Dep Inspector General for Audit Services.
	Asst Insp Gen for Adm of C/F & Agin Audits.
	Asst Inspector Gen for Health Care Fin Audits.
	Asst Inspector Gen for Audit Pol & Oversight.
	Asst Insp Gen for Public Health Serv Audits.
ODIG for Evaluation & Inspections	Dep Insp Gen for Evaluation & Inspections.
Program Support Center	Dir Program Support Center.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir of Operations.
Office of Financial Management Service	Director, Financial Management Service.
Office of Program Support	Dir Ofc of Financial Support.
Office of the Actuary (OACT)	Dir, Ofc of the Actuary (Chief Actuary).
	Director, Ofc of Medicare & Medicaid Cost Est.
Center for Beneficiary Choices (CBC)	Deputy Director, Center for Beneficiary Services (Medicare Contractor Mgmt).
	Associate Deputy Director, CBS (Contract Management).
Office of Internal Customer Support (OICS)	Director, Ofc of Internal Customer Support.
Office of Information Services (OIS)	Director, Office of Information Services (Chief Information Office).
	Dep Dir Ofc of Info Services.
Office of Financial Management (OFM)	Deputy Director, Ofc of Financial Management.
	Dir Ofc of Financing Management.
	Dep Dir Ofc Financial Management.
	Dir Program Integrity Group.
	Dir Financial Services Group.
	Deputy Director, CFO Audit Internal Controls.
Office of the Admnistrator	Assoc Admin for Policy & Prog Coordinator.
Center for Substance Abuse Prevention	Dir, Div of State & Community Systems Dev.
Center for Mental Health Services	Director Center for Mental Health Services.
	Dir Div of Stste & Community Systems Develop.
Centers for Disease Control & Prevention	Director, Financial Management Office.
	Director, Office of Facilities Planning and Management.
	Deputy Director for Finance and Accounting.
Natl Institute for Occupational Safety & Health	Deputy Director for Management.
National Center for Chronic Disease Prevention & Hlth Promotion	Director, Office on Smoking and Health.
National Center for HIVN STD and TB Prevention	Associate Director for Management and Operations.
Office of Chief Counsel	Deputy Chief Counsel for Program Review.
	Assoc. Deputy Chief Counsel for Drugs & Biologics.
	Assoc. Dep. Chf. Cnsel for Devices, Foods & Veterinary Medicine.
Office of Management and Systems	Director, Office of Financial Mgmt.
Office of Regulatory Affairs	Dep Assoc Comr for Regulatory Affairs.
	Regl Food & Drug Director, NE Region.
	Regl Food & Drug Director, Southeast Region.
	Regl Food & Drug Director, Southwest Region.
	Dir Ofc of Criminal Investigations.
	Regional Food and Drug Director, Central Region.
	District Food and Drug Director, New York District.
	Deputy Director for Investigations.
	District Food and Drug Director, Los Angeles District.
Center for Drug Evaluation and Research	Director, Office of Management.
	Dir. Div of Imaging S & D Products.
	Director, Office of Generic Drugs.
	Dir, Office of Epidemiology & Biostatistics.
	Director, Office of Compliance.
	Senior Advisor for Policy.
Center for Devices and Radiological Health	Dir Office of Compliance.
	Dir, Office of Science and Technology.
	Dir Ofc of Sys & Management.
Center for Food Safety and Applied Nutrition	Director, Office of Seafood.
	Dir Ofc of Premarket Approval.
	Dir Ofc of Field Programs.
	Dir, Ofc of Plant & Dairy Foods & Beverages.
	Director, Office of Regulations and Policy.
Center for Veterinary Medicine	Director, Office of Science.
	Director, Office of Surveillance and Compliance.
Office of Special Programs	Director, Office of Special Programs.
HIV/AIDS Bureau	Director, Office of Science and Epidemiology.
Office of the Director	Director, Div of Financial Management.
	Director, Division of Contracts & Grants.
	Associate Director for Extramural Affairs.
	Associate Director for Disease Prevention.
	Dir, Ofc of Medical Applications of Research.
	Associate Director for Administration.
	Director, Office of Policy for Extramural Research Administration.
	Senior Advisor for Policy.
	Director, Office of Reports and Analysis.
Natl Heart, Lung & Blood Institute	Dir Div of Heart & Vascular Diseases.
	Dir Div of Lung Diseases.
	Dir, Div of Blood Diseases & Resources.
	Director, Division of Extramural Affairs.
	Assoc Dir for International Programs.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Intramural Research	Dir Ofc of Biostatics Research. Dep Dir Div of Heart Vascular Diseases. Dep Dir Div of Epidem & Clinical Application. Director, Epidemiology and Biometry Program. Director, National Center for Sleep Disorders. Chf Lab of Biochemical Genetics. Chf Lab of Biochemistry. Chief Lab of Biophysical Chemistry. Chief Macromolecules Section. Chf, Intermediary M & B Section. Chf, Lab of Kidney & Electrolyte Metabolism. Chief Lab of Cardiac Energetics. Chief, Metabolic Regulation Section.
National Cancer Institute	Assoc Dir for Intramural Management. Assoc Director for Extramural Management. Associate Director, Cancer Diagnosis Program. Assistant Director for Financial Management. Deputy Director for Management. Associate Director, Referral Review and Program Coordination. Deputy Director for Administrative Operations.
Division of Cancer Biology, Diagnosis and Centers	Chf, Microbial G & B Section, Lab of Biochem. Chief, Lab of Biochem Intramural Res Prog. Assoc Dir, Extramural Research Program. Dep Dir, Div of Cancer Biology Diag & Centers. Chief Dermatology Br, Intramural Res Prog. Chief, Cell Mediated Immunity Section. Chief, Lab of Tumor & Biol Immunology, Irp. Dir, Div of Cancer Biology Diagnosis & Ctrs. Assoc Dir, Ctrs Training & Resources Prog.
Division of Cancer Etiology	Chief Lab of Biology. Chief Laboratory of Molecular Carcinogenesis. Chf Lab of Experimental Pathology. Dir, Div of Cancer Etiology.
Division of Cancer Prevention & Control	Dep Dir, Div of Cancer Prevention & Control. Associate Dir, Surveillance Program, DCPC. Assoc Dir, Early D & C Oncology Program.
Division of Extramural Activities	Dir, Div of Extramural Activities. Deputy Dir, Div of Extramural Activities.
Division of Cancer Treatment	Chf-Radiation Oncology Br. Assoc Dir, Cancer Therapy Evaluation Program.
Natl Institute of Diabetes & Digestive & Kidney Dis	Dir Div Kidney Urologic & Hematlogic Diseases. Dir Division of Extramural Activities. Chf, Lab of Molecular & Cellular Biology. Dep Dir for Management & Operations.
Intramural Research	Chief Section on Biochemical Mechanisms. Chf Sect on Metabolic Enzymes. Chf Sect on Physical Chemistry. Chief, Section on Molecular Structure. Chief Theoretical Biophysics Section. Chief, Laboratory of Bio-Organic Chemistry. Chief Oxidation Mechanisms Section L B C. Chief Laboratory of Biochemistry & Metabolism. Clinical Dir & Chief, Kidney Disease Section. Chief, Section on Molecular Biophysics. Chf, Sec Carbohydrates Lab of Chemistry/NIDDK. Chief, Laboratory of Neuroscience, NIDDK. Chf, Laboratory of Medicinal Chemistry. Chief, Morphogenesis Section.
Natl Inst of Arthr & Musculoskeletal & Skin Diseases	Director, Extramural Program. Deputy Dir. Associate Director for Management and Operations.
National Library of Medicine	Dep Dir, Natl Lib of Medicine. Dep Dir for Res and Education. Associate Director for Library Operations. Assoc Dir for Extramural Programs. Director, Lister Hill National C Enter for Biomedical Commun. Dep Dir Lister Hill Natl Ctr for Biomed Comms. Director, Information Systems. Dir Natl Ctr for Biotech Info. Assoc Dir for Health & Info Prog Development. Associate Director for Administrative Management.
Natl Inst of Allergy & Infectious Diseases	Dir, Div of Allergy/Immunology/Transplantatn.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chf, Lab of Parasitic Diseases.
	Dir, Div of Microbiology/Infectious Diseases.
	Chief, Lab of Immunogenetics.
	Dir, Div of Extramural Activities.
	Ch, Lab of Microbial Structure and Function.
	Chief Lab of Molecular Microbiology.
	Dir, Div Acquired Immunideficiency Syndrome.
	Chief, Biological Resources Branch.
	Head, Lymphocyte Biology Section.
	Chief, Laboratory of Infectious Diseases.
	Dep Dir Div of Acquired Immunodeficiency.
	Head Epidemiology Section.
	Chief, Laboratory of Malaria Research.
	Dir Div of Intramural Research.
	Dep Chief Lab of Imm & Head Lymp Biol Section.
Natl Inst on Aging	Scientific Director Gerontology Rsch Cntr.
	Clin Director and Chief Clin Physiology Br.
	Associate Dir for Behavioral Sciences Res.
	Assoc Dir Biology of Aging Program.
	Assoc Dir, Office of Extramural Affairs.
	Assoc Dir, Epidemi, Demo, & Biometry Program.
	Assoc Dir, Ofc of Plnng, A & I Activities.
	Assoc Dir Neurosci & Neuropsych of Aging Prog.
	Associate Director for Administration.
Natl Inst of Child Health & Human Development	Chief, Laboratory of Molecular Genetics.
	Chf, Endocrinology & Reproduction Research Br.
	Director Ctr Forres for Mothers & Children.
	Director Cntr for Population Research.
	Chief, Section on Growth Factors.
	Assoc Dir for Prevention Research.
	Chief, Laboratory of Mamalian Genes & Develop.
	Chief, Section on Molecular Endocrinology.
	Chief, Section Neuroendocrinology.
	Chief Section on Microbial Genetics.
	Chief, Laboratory of Comparative Ethology.
	Associate Director for Administration.
	Dir. Natl Center for Medical Rehab Research.
National Institute of Dental and Craniofacial Research	Chief, Laboratory of Immunology.
	Dir, Extramural Program.
	Associate Director for International Health.
	Associate Director for Management.
	Associate Director for Program Development.
Natl Inst of Environmental Health Sciences	Chf Lab of Pulmonary Pathobiology.
	Head Mutagenesis Section.
	Head Mammalian Mutagenesis Section.
	Senior Scientific Advisor.
	Associate Director for Management.
	Chief Lab of Molecular Carcinogenesis.
	Dir Natl Inst of Environmental Health Science.
	Dir Environmental Toxicology Program.
Natl Inst of General Medical Sciences	Dir Genetics Program.
	Associate Director for Extramural Activities.
	Director, Division of Pharamcology, Physiology, and Biological Chemistry.
	Dir Bio Phys Sciences Program Branch.
	Dep Dir Natl Institute of General Med Sci.
	Dir, Minority Opportunities in Res Prog Br.
	Associate Director for Administration and Operations.
Natl Inst of Neurological Disorders and Stroke	Dir, Div of Fundamental Neurosciences.
	Associate Director for Administration.
	Dir, Basic Neurosci Prog/Chf/Lab of Neurochem.
	Chf, Lab of Molecular & Cellular Neurobiology.
Intramural Research	Chief Lab of Central Nervous System Studies.
	Chf, Dev & Metabolic Neurology Branch.
	Deputy Chief, Lab of Central Nervous Sys Stud.
	Chief, Neuroimaging Branch.
	Chief, Laboratory of Neurobiology.
	Chief, Laboratory of Neura Control.
	Chief Brain Structural Platicity Section.
	Chief, Stroke Branch.
Natl Eye Institute	Chief Laboratory of Retinal Cell & Mol Biolog.
	Chief, Lab of Molecular & Dev. Biology.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Natl Inst on Deafness & Other Communication Disorders	Chief, Laboratory of Sensorimotor Research. Director, Division of Human Communication. Chief Laboratory of Cellular Biology.
NIH Clinical Center	Associate Director for Administration. Director, Division of Extramural Research. Associate Director for Planning. Assoc Chf, Position Emission T & R. Deputy Director for Management and Operations. Chief Financial Officer. Chief Operating Officer.
Center for Information Technology	Chief, Computer Center Branch. Deputy Director. Assoc Dir Ofc of Computing Resources Services. Senior Advisor to Director, Center for Information Technology.
John E Fogarty Intl Center	Deputy Director Fogarty International Ctr. Assoc Dir for Int'l Advanced Studies.
National Center for Research Resources	Dir, Natl Center for Research Resources. Dir, Gen Clinical Res Ctr for Res Resources. Dep Dir, Natl Center for Research Resources. Associate Director for Biomedical Technology. Associate Director for Comparative Medicine. Associate Director for Research Infrastructure.
Center for Scientific Review	Associate Director for Referral and Review. Assoc Dir for Statistics & Analysis. Director, Division of Molecular and Cellular Mechanisms. Director, Division of Physiological Systems. Director, Division of Clinical & Population-Based Studies.
National Institute of Nursing Research	Director National Cntr for Nursing Research. Deputy Director/Director, Division of Extramural Activities.
National Human Genome Research Institute	Deputy Director. Dir Div of Intramural Res Natl Ctr HGR. Chief Diag Devel Br Natl Ctr Human Gen Res. Chf, Lab of Genetic Dis Res Natl Ctr for Hgr.
National Institute on Drug Abuse	Associate Director for Management. Assoc Dir for Planning & Resources Management. Dir, Office of Extramural Program Review. Director Division of Clinical Research. Dir, Medications Development Division. Chief, Neuroscience Research Branch.
National Institute of Mental Health	Associate Director for Clinical Neuroscience & Medical AFFS, Division of Treatment Research & Development. Dep Dir, National Institute of Mental Health. Associate Director for Special Populations. Associate Director for Prevention. Exec Ofcr, Natl Institute of Mental Health. Dir, Ofc of Legislative Analysis & Coord. Dir, Div of Neuroscience & Behavioral Sci. Chief, Neuropsychiatry Branch. Chief, Child Psychiatry Branch. Chief, Biological Psychiatry Branch. Chief, Laboratory of Clinical Science. Chief, Section on Histopharmacology. Director, Office on AIDS. Chief, Section on Clinical and Experimental Neuropsychology. Director, Division of Mental Disorders, Behavioral Research and AIDS. Director, Division of Services and Intervention Research. Chief, Section on Cognitive Neuroscience.
National Institute on Alcohol Abuse & Alcoholism	Director, Division of Basic Research. Associate Director for Administration.
Agency for Healthcare Research and Quality	Dir Ctr for Outcomes & Effectiveness Research. Executive Officer. Director, Office of Research Review, Education, and Policy.
Department of Housing and Urban Development:	
Office of the Inspector General	Asst Inspector General for Investigations. Assistant Inspector General for Audit. Deputy Inspector General. Asst Inspector General for Management & Policy. Deputy Asst Inspector for Investigation. Deputy Asst Inspector for Investigation. Dep Asst Inspector Gen for Audit. Dep Asst Inspector General for Investigation. Counsel to the Inspector General.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of the Chief Financial Officer	Assistant Chief Financial Officer for Budget.
	Deputy Chief Financial Officer.
	Assistant Chief Financial Officer for Financial Management.
	Assistant Chief Financial Officer for Accounting.
Office of the Chief Procurement Officer	Director, Office of Procurement & Contracts.
	Senior Advisor for Procurement Planning and Program Liaison.
Departmental Enforcement Center	Chief Counsel
	Deputy Director, Departmental Enforcement Center
	Associate Director, Departmental Enforcement Center.
	Director, Departmental Enforcement Center.
Departmental Real Estate Assessment Center	Deputy Director for Finance.
	Comptroller, Real Estate Assessment Center.
	Director, Real Estate Assessment Center.
Assistant Secretary for Administration	Director, Grants Management Center.
Office of the Chief Information Officer	Information Technology Advisor.
	Deputy Chief Information Officer for it Reform.
Assistant Secy for Housing	Housing/Fed Housing Adm Comptroller.
	Housing-FHA Deputy.
	Director, Office of Asset Management.
	Director, Office of Program Systems Management.
	Deputy Assistant Secretary for Finance and Budget.
Assistant Secretary for Fair Housing and Equal Opportunity	Director, Office of Enforcement.
Office of Departmental Equal Employment Opportunity	Dir, Ofc of Departmental Equal Employ Opport.
	Director, Ofc of Community Viability Comptroller.
Government National Mortgage Association	Vice President for Finance.
	Vice President, Ofc of Pol, P & R Management.
	Vice President, Office of Program Administration.
	Vice President, Office of Multifamily Programs.
	Vice President, Office of Customer Service.
	Senior Vice Pres. Office of Capital Markets and Policy.
	Senior Vice President, Office of Finance.
	Senior Vice Pres., Office of Multifamily Programs.
	Senior Vice Pres., Office of Program Operations and Support.
	Senior Vice Pres., Office of Management and Communication.
Assistant Secretary for Public and Indian Housing	Gen Dep Asst for Public & Indian Housing.
	Deputy Public & Indian Housing Comptroller.
	Dir, Ofc of Public Housing Partnership.
	Deputy Asst Sec'y, Office of Troubled Agency Recovery.
	Director, Administrative Operations.
Department of the Interior:	
Office of the Inspector General	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
	Assistant Inspector General for Management and Policy.
	Assistant Inspector General for Strategic Initiatives.
	Assistant Inspector General for Program Integrity.
	General Counsel.
	Deputy Asst Inspector General for Audits.
Office of the Solicitor	Deputy Assoc Solicitor, General Law.
	Deputy Associate Solicitor, Division of Parks and Wildlife.
	Deputy Associate Solicitor—Mineral Resources.
	Associate Solicitor for Administration.
	Dep Assoc Solicitor Land & Water Resources.
Assistant Secretary—Policy, Management and Budget	Asst Dir for Economics.
	Manager, Science and Engineering.
	Designated Agency Ethics Official.
	Deputy Asst Secretary Budget & Finance.
	Dir, Ofc of Fin Mgmt & Dept Chf Fin Officer.
	Chief Div of Budget & Program Review.
	Deputy Agency Ethics Staff Officer.
Assistant Secretary—Fish and Wildlife and Parks	Director for Everglades Restoration.
National Park Service	Financial Advisor (Comptroller).
	Park Manager—Grand Canyon.
Field Offices	Park Manager—Yosemite (Superintendent).
	Park Manager Everglades.
	Park Manager—Yellowstone (Superintendent)
	Asst Dir, Design & Construction (Mgr, Dsc)
	Park Manager—Independence Natl Historic Park.
Field Offices	Executive Dir Regional Ecosystem Office.
Field Offices	Director, Technical Services Center.
	Spec Asst to the Dir, Reclamation Serv Center.
	Director, Management Services Office.
U.S. Geological Survey	Regional Geographer, Western Region.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Regional Hydrologist, Western Region.
Directors Office	Geographic Information Officer.
	Deputy Director, U.S. Geological Survey.
	Regional Director, Eastern Region.
	Regional Director, Western Region.
	Physical Scientist.
	Chief, Office of Administrative Policy and Services.
	Associate Director for Geography.
National Mapping Division	Associate Director for Geography.
	Associate Division Chief for Operations.
Field Offices	Chief, Eros Data Center.
	Chief Mid-Continent Mapping Center.
	Chief Rocky Mountain Mapping Center.
	Chief Mapping Applications.
	Regional Geographer, Eastern Region.
Water Resources Division	Associate Division Chief for Water.
	Associate Chief Hydrologist for Program Operations.
	Asst Chief Hydrologist for Water information.
	Assistant Chief Hydrologic for Research.
	Chf, National Water Data Exchange Program.
Field Offices	Regional Hydrologist Central Region.
	Regl Hydrologist Southeastern Region.
	Regional Hydrologist, Western Region.
	Regional Hydrologist, Northeastern Region.
Geologic Division	Associate Director for Geology.
	Assoc Chief Geologist for Program Operations.
	Associate Chief Geologist for Science.
	Regional Geologist Western Region.
	Regional Gelogist, Eastern Region.
	Chief Scientist for Geology.
Biological Resources Division	Asst Dir, Budget and Administration.
	Associate Chief Biologist for Operations.
	Associate Chief Biologist for Information.
Field Offices	Regional Chief Biologist, Eastern Region.
	Regional Biologist, Western Region.
Field Offices	Regional Director.
	Regional Director.
	Regional Director.
Minerals Management Service	Associate Dir for Policy and Mgmt Improvement.
	Special Assistant to the Director.
Field Offices	Regional Director, Gulf of Mexico OCS Region.
	Asst Program Director for Offshore Compliance & Asset Management.
	Asst Prog Director for Onshore Compliance & Asset Management.
	Regional Director, Alaska OCS Region.
	Regional Director, Pacific OCS Region.
	Deputy Associate Director for Minerals Revenue Management.
Assistant Secretary—Indian Affairs	Chief Financial Officer.
Bureau of Indian Affairs	Deputy Director, Office of Indian Executive Programs.
Office of Hearings and Appeals	Dir, Ofc of Hearings & Appeals.
Department of Justice:	
Office of the Attorney General	Counsel on Professional Responsibility.
	Dep Counsel on Professional Responsibility.
Ofc of the Legal Counsel	Special Counsel.
	Special Counsel.
Office of the Inspector General	Asst Inspector General for Inspections.
	Assistant Inspector General for Audit.
	Assistant Inspector General for Investigation.
	Asst Inspector Gen for Management & Planning.
	Deputy Inspector General.
	General Counsel.
	Dir, Special Investigational Review.
	Sen Exec Strategic Plan & Spec Project.
Office of the Deputy Attorney General	Director, Office of Legal Education.
	Director, Professional Responsibility Advisory Office.
	Federal Detention Trustee.
	Correctional Prog Ofcr/Sr Dep Asst Dir Prd.
Justice Management Division	Asst Attorney General for Administration.
	Deputy Asst Attorney General.
	Dir, Security & Emergency Plnng Staff.
	Dep Asst Attorney Gen Human Res/Admin.
	Dir Library Staff.
	Dir, Facilities and Administrative Svc Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dir Telecommunications Services Staff.
	Director Management and Planning Staff.
	Director, Budget Staff.
	Senior Policy Advisor.
	Dep Asst Attorney General, Info Res Mgt.
	Dir Procurement Services Staff.
	Dir, Systems Technology Staff.
	General Counsel.
	Dir, Equal Employment Opportunity Staff.
	Senior Counsel.
	Director, Department Ethics Office.
	Deputy Director, Budget Staff.
	Director, Systems Engineering and Development Staff.
	Senior Program Manager.
Office of the Controller	Dir Finance Staff.
	Dep Asst Attorney General; Controller.
	Director, Debt Collection Management Staff.
	Asst Dir, Management & Planning Staff.
Office of Human Resources and Administration	Director Personnel Staff.
	Director, Ofc of Atty Pers Mgmt.
Office of Info & Admin Servicers	Director, Computer Services Staff.
	Director, Information Mgmt & Security Staff.
Executive Office for U.S. Trustees	Executive Officer.
Executive Office for Immigration Review	Chief Immigration Judge.
	Assistant to the Director.
	Chairman, Board of Imigration Appeals.
	General Counsel.
	Attorney—Examiner (Immigration).
	Chief Admin Hearing Officer.
Antitrust Division	Senior Litigator.
	Executive Officer.
	Chief Computers and Finance Section.
	Senior Litigator.
	Senior Litigator, Atlanta Field Office.
	Deputy Chief, Litigation II Section.
Office of Litigation	Dep Dir of Operations.
	Chief, Competition Policy Section.
Civil Division	Director of Management Programs.
	Deputy Director, Commercial Litigation Branch.
	Appellate Litigation Counsel.
	Deputy Director, Tobacco Litigation Team.
	Deputy Director, Appellate Staff.
Commercial Litigation Branch	Spec Litigation Counsel (Foreign Litigation).
	Spec Litigation Coun, C/L Branch.
	Deputy Branch Director/Commercial Litigation.
	Deputy Branch Dir Civil Frauds.
	Deputy Branch Director.
Federal Programs Branch	Special Litigation Counsel (Federal Programs).
	Deputy Branch Director.
Torts Branch	Spec Litigation Counsel.
	Spec Litigation Counsel.
	Deputy Branch Director.
	Deputy Branch Director.
	Deputy Branch Director
	Director Office of Consumer Litigation.
Civil Rights Division	Special Litigation Counsel.
	Executive Officer.
Environment and Natural Resources Division	Executive Officer.
	Supervisory Trial Attorney.
Office of Environmental Resources	Senior Litigation Coun Attorney-Examiner.
	Dep Chf, Environmental Enforcement Section.
	Principal Deputy Chief Environ Enforce Sec.
Tax Division	Chief Civil Trail Section Southwestern Region.
	Executive Officer.
Deputy Assistant Attorney General—I	Special Litigation Counsel.
	Sr Trial Attorney.
	Special Litigation Counsel.
	Spec Litigation Counsel.
Immigration and Naturalization Service	Asst Commissioner for Detention & Deportation.
	Asst Commissioner for Adjudication & Natural.
	Assistant Commissioner for Border Patrol.
	Director of Internal Audit.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director of Security.
	Asst Comr, Budget.
	Regional Director Central Region.
	Asst Commissioner Administration.
	Chief Patrol Agent.
	District Director.
	Chief Patrol Agent.
	District Dir, Western Reg, Phoenix District.
	Deputy General Counsel.
	Chief Patrol Agent, El Paso, TX.
	Deputy Executive Associate Commissioner For Detention and Removals.
	Associate Commissioner, Field Services Operations.
	Director, International Affairs.
Associate Commissioner for Information Systems	Deputy Associate Commissioner for Information Resources Management.
Associate Commissioner for Examinations	Asst Comm for Inspections.
Associate Commissioner for Enforcement	Assistant Commissioner for Investigations.
	Assistant Deputy Executive Associate Commissioner, Field Operations.
Executive Associate Commissioner for Management	Assistant Comr, Human Resources & Development.
	Assistant Commissioner for Records.
Regional Offices—INS	District Director Newark District.
	District Director, Newark, District.
	Chief Patrol Agent, McAllen, Texas.
	Chief Patrol Agent, Tucson, Arizona.
	Regional Counsel, Western Region.
Ofc of the Associate Attorney General	Executive Officer (Principal Assoc Director).
	Deputy Director for Support Services.
Executive Ofc for U.S. Attorneys	Dir Ofc of Mgnt Information Systems Support.
	Dir, Office of Administration & Review.
	Dep Dir for Operations.
	Deputy Director, Financial Management Staff.
Criminal Division	Senior Counsel to the Assistant Attorney General.
	Deputy Chief, Fraud Section.
	Dir Ofc of Asset Forfeiture.
	Senior Appellate Counsel.
	Senior Counsel.
	Executive Officer.
	Dir Intl Criminal Invest Train Asst Program.
	Chief, General Litigation & Legal Advice Sect.
	Senior Counsel for Natl Security Matters.
	Dep Chief Terrorism & Violent Crime Section.
	Deputy Chief, Computer Crime and Intellectual Property Sec.
	Chf of International Training & Dev Programs.
	Senior Counsel to the Assistant Attorney General.
	Principal Deputy Chief, Narcotic and Dangerous Drug Section.
	Director, Office of Overseas Prosecutorial Development, Assistance, and Training.
	Chief, Asset Forfeiture Office.
	Senior Counsel for National Security Matters.
Ofc of Senior Counsels	Sr Counsel for Litigation.
Ofc of Deputy Asst Attorney General I	Counsel to the Office Fraud Section.
Ofc of Deputy Asst Attorney General II	Chf Public Integrity Section.
	Deputy Chief Public Integrity Section.
Federal Bureau of Prisons	Assistant Director for Administration.
	General Counsel.
	Assoc Commr, Fed Prisons Industries, Unicor.
	Dep Assoc Commr Fed Prison Industries.
	Warden Ft Worth Texas.
	Warden Marianna FL.
	Asst Director for Human Res Mgmt.
	(Warden) Miami, FL.
	Senior Deputy Asst Dire Health Services Div.
	Regional Director Mid Atlantic Division.
	Asst Dir., Community Corrections & Detention.
	Asst Dir, Info, Pol, & Public Afrs Div.
	Gen Counsel, Fed Prison Industries (UNICOR).
	Warden, Allenwood, Pennsylvania.
	Sr Mgt Counsel, (Federal Bureau of Prisons).
	(Warden) Fort Dix, NJ.
	(Warden) FCC, Floren, CO.
	Correctional Inst Admr (ARD) SCR, Dallas, TX.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Corrl Inst Admr (SDAD), CC & D Div, Wash, DC.
	Warden, USP, Florence, CO.
	CIA (Warden) Fed Medical Center Carswell, TX.
	CIA (Warden) U.S. Penitentiary, Allenwood, PA.
	(Warden) FTC, Oklahoma, OK.
	Senior Dep Asst Dir (Administration).
	CIA (Warden) Fed Cortl Inst/El Reno, OK.
	CIA (Warden) Fed Medical, Center/Miami, FL.
	Correctional Prog Offcr/Sr Dep Regl Dir.
	Correctional Inst Admr (Warden) FCI.
	Correctional Program Officer.
	Correctional Prog Officer (WFCI, Estill, SC).
	Correctional Prog Officer (Warden Fed CI, SC).
	Correctional Institution Admin (W, FMC, FTD, MA).
	Correctional Institution Administrator.
	Correctional Institution Admr (Warden).
	Correctional Institution Administrator (Warden, U.S. Pententiary, Beaumont, TX).
	Correctional Program Officer (Assistant Director).
	Deputy Assistant Director.
	Correctional Program Officer.
	Warden.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Program Officer (Sr. Deputy Assistant Director).
	Budget Officer.
	Warden.
	Warden.
	Warden, USP.
	Warden, FCI.
	Senior Counsel.
Office of Correctional Programs	Asst Dir Correctional Programs Div.
Northeast Region	Regional Director, Northeast Region.
	Warden, Lewisburg, PA.
	Warden, McKean, PA.
	(Warden), Oakdale, LA.
	Correctional Institution Admr (Warden).
	Warden.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
Southeast Region	Regional Director, Southeast Region.
	Warden Atlanta.
	Warden, Lexington Kentucky.
	Warden, Butner North Carolina.
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
North Central Region	Regional Director, North Central Region.
	Warden Leavenworth Kansas.
	Warden Springfield MO.
	Warden Marion IL.
	Warden Terre Haute, IN.
	Correctional Institution Admr,
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
South Central Region	Regional Director, South Central Region.
	Warden, El Reno, Okla.
	Correctional Institution Administrator (Warden).
	Warden, FCI. Three Rivers, Texas.
Western Region	Regional Director, Western Region.
	Warden, Lompoc, CA.
	Warden, Phoenix, AZ.
	Warden, Federal Correctional Institution.
	Correctional Institution Admr (Warden).
	Correctional Institution Administrator (Warden).
	Correctional Institution Administrator (Warden).
Ofc of Justice Programs	Director of Administration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Director, National Institute of Justice.
	General Counsel.
	Director, Corrections Program Office.
	Comptroller.
	Budget Officer.
	Deputy Director, Office for Victims of Crime (Policy and International Programs).
	Director, Drug Courts Program Office.
	Assistant Director, Office of Administration.
	Principal Deputy Director, OVC.
Ofc of Juvenile Justice and Delinquency Prevention	Deputy Administrator, Office Discretionary Grants.
Bureau of Justice Statistics	Supervisory Statistician.
U.S. Marshals Service	Assistant Director for Human Resources.
	Assoc Director for Operational Support.
	Senior Management Advisor.
	Assistant Director for Prisoner Services.
	Assistant Director for Business Services.
	Associate Director for Mgmt and Budget.
	Assistant Director for Executive Service.
	Assistant Director for Investigative Servs.
	Assistant Director for Judicial Security.
	Asst Director for Organizational Development.
	Assistant Director for Training.
	Assistant Director, Justice Prisoner and Alien Transportation System.
	Assistant Director, for Investigative Services.
Community Oriented Policing Services	Deputy Director, Office of Community Policing Development.
Department of Labor:	
Office of the Inspector General	Deputy Inspector General.
	Asst Inspector General for Investigations.
	Asst Inspector Gen for Audit.
	Deputy Assistant Inspector General for Audit.
	Asst Inspector Gen for Labor Racketeering.
	Asst Inspector Gen for Mgmt & Counsel.
	Asst Inspector Gen/Analysis Complaints/Eval.
	Assistant inspector General for Analysis, Complaints and Evaluations.
	Assistant Inspector General for Communications, Inspections and Evaluations.
	Assistant Inspector General for Legal Services.
Bureau of International labor Affairs	Deputy Director of Budget.
Office of the Solicitor	Associate Solicitor for Labor-Management Laws.
	Assoc Solicitor for Plan benefits Security.
	Regional Solicitor—Chicago.
	Assoc Solicitor for Civil Rights.
	Assoc Solicitor for Occupational Safety & Hlt.
	Assoc Soliticor for Mine Safety & Health.
	Assoc Solicitor for Fair Labor Standards.
	Regional Solicitor—Atlanta.
	Assoc Solicitor for Employee Benefits.
	Regl Solicitor Boston.
	Regl Solicitor New York.
	Regional Solicitor Philadelphia.
	Regl Solicitor Dallas.
	Regl Solicitor Kansas City.
	Regl Solicitor San Francisco.
	Deputy Solicitor (Regional Operations).
	Assoc Sol for Spec Appel & Sup Court Lit.
	Dep Solicitor for Planning and Coordination.
	Associate Solicitor for Black Lung Benefits.
Office of Chief Financial Officer	Deputy Chief Financial Officer.
OAS for Administration and Management	Director of Human Resources.
	Director of Information Technology.
	Director Office of Budget.
	Director Business Operations Center.
	Director of Civil Rights.
	Director, Management Systems Development and Innovation.
	Director of Safety and Health.
	Director of Information Technology Operations.
	Deputy Assistant Secretary for Budget and Strategic and Performance Planning.
	Deputy Assistant Secretary for Operations.
Employment Standards Administration	Dir Ofc of Mgmt, Administration and Planning.
	Deputy Director, Employment Standards Administration.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Federal Contract Compliance Programs	Director Division of Programs Operations.
Wage and Hour Division	Dep Natl Ofc Program Administrator.
	Deputy Wage and Hour Administrator (Operations).
	Principal Deputy Wage & Hour Administrator.
Office of Workers Compensation Programs	Dir Federal Employees Compensation.
	Dir Coal Mine Workers Compensation.
Pension and Welfare Benefits Administration	Dir of Regulations & Interpretations.
	Dep Asst Secy for Program Operations.
	Director of Exemption Determinations.
	Senior Policy Advisor.
	Regional Director—Boston.
	Regional Director—Atlanta.
	Regional Director—Kansas City.
	Regional Director—San Francisco.
	Dir of Enforcement.
	Director of Health Plan Standards Compliance and Assistance.
	Director of Participant Assistance and Communications.
	Director of Information Management.
Bureau of Labor Statistics	Associate Commissioner for Field Operations.
	Associate Commissioner for Administration.
	Assoc Commissioner for Employment Projections.
	Assoc Comr for Prices and Living Conditions.
	Assoc Commr Productivity & Technology.
	Deputy Commissioner.
	Assoc Commissioner/Survey Methods Research.
	Assoc Comm for Employment & Unempl Statistics.
	Asst Commr for Indust Prices & Price Indexes.
	Director of Survey Processing.
	Dir of Technology & Computing Svcs.
	Asst Commissioner for Current Employ Analysis.
	Associate Comr for Technology & Survey Processing.
	Asst Comr for Compensation Levels & Trends.
	Asst Comr for Safety', H & W Conditions.
	Assoc Comr Compensation & Working Conditions.
	Asst Comm for International Prices.
	Assoc Commr for Publications & Spec Studies.
	Asst Commr for Consumer Prices/Price Indexes.
	Asst Commr for Fedl/State Coop Stat Programs.
Employment and Training Administration.	Admr, Ofc of Financial & Administrative Mgmt.
	Director, Office of Career Transition Assistance.
Occupational Safety & Health Administration	Director, Technical Support.
	Director Safety Standards Programs.
	Director, Federal/State Operations.
	Dir, Adm Progs.
Mine Safety and Health Administration	Director of Administration and Management.
	Director of Technical Support.
	Director of Prog Evaluation & Info Resources.
Veterans Employment and Training Service	Director of Resource Management.
Merit Systems Protection Board:	
Office of the Clerk of the Board	Clerk of the Board.
Office of Financial and Administrative Management	Director, Financial and Administrative Management.
Office of Policy and Evaluation	Director, Office of Policy & Evaluation.
Office of Information Resources Management	Director, Information Resources Management.
Office of Regional Operations	Director, Office of Regional Operations.
Atlanta Regional Office	Regional Director, Atlanta.
Central Region, Chicago Regional Office.	Regional Director, Chicago.
Northeast Region, Philadelphia Regional Office	Regional Director, Philadelphia.
Western Region, San Francisco Regional Office	Regional Director, San Francisco.
Washington, DC Region, Washington Regional Office	Regional Director, Washington, DC
National Aeronautics and Space Administration:	
National Aeronautics and Space Administration	Manager, Earth Sciences Department.
	Director of Program Operations.
	Senior Program Executive, Advanced Technology Program Management.
	Senior Systems Engineer.
Office of the Chief Financial Officer/Comptroller	Deputy Chief Financial Officer.
	Director, Financial Management Division.
	Director, Resources Analysis Division.
	Deputy Dir, Financial Management Division.
	Associate Chief Financial Officer IFMP.
	Special Assistant.
Office of Headquarters Operations	Director Headquarters Acquisition Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Equal Opportunity Programs	Director, Discrimination Complaints Division.
	Director, Multicultural Prog & Support Div.
Office of Human Resources & Education	Director, Management System Division.
	Associate Administrator for Human Resources.
	Director, Education Division.
	Director, Personnel Division.
	Director, Management Systems Division.
	Dep Assoc Adm for Human Res & Education.
	Special Asst to the Associate Admr.
	Director, Training & Development Division.
Office of Procurement	Asst Admr for Procurement.
	Asst Admr for Procurement.
	Director, Program Operations Division.
	Director, Contract Management Division.
	Dep Assistant Administrator for Procurement.
	Dir Contract Management Division.
	Director Analysis Division.
Office of External Relations	Dep Assoc Admin for External Relations (Space Flight).
	Director, Space Flight Division.
	Manager, International Technol Transfer Pol.
	Director, Space Flight Division.
	Director, Research Division.
	Director, Earth Science Division.
	Director, Space Science and Aeronautics Division.
	Manager, International Technology Transfer Policy.
Office of Management Systems & Facilities	Director, Facilities Engineering Division.
	Special Assistant to the Assoc Administrator.
	Dir Environmental Management Division.
	Deputy Chief Engineer for Systems Engineering.
Security, Logistics & Industrial Relations	Dir, Logistics & Security Division.
Aircraft Management	Director, Aircraft Management Office.
Information Resources Management	Director, Information Resources Mgmt Division.
Facilities Engineering	Deputy Director, Facilities Engineering Div.
	Dir Environmental Management Division.
Office of Small & Disadvantaged Business Utilization	Assoc Admr for S & D Business Utilization.
Office of Legislative Affairs	Dep Assoc Admin.
	Dep Assoc Admin for Programs.
	Director Liaison Division.
Office of Space Flight	Spec Asst to Dep Assoc Adm for Space Shuttle.
	Deputy Chief.
	Director, Advanced Project Office.
	Senior NASA Representative.
	Dep Assoc Administrator for Space Flight Dev.
	Deputy Assoc Admr for Space Communications.
	Deputy Associate Admin, for Business Management.
	Deputy Associate Admin, for Space Operations.
	Special Assistant to the Associate Administrator.
Institutions	Deputy Associate Administrator for Interagency Enterprise.
	Techn Asst to the Dep Assoc Adm for Bus Mgmt.
Chief Engineer	Tech Asst to the Chief Engineer.
	Senior Engineer.
Mission Director	Asst Mission Dir Mir.
Space Flight Operations	Manager Space Shuttle Syst Integration.
	Mgr, Natl Space Trans Syst Integration & Ops.
	Manager, Safety & Obsolescence.
Space Flight Development	Manager Strategic Utilization &amp Ops Office.
	Deputy Director, Space Station Program.
	Deputy Associate Administrator for Space Development.
Johnson Space Center	Chief Financial Officer.
	Director of Human Resources.
	Dir of Tech Transfer & Commercialization.
	Chief Information Officer.
	Deputy Chief Information Officer.
	Associate Director (Technical).
	Assistant Director, Space Operations.
	Manager Advanced Communications Operations.
	Associate Director (Management).
	Assistant Director for University Research and Affairs.
	Manager Eva Project Office.
	Director, Public Affairs Office.
	Manager for International Operations.
	Chief Engineer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Space Operations Office	Manager, Space Operation Mgmt Office.
	Manager, Space Ops Engineering Office.
	Director, Space Operations Office.
	Deputy Dir, Space Operations Office.
	Director Space Operations.
	Space Operations Commercialization Manager.
Space Station Program Office	Space Station Vehicle Manager.
	Director, Management Operations.
	Deputy Space Station Vehicle Manager.
	Manager International Partners Office.
	Tech Asst to the Mgr, Space Station Program.
	Dep Program Manager for Business Management.
	Deputy Program Mgr for Technical Development.
	Manager, Research Programs.
	Technical Assistant for External Reviews.
	Business Manager.
	Manager, Space Station Payloads Office.
	Space Station Program Manager.
	Manager, Avionics and Software Office.
	Manager, Program Integration Office.
Space Shuttle Program Office	Mgr, Space Shuttle Vehicle Engineer Ofc.
	Manager, Shuttle Projects Office (MSFC).
	Mgr, Launch Integration (KSC).
	Mgr, Space Shuttle Business Office.
	Asst Mgr, Space Shuttle Prog Space Flight O/C.
	Asst Manager Space Shuttle Program.
	Manager for Space Shuttle Program Development.
	Manager, Space Shuttle Program Integratin.
Mission Operations	Director, Mission Operations.
	Chief Flight Director Office.
	Deputy Director, Mission Operations.
	Asst Dir for Operations.
	Chief Engineer, Mission Operations Directorate.
	Chief Flight Director Office.
Flight Crew Operations	Chief, Aircraft Operations Division.
	Dep Dir, Flight Crew Operations.
	Manager, Phase One Program Office.
	Asst Chief, Aircraft Operations Division.
	Chief Astronaut Office.
Engineering	Chief Structures and Mechanics Division.
	Chief, Crew & Thermal Systems Division.
	Deputy Director, Engineering.
	Chief, Automation, R&S Division.
	Director, Engineering.
	Chief, Engineer Space Station Program.
	Chief Avionic Systems Division.
	Assistant to the Director, Engineering.
	Deputy Chief, Avionic Systems Division.
	Chief, Aeroscience & Flight Mechanics Div.
	Manager, Advanced Development Office.
	Deputy Mgr, Advanced Development Office.
	Asst Mgr, Advanced Development Office.
	Deputy Manager for Exploration.
	Chief Energy Systems Division.
	Chief, Manufacturing, Materials, & Process Tech Div.
	Deputy Director of Engineering for Flight.
Space & Life Sciences	Chief, Medical Sciences Division.
	Assistant Director for Engineering.
	Assistant to the Director for Russian Progs.
	Chief, Flight Crew Support Division.
	Associate Director, Space & Life Sciences.
	Manager Science Payloads Management Office.
	Chief, Solar System Exploration Division.
	Deputy Director, Space and Life Sciences.
	Assistant Director for Flight Programs.
	Assistant Director for Space Medicine.
	Asst Director, Space and Life Sciences.
	Deputy Director, Astromaterials Research and Exploration Science.
Information Systems	Dep Dir Information Systems.
	Director, Information Systems.
	Deputy Director, Information Systems.
Business Management	Procurement Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Assistant Director, Business & Info Systems.
	Special Assistant to the Director.
	Manager Space Station Business Office.
	Asst Dir Business Management.
	Deputy Director, Business Management.
Center Operations	Dir Center Operations.
	Deputy Director, Center Operations.
Safety, Reliability & Quality Assurance	Dir, Safety, Reliability, & Quality Assurance.
	Dir, Enterprise Safety & Mission Assurance.
	Deputy Director for Russian Projects.
	Deputy Director SR&QA.
	Assistant Director for Space Flight Awareness.
White Sands Test Facility	Manager, NASA White Sands Test Facility.
Kennedy Space Center	Dir Public Affairs.
	Associate Director.
	Chief Counsel.
	Asst Dir for Advanced Devel & Shuttle Upgrades.
	Dir, Space Station Hardware Integration Ofc.
	Director, Safety Assurance.
	Deputy Director for Planning and Projects.
	Manager Launch Integration (KSC).
	Dep Mgr Elv & Payload Carriers Program Office.
	Director, John F. Kennedy Space Center.
	Associate Director, John F. Kennedy Space Center.
	Director, Workforce and Diversity Management.
	Chief Financial Officer.
	Executive Director, Joint Performance Management Office.
	Director, Procurement Office.
	Director of Shuttle Processing.
	Deputy Director of Shuttle Processing.
	Director of Safety, Health & Independent Assessment.
	Deputy Director of Safety, Health & Independent Assessment.
	Associate Director for Agency Occupational Health Program.
	Associate Director for Safety & Mission Assurance.
	Associate Director for Systems Management.
	Director, Space Station Hardware Integration Office.
	Director of Spaceport Services.
	Deputy Director of Spaceport Services & CIO.
	Associate Director of Spaceport Services and Chief Medical Officer.
	Director of ISS/Payload Processing.
	Associate Director for Spaceport Technology Projects.
	Special Assistant to the Director.
	Deputy Director, Safety & Mission Assurance.
Shuttle Management & Operations	Dir of Shuttle Operations.
	Director of Process Integration.
	Deputy Dir of Shuttle Processing.
	Director Process Engineering.
Safety and Mission Assurance	Dep Dir of Safety and Mission Assurance.
Installation Operations	Director, Installation Operations.
	Deputy Dir. of Installation Mgmt & Operations.
Payload Processing	Director, Expandable Vehicles.
	Director Logistics Operations.
	Dir Inter Space Station Launch Site Support.
Procurement	Director, Procurement.
Biomedical Office	Director, Biomedical Office.
Marshall Space Flight Center	Chief Financial Officer.
	Director, Safety & Mission Assurance Office.
	Associate Director.
	Assistant to the Center Dir for Space Station.
	Associate Director (Technical).
	Manager, Space Transportation Prog Office.
	Manager X–34 Program.
	Assistant to the Manager, X–34 Program.
	Deputy Manager, Space Shuttle Projects Office.
Science Directorate	Deputy Manager for Space Station Research.
	Deputy for Management.
	Assistant Director for Space Propulsion Systems.
	Deputy Director, Science.
	Manager, Microgravity Science and Applications Department.
	Chief Operating Officer, National Space Science & Technology Center.
Program Development	Deputy Manager, Technology Transfer Office.
	Dir, Research & Technology Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Engineering Directorate	Deputy Director, Program Development.
	Deputy Director, Program Development.
	Director, Space Sciences Lab.
	Director, Propulsion Laboratory.
	Director, Syst Anal & Integration Laboratory.
	Dep Dir Structures & Dynamics Laboratory.
	Deputy Dir, Materials & Processes Laboratory.
	Dep Dir, Mission Operations Laboratory.
	Dep Dir, Syst Anal & Integration Laboratory.
	Deputy Director, Propulsion Laboratory.
	Manager, Avionics Department.
	Dir Structures Dynamics Laboratory.
	Deputy Director, Structures & Dynamics Lab.
	Chief Engineer Space Shuttle Main Engine Proj.
	Asst Director Science & Engineering.
	Manager Space Station Furnace Facility.
	Director, Mission Operations Laboratory.
	Dep Manager Super Lightweight External Tank.
	Manager, Engineering Systems Department.
	Deputy Director, Space Sci Laboratory.
	Chf Eng. Reusable Launch Vehicle Project.
	Assistant to the Director, Engineering.
	Deputy Director, Engineering.
	Deputy Manager, Materials, Processes and Manufacturing Dept.
	Deputy Manager, Structures, Mechanics and Thermal Department.
Avionics Department	Deputy Manager, Avionics Department.
Center Operations Directorate	Director, Information Systems Services Office.
	Director, Procurement Office.
	Dep Dir, Institutional & Program Support.
	Director, Facilities Office.
	Dir Environmental Engineering & Mgnt Office.
	Director Center Operations.
	Deputy Director, Center Operations.
	Manager, Information Services Department.
Space Shuttle Projects	Manager, External Tank Project.
	Mgr Solid Rocket Booster Project.
	Manager Space Shuttle Main Engine Projects.
	Manager, Reusable Solid Rocket Motor Project.
	Chief Engineer Space Shuttle Main Engine Prog.
Global Hydrology Research Office	Manager, Global Hydrology Research Office.
	Manager, Materials, Processes, and Manufacturing Department.
	Manager Microgravity Research Program Office.
Chandra X-Ray Observatory Program Office	Manager, Observatory Projects Office.
	Dep Mgr, Observatory Projects Office.
Flight Projects Directorate	Deputy Director, Flight Projects.
	Assistant to the Director, Flight Projects.
	Manager, Payload Operations and Integration Department.
	Chief Engineer.
	Manager, Ground Systems Department.
	Manager, Flight Systems Department.
Space Transportation Directorate	Director, Advanced Transportation Syst Office.
	Dep Manager Space Transportation Prog Ofc.
	Manager X–33 Program.
	Manager, Vehicles and Systems Development Department.
	Manager, Test and Evaluation Department.
	Manager, Second Generation Rlv Program Office.
	Manager, Pathfinder Program.
	Manager, Pathfinder Program.
	Manager, Subsystem and Components Development Department.
	Deputy Director Space Transportation Directorate.
	Chief Engineer, Space Transportation.
	Manager, Propulsion Research Center.
Technology Transfer	Director, Technology Transfer Office.
	Mgr Earth & Space Sciences Projects.
Customer and Employee Relations Directorate	Director, Customer and Employee Relations.
	Deputy Dir, Customer and Employee Relations.
	Liaison for Diversity Administration.
Stennis Space Center	Deputy Director, NASA Stennis Space Center.
	Director, Propulsion Test Directorate.
	Deputy Director, Propulsion Test Directorate.
	Chief Financial Officer.
	Special Assistant to the Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Center Operations & Support Directorate.
	Manager, Propulsion Test Program Office.
Office of Space Communications	Chief, Communications Systems Branch.
Ground Networks	Assistant Associate Administrators (Plans).
Communications & Data Systems	Dep Dir, Ground Network Division.
Office of Public Affairs	Senior Public Affairs Advisor.
Office of Safety & Mission Assurance	Dep Assoc Adm for Safety & Mission Quality.
	Director, Programs Assurance Division.
	Mgr Intl Sp Stn Indep A & O Act.
	Technical Advisor for Sr M Qa Initiatives.
	Dir, Human E & D of Space (HEDS) Indep Assur.
Safety & Risk Management	Director, Safety & Risk Management Division.
Engineering & Quality Management	Director, Quality Management Office.
Office of Aerospace Technology	Dep Assoc Admin for Aeronautics Mgmt.
	Director, Commercial Dev & Technol Transfer.
	Dir Space Transportation Division.
	Senior Engineer.
	Director, Inter-Enterprise Operations.
	Director, Research Support Division.
	Director, Goals Division.
Resources & Management Systems	Director, Resources Management Office.
High Performance Aircraft	Assistant Director for Program Evaluation.
High Speed Research	Director, Alliance Development Office.
National Aero-Space Plane	Assistant Dir for Aircraft Certification Serv.
Ames Research Center	Chief Financial Officer.
	Deputy Director, Information Science and Technology.
	Deputy Director, Ames Research Center.
	Assistant Director for Information Technology.
	Director, Office of Safety, Environment & Mission Assurance.
	Assistant to the Director.
	Chief, Computational Sciences Division.
	Associate Director for Astrobiology & Space Programs.
	Chief Counsel.
	Associate Director for Systems Management and Planning.
	Special Assistant for Software Integration.
Aerospace	Dep Dir Flight Projects Office.
	Chief, Space Technology Division.
	Chief, Aviation Systems Research Technology & Simulation.
	Chief, Army/NASA Rotorcraft Division.
	Deputy Director of Aerospace.
Aerophysics	Chief, NAS Systems Division.
Astrobiology and Space Research	Director of Astrobiology and Space Research.
	Chief, Life Sciences Division.
	Deputy Director of Astrobiology and Space Research.
Center Operations	Deputy Director, Center Operations.
Research and Development Services	Chief Systems Engineering Division.
	Chief, Wind Tunnel Operations Division.
	Director, Research and Development Services.
	Deputy Director, Research and Development Services.
Information Sciences and Technology	Chief, Human Factors Research & Technology Div.
Dryden Flight Research Center	Dir Aerospace Projects Directorate.
	Chf, Flight Operations Division.
	Asst Chief, Flight Operations Division.
	Director, Intercenter Aircraft Operations.
	Asst Dir for Program Integration.
	Assistant Director of Research Facilities.
	Director, Airborne Science Directorate.
	Associate Director For Operations.
	Director Research Facilities Directorate.
	Chief Financial Officer (Financial Manager).
	Chief Information Officer.
	Director, Aerospace Proj Directorate.
	Dep, Director, Aerospace Projects.
	Aerospace Engineer (Ch Engineer.
	Associate Director for Planning.
Langley Research Center	Chief Atmospheric Sciences Division.
	Facility Group Director for the Aerospace Technology Enterprise.
	Dir Independent Prog Assess Office.
	Dir of Education Programs.
	Assistant Director for Planning.
	Special Assistant for Outreach.
	Manager, Hyper-X Phase One Program.
	Dep Dir Indep Progr Assessment Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dep Dir Indep Progr Assessment Office.
	Director, Airborne Systems.
	Director.
	Special Assistant to the CFO.
	Director, Aviation Safety Program Office.
	Associate Director for Program Integration.
	Director, Earth and Space Science Program Office.
	Dir., Aerodynamics, Aerothermodynamic, and Aeropropulsion Facility Group.
	Deputy Director, Facilities and Test Techniques, AAAC.
Aeronautics	Chief, Aeornautics Systems Analysis Div.
	Deputy Director, Airframe Systems Prog Office.
Space & Atmospheric Sciences	Deputy Dir, S & A Sciences Program Group.
	Dir, Aerospace Transportation Program Office.
	Chief, Space Systems and Concepts Division.
Research & Technology Competencies	Director.
	Chief Structures Division.
	Chief Information & Electromagnetic Tech.
	Chf, Flight Dynamics & Controls Division.
	Chief, Fluid Mechanics Division.
	Deputy Dir, Research & Technology Group.
	Chief Aerodynamics Division.
	Director, Research & Technology Group.
	Chief, Aero & Gas Dynamics Division.
	Chief, Materials Division.
Technology Applications	Manager Space Technologies Thrust Office.
Internal Operations	Deputy Dir, Internal Ops Group (FE&O).
	Chief Aerospace Mechanical Systems Division.
	Chief Experimental Testing Technology Div.
	Special Asst, Internal Operations Group.
	Special Assistant.
	Procurement Officer.
	Chief Aerospace Mechanical Systems Division.
	Director, Internal Operations Group.
	Chief, Simulation and Research Aircraft Div.
High-Speed Research Project	Director for High-Speed Res Project Office.
	Chief Engineer, High-Speed Research.
Aerospace Vehicle Systems Technology Program Office	Dep Dir Aerospace Trans Technol Office.
	Dep Dir Aerospace Transportation Tech Ofc.
	Dir Aerospace Transport Technology Office.
Safety & Mission Assurance	Dir, Ofc of Safety, E&M Assurance.
Comptroller	Chief Financial Officer.
Glenn Research Center	Special Assistant to the Director for Policy.
	Chief Financial Officer.
	Deputy Director for Operations.
	Assistant Deputy Director for Policy.
	Chief, Engineering Design and Analysis Division.
Aeronautics	Chf, Internal Fluid Mechanics Division.
	Chf, Aeropropulsion Analysis Office.
	Deputy Director of Aerospace Technology.
	Chief, High-Speed Systems Office.
	Chief, Subsonic Systems Office.
	Chief, Ultra Efficient Engine Technology Office.
Research and Technology	Chief, Space Propulsion Technology Division.
	Chief, Turbomachinery & Propulsion Syst Div.
	Chief, Materials Division.
	Chief, Structures and Acoustics Division.
	Chief, Space Communications Division.
	Chief, Power & On-Board Propulsion Techn Div.
	Chief, Interdisciplinary Technology Office.
Space	Chief, Microgravity Division.
	Chief, Space Experiments Division.
	Deputy Director of Space.
	Chief Power Systems Project Office.
	Senior Advisor for Advanced Concepts.
Engineering and Technical Services	Chief, Computer Services Division.
	Chf, Electronics & Control Systems Division.
	Director of Engineering & Technical Services.
	Deputy Dir of Engineering & Tech Services.
	Chief Engineer.
	Chief, Systems Engineering Division.
Administration & Computer Services	Dir, Adm & Computer Services Directorate.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
External Programs	Director, External Programs.
Mission Safety & Assurance	Dir, Ofc of Sfty, Environml & Mission Assur.
Office of Space Science	Special Ast to the Deput Assoc Admin.
	Asst Associate Admr for Technology.
	Director, Research Program Management.
	Technical Assistant to the Director, Office of Space Science.
	Technical Assistant to the Director, Office of Space Science.
	Science Program Director.
	Director, Administration and Resource Management Division.
	Senior Program Executive Space Science Program Management.
	Deputy Director Research Program Management Division.
	Deputy Director Flight Program Division.
	Senior Program Executive for Decadal Planning Team (Science).
Solar System Exploration	Science Program Director.
	Director, Mission & Payloa Development Div.
	Senior Program Executive for JPL Program.
	Dir. Advanced Technol & Mission Studies Div.
Space Physics	Senior Program Executive for GSFC/Apl Progs.
	Science Program Dir. Sun-Earth Connection.
	Sr Sci Prog Executive for Review & Evaluation.
Technology & Information Systems	Director, Hq Info, Technology and Comm Divi.
	Sr Sci Program Executive for Information Syst.
Astrophysics	Science Program Director, Galaxy & Universe.
	Deputy Dir Astrophysics Division.
	Asst Assoc Admr for Education & Outreach.
	Science Prog Dir. Origins & Planetary Systems.
Office of Life & Microgravity Sciences & Applications	Chief, Advanced Plans Office (Staff).
	Manager, Life Sciences and Technology.
	Dir Life & Biomedical Science & Applics Div.
	Chief Mission Management Branch.
	Dir, Microgravity Sciences & Applications Div.
	Dir, Space Processing Division.
	Director, Space Utilization & Product Development Division.
Office of Inspector General	Assistant Inspector General for Audits.
	Assist Inspector General for Investigation.
	Manager, Advanced Technology Programs.
	Assistant Inspector General for Inspections, Administrative.
	Investigations, and Assessments.
	Counsel to the Inspector General.
	Assistant Inspector General, Network and Advanced Technology.
	Protections Office.
	Director, Technical Services Office.
	Director, Computer and Technology Crimes Office.
Office of Space Access & Technology	Manager Systems Integration.
	Manager, Communications Experiments.
	Manager for Propulsion Technology.
	Special Assistant for Special Projects.
Office of Earth Science	Dep Assoc Admr for Mission to Planet Earth.
	Senior Science Advisor for Intl Programs.
	Director, Mission to Planet Earth.
	Senior Engineer, Program Integration.
	Dir Applications & Outreach Division.
	Director, Business Division.
	Deputy Associate Administrator Advanced Planning.
	Deputy Associate Administrator for Mission to Planet Earth.
	Assistant Associate Administrator for Office of Earth Science.
Science	Director Science Division.
Goddard Space Flight Center	Dir of University Programs.
	Chief, NASA Somo Mission Services Offices.
	Associate Director Program Manager for Exlporers.
	Deputy Associate Director for EOS–G Development.
	Associate Director/Program Manager for the Hubble Space Telescope (HST).
	Deputy Associate Director for Hubble Space Telescope (HST) Development.
	Deputy Director for Systems Management.
	Deputy Director of Applied Engineering and Technology for Planning and Development.
Human Resources	Director of Human Resources.
Comptroller	Chief Financial Officer/Comptroller.
Managment Operations	Dep Dir of Management Operations.
	Associate Director for Acquisition.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Flight Assurance	Director of Flight Assurance.
	Dep Dir of Flight Assurance.
Flight Projects	Deputy Director of Flight Projects.
	Project Mgr. Opns & Ground Systems.
	Project Mgr, Earth Observing Syst AM Project.
	Geostationary Opl Environmental Satellite PM.
	Dir of Flight Projects.
	Tracking & Data Rela Satellite TDRS Proj Mgr.
	Assoc Dir for Earth Sci Data & Info System.
	Proj Mgr, EOS–Pm Proj Flight Proj Direct.
	Project Mgr, Earth Sci D & I Syst Project.
	Dep Dir Flight Projects for Plan & Bus Mgnt.
	Project Manager, Poes.
	Associate Director of Fight Projects for Eos.
	Associate Director/Program Manager for the Earth Explorers Program Office.
Applied Engineering & Technology Directorate.	Deputy Asso Dir of Flight Proj Cor Net & Miss Serv Proj.
	Asso Dir of Flight Proj for Network & Miss Serv Proj.
	Deputy Director of Applied Eng & Technology.
	Chief Information Systems Center.
Systems, Technology and Advanced Concepts	Dep Dir of Systems, Tech & Advanced Concepts.
Space Sciences	Chief, Lab for Astronomy and Solar Physics
	Chief, Lab for Extraterrestrial Physics.
	Director of Space Sciences.
	Chief, Goddard Institute for Space Studies.
	Chief Laboratory for High Energy Astrophysics.
	Deputy Director of Space Sciences.
Engineering	Chief Engineer.
	Associate Director of Flight Projects.
	Chief, Mechanical System Center.
	Chief, Systems Engineering Division.
	Chief Technology Commercialization Office.
Earth Sciences	Chief Lab for Hydrospheric Processes.
	Chief, Space Data and Computing Division.
	Asst Dir of Earth Sci for Projects Eng.
	Chf, Laboratory for Atmospheres.
	Deputy Director for Earth Sciences.
	Director for Earth Sciences.
	Chief Laboratory for Terrestrial Physics.
	Deputy Assoc Dir for Earth Sci D & I Syst.
	Asst Dir of Mission to P/E Prog for Globe.
Office of Policy and Plans	Director of Special Studies.
	Director of Special Projects.
National Archives & Records Administration:	
Archivist of US Dep Archivist of the US/Chf of Staff	Deputy Archivist of the United States.
Office of Administrative Services	Assistant Archivist for Administrative Serv.
Office of the Federal Register	Director of the Federal Register.
Office of Regional Records Services	Asst Archivist for Regional Records Services.
Office of Human Resources and Information Services	Asst Archivist for Human Resources & Info Ser.
Office of Records Services—Washington, DC	Asst Archivist for Records Services.
Office of Presidential Libraries	Asst Archivist for Presidential Libraries.
	Director, Lyndon B. Johnson Library.
National Capital Planning Commission:.	
National Capital Planning Commission Staff	Executive Director.
	Assistant Executive Director (Management).
	Deputy Executive Director.
	Assistant Executive Director (Programs).
	General Counsel.
National Endowment for the Arts:	
National Endowment for the Arts	Deputy Chairman for Guidelines, Panel and Council Operations.
	Deputy Chairman for Management and Budget.
	Chief Information Officer.
National Endowment for the Humanities:	
National Endowment for the Humanities	Director, Office of Strategic Planning.
	Assistant Chairman for Planning and Operations.
National Labor Relations Board:	
Ofc of the Board Members	Executive Secy.
	Deputy Executive Secretary.
	Inspector General.
Div of Enforcement Litigation	Deputy Assoc. Gen. Counsel Appellate Court Br.
	Director, Office of Appeals.
Div of Advice	Associate Gen Counsel, Div of Advice.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Deputy Assoc Gen Counsel.
Div of Administration	Director of Administration.
	Deputy Director of Administration.
	Chief Information Technology Branch.
Div of Operations Management	Assoc General Counsel, Div of Operation-Mgmt.
	Dep Asso Gen Counsel, Div of Operation-Mgmt.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Asst to the General Counsel.
Regional Offices	Regl Dir Reg 1 Boston
	Regional Director, Reg. 2, New York.
	Regional Director, Reg. 3, Buffalo.
	Regl Dir Reg 4 Philadelphia.
	Regional Director, Reg. 5, Baltimore
	Regional Director, Reg. 6, Pittsburgh.
	Regl Dir, Region 7, Detroit Mich.
	Regional Director, Reg. 8, Cleveland.
	Regional Director, Reg. 9, Cincinnati.
	Regl Dir Reg 10 Atlanta.
	Regl Dir., Reg 11, Winston Salem.
	Regional Director, Reg. 12, Tampa .
	Regional Director, Reg. 13, Chicago.
	Regl Dir Reg 14 St Louis.
	Regl Dir Reg 15 New Orleans.
	Regl Dir Reg 16 Ft Worth.
	Regl Dir Reg 17 Kansas City.
	Regl Dir Reg 18 Minneapolis.
	Regl Dir Reg 19 Seattle.
	Regional Dir, Reg. 20, San Francisco.
	Regional Director, Reg 21, Los Angeles.
	Regional Director, Reg 22, Newark.
	Regional Director, Reg 24, Hato Rey Puerto Rico.
	Regl Dir Reg 25, Indianapolis.
	Regl Dir Reg 26 Memphis.
	Regl Dir Reg 27 Denver.
	Regl Dir Reg 28 Phoenix.
	Regl Dir Reg 29 Brooklyn.
	Regl Dir Reg 30 Milwaukee.
	Regl Dir Reg 32 Oakland.
	Regional Director Reg 33, Peoria, Ill.
	Regl Dir Reg 31 Los Angeles.
	Regional Director, Reg. 34 Hartford.
National Science Foundation:	
Office of the Director	Senior Advisor.
	Senior Advisor.
	Senior Advisor.
	Senior Staff Associate.
	Senior Advisor.
Office of Integrative Activities	Senior Science Advisor.
	Senior Science Advisor.
	Senior Scientist.
Office of the General Counsel	Deputy General Counsel.
Office of Polar Programs	Head Polar Research Support Section.
Office of the Inspector General	Inspector General.
	Associate Inspector General for Scientific Integrity.
	Deputy Inspector General.
	Associate Inspector General for Audit.
National Science Board	Senior Policy Officer.
Directorate for Geosciences	Sr Science Assoc for Geosciences Education.
Division of Atmospheric Sciences	Head, Upper Atmosphere Section.
Division of Earth Sciences	Head, Special Projects Section.
	Head, Special Projects Section.
	Head, Research Grants Section.
Division of Ocean Sciences	Head, Oceans Section.
	Senior Scientist/Section Head.
Directorate for Engineering	Senior Advisor.
Division of Engineering Education & Centers	Deputy Division Director (Education).
	Senior Staff Associate.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Senior Engineering Advisor.
Division of Design, Manufacture & Industrial Innovation	Senior Advisor, Technology Integration
	Senior Advisor.
Division of Civil and Mechanical Systems	Senior Advisor.
Directorate for Biological Sciences	Deputy Assistant Director.
Division of Environmental Biology	Deputy Division Director.
Directorate for Mathematical and Physical Sciences	Executive Officer.
	Senior Science Associate.
Division of Physics	Executive Officer.
Division of Mathematical Sciences	Executive Officer.
Division of Materials Research	Executive Officer.
Directorate for Education & Human Resources	Deputy Assistant Director.
	Dep Asst Dir for Integrative Activities.
Division of Research, Evaluation & Communication	Senior Advisor for Research.
Directorate for Social, Behavioral and Economic Sciences	Senior Advisor.
Division of International Programs	Deputy Division Director.
	Senior Staff Associate.
	Senior Advisor.
	Senior Staff Associate.
Directorate for Computer & Info Science & Engineering	Executive Officer.
Office of Budget, Finance and Award Management	Director, BFA and CFO.
	Senior Advisor.
	Deputy Director—Management, Operations and Policy.
	Deputy Director—Planning, Coordination & Analysis.
Budget Division	Division Director.
Division of Financial Management	Division Director and Deputy CFO.
Division of Grants & Agreements	Division Director.
Division of Contracts, Policy & Oversight	Division Director.
	Senior Advisor.
Office of Information and Resource Management	Deputy Director, OIRM and Deputy CIO.
Division of Information Systems	Dep Dir, Div of Information Systems.
Division of Human Resource Management	Division Director.
	Deputy Division Director.
Division of Administrative Services	Division Director.
	Deputy Division Director.
National Transportation Safety Board:	
National Transportation Safety Board	Chief Technical Advisor.
Office of the Managing Director	Managing Director.
	Assoc Managing Dir Safety & Development.
	Assoc Managing Director for Quality Assurance.
Office of Aviation Safety	Director Ofc of Aviation Safety.
	Dep Dir, International Aviation Safety Affairs.
	Deputy Director, Tech and Inv Operations.
Office of Research & Engineering	Dir Ofc of Research and Engineering.
	Deputy Dir Ofc of Research and Engineering.
Office of Chief Financial Officer	Chief Financial Officer.
Office of Safety Recommendations and Accomplishments	Dir Ofc of Safety Recommendations & Accomplis.
Office of Railroad, Pipeline and Hazardous Materials Investigations	Director, Office of Railroad, Pipeline and Hazardous Materials Investigations.
Nuclear Regulatory Commission:	
Atomic Safety and Licensing Brd Panel	Chief Administrative Judge.
	Deputy Chief Administrative Judge (Executive).
Office of the Chief Information Officer	Dir, Applications Development Division.
	Dir, Information Technology Infrastructure Division.
	Director, Information, Records and Document Division.
	Director, Planning & Resource Mgmt Division.
	Director, Web Publishing and Distribution Division.
Office of the Chief Financial Officer	Director, Division of Planning, Budget and Analysis.
	Dir Division of Accounting and Finance.
	Special Assistant for Internal Controls.
	Deputy Chief Financial Officer.
	Director, Starfire Project.
Office of the Inspector General	Asst Inspector General for Audits.
	Deputy Inspector General.
	Assistant Inspector Gen for Investigations.
Associate General Counsel for Licensing and Regulation	Deputy Assistant GC/Legislative Counsel.
Associate General Counsel for Hearings, Enforcement and Administration.	Deputy Assistant GC for Administration.
Office of Commission Appellate Adjudication	Dir Ofc of Comm Appellate Adjudication.
Office of Administration	Director Div of Contracts & Prop Mgmt.
	Dir, Div of Administrative Services.
	Dir, Div of Facilities and Security.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Incident Response Operations	Director, Incident Response Operations.
	Dep Dir, Incident Response Operations.
Office of Investigations	Deputy Director, Office of Investigations.
Office of Small Business and Civil Rights	Director.
Office of Nuclear Reactor Regulation	Proj Dir Project Directorate II 1.
	Dir, Prog Mgmt, Policy Dev & Analysis Staff.
Division of Licensing and Project Management	Project Director, Project Directorate I.
	Project Director, Project Directorate II.
	Project Director, Project Directorate IV & Decommissioning.
	Project Director, Project Directorate III.
Associate Director for Inspection and Programs	Director, New Reactor Licensing Project Office.
Division of Inspection Program Management	Chief, Equipment and Human Performance Branch.
	Chief, Reactor Safeguards, Radiation Safety & Emergency Preparedness.
	Chief, Inspection Program Branch.
Division of Regulatory Improvement Programs	Chief, License Renewal and Standardization Branch.
	Chief, Events Assess, Generic Comm & Non-Pwr Reactors Branch.
	Chief, Generic Issues, Envir, Financial & Rulemaking Branch.
	Chief, Technical Specifications Branch.
Division of Engineering	Chief, Materials & Chemical Engineering Br.
	Chief, Mechanical & Civil Engineering Branch.
	Chief, Electrical & Instrumentation & Controls Branch.
Division of Systems Safety & Analysis	Chf, Plant Systems Branch.
	Chf, Reactor Systems Branch.
	Chief, Probablistic Safety Assessment Branch.
	Chief Containment Sys & Severe Accident Brch.
Division of Fuel Cycle Safety & Safeguards	Chief, Fuel Cycle Licensing Branch.
	Chief Special Projects.
	Chief, Safety and Safeguards Support Branch.
Div of Industrial & Medical Nuclear Safety	Chief, Operations Branch.
	Chief, Medical, Acad & Com Use Sfty Branch.
	Chief, Rulemaking and Guidance Branch.
	Chief, Materials Safety and Inspection Branch.
Division of Waste Management	Chief, Engineering & Geosciences Branch.
	Chief, Decommissioning Branch.
	Chief, High-Level Waste Branch.
	Chief, Environmental and Performance Assessment Branch.
Spent Fuel Project Office	Deputy Director, Licensing & Inspection Directorate.
	Dep Dir, Technical Review Directorate.
Ofc of Nuc Regulatory Research	Dir, Program Mgmt, Policy Development & Analysis Staff.
Division of Engineering Technology	Chief, Generic Safety Issues Branch.
	Chief, Elect, M & M Engineer Branch.
	Chief, Structural & Geological Eng Branch.
	Chief, Materials Engineering Branch.
	Chief, Engineering Research Applications Branch.
Division of Systems Analysis and Regulatory Effectiveness	Chief, Regulatory Effectiveness & Human Factors Branch.
	Chief, Safety Margins and Systems Analysis Branch.
	Dep Director, Division of Systems Analysis and Regulatory Effectiveness.
Division of Risk Analysis and Application	Chf Reliability & Risk Assessment Branch.
	Chf, Probabilistic Risk Analysis Branch.
	Chief, Radiation Protection, Environ Risk & Waste Mgmt.
Region I	Deputy Regional Administrator.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director, Division of Reactor Projects.
	Director, Division of Reactor Safety.
	Director, Division of Reactor Projects.
	Dep Dir, Div of Reactor Safety.
	Dep Dir, Div of Nuclear Materials Safety.
Region II	Deputy Regional Administrator Region II.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director, Division of Reactor Projects.
	Director, Division of Reactor Projects.
	Director, Division of Reactor Safety.
	Dep Dir, Div of Reactor Safety.
Region III	Director, Division of Reactor Safety.
	Director, Division of Reactor Projects.
	Dep Regional Administrator Region III.
	Dir, Div of Nuclear Materials Safety.
	Deputy Director Division of Reactor Projects.
	Dep Dir, Div of Reactor Safety.
	Dep Dir, Nuclear Materials Safety.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Region IV	Deputy Regional Administrator Region IV.
	Deputy Director, Div of Reactor Projects.
	Director Div of Reactor Projects.
	Dir, Div of Nuclear Materials Safety.
	Dir, Division of Reactor Safety.
	Dep Dir, Division of Reactor Safety.
Office of Government Ethics:	
Office of Government Ethics	Deputy Director.
	Deputy Dir., for Government R & S Projects.
	Senior Assoc Director for Agency Programs.
Office of Management and Budget:	
Office of the Director	Deputy Associate Dir for Economic Policy.
	Senior Advisor to the Dep Dir for Management.
	Deputy Associate Director for Legislative Affairs.
	Deputy Assistant Director for Administration.
Legislative Reference Division	Asst Dir Legislative Reference.
	Chief, Economics, Science & Govt. Branch.
	Chief, Resources-Defense-International Branch.
	Chief, Labor, Welfare, Personnel Branch.
	Associate General Counsel for Budget.
Office of Federal Procurement Policy	Associate Administrator for Procurement Law and Legislation.
	Associate Administrator for Acquisition Implementation.
Office of Information and Regulatory Affairs	Chief, Information Policy & Technology Branch.
	Chief, Human Resources and Housing Branch.
	Chief, Commerce and Lands Branch.
	Chief, Statistical Policy Branch.
	Chief, Natural Resources Branch.
	Senior Advisor.
	Senior Advisor.
Office of Federal Financial Management	Chief, Financial Standards, Reporting and Management Integrity Branch.
	Deputy Controller.
	Chief Federal Financial Systems Branch.
	Senior Advisor to the Director.
	Senior Advisor to the Director.
Budget Review Division	Dep Asst Dir for Budget Review & Concepts.
	Dep Chief Budget Analysis Branch.
	Chief Budget Analysis Branch.
	Asst Dir for Budget Review.
	Dep Assit Dir for Budget Analysis & Systems.
	Chief, Budget Concepts Branch.
	Chief, Budget Systems Branch.
	Chief, Budget Review Branch.
	Deputy Chief, Budget Review Branch.
International Affairs Division	Chief, State-USIA Branch.
	Chief, Economic Affairs Branch.
	Dep Assoc Dir for Internatl Affairs.
National Security Division	Chief, Command, Ctrl, Comms, & Intellig Branch.
	Chief, Force Structure & Investment Branch.
	Chief Veteran Affairs Branch.
	Dep Assoc Dir for National Security.
	Chief Operations Sup Branch.
Associate Director for Educ, Income Maintenance & Labor	Chief, Labor Branch.
	Chief, Education Branch.
	Dep Assoc Dir for Ed, Income Maint & Labor.
	Chf, Income Maintenance Branch.
	Chief, Personnel, Portal, Exop Branch.
	Senior Advisor.
Transportation, Commerce, Justice & Services Division	D/A for Transp Commerce, Justice & Services.
	Chief Commerce Branch.
	Chief Transportation Branch.
	Chief, Justice/GSA Branch.
Housing, Treasury and Finance Division	Deputy Assoc Dir for Housing Treasury Finance.
	Chief, Treasury Branch.
	Senior Advisor for Cash & Credit Mgmt.
	Chief, Financial Institutions Branch.
	Chief, Housing Branch.
Assoc Dir for Natural Resources, Energy, and Science	Senior Advisor.
Natural Resources Division	Dep. Associate Dir. for Natural Resources.
	Chief, Agricultural Branch.
	Chief, Environment Branch.
	Chief Interior Branch.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Energy and Science Division	Chief, Water and Power Branch.
	Chief Science and Space Programs Branch.
	Dep. Assoc. Dir for Energy & Science.
	Chief, Energy Branch.
	Deputy Associate Director for Energy and Science Division.
Health Division	Deputy Associate Director for Health.
	Chief Health & Financing Branch.
	Chief, Health & Human Services Branch.
	Chief, Public Health Branch.
VA/Personnel Division	Deputy Assoc Director for VA & Personnel.
Office of Personnel Management:	
Office of the Chief Financial Officer	Chief Financial Officer.
	Deputy Chief Financial Officer.
Office of the Inspector General	Deputy Inspector General.
	Asst Inspector General for Audits.
	Assistant Inspector Gen for Investigations.
	Deputy AIG for Audits.
Retirement and Insurance Service	Asst Dir for Retirement Programs.
	Director, Office of Actuaries.
Employment Service	Director, Personnel Res & Development Center.
	Senior Advisor.
	Special Assistant to the Associate Director.
Office of Workforce Relations	Director, Office of Workforce Relations.
	Dir Office of Labor and Employee Relations.
	Director for Human Resources Development.
Investigations Service	Assistant Director for Operaitons.
Office of the Chief Information Officer	Chief Information Officer.
Office of Contracting and Administrative Services	Director of Contractding & Administrative Serv.
Office of Merit Systems Oversight and Effectiveness	Assistant Director for Merit Systems Oversight.
Office of Special Counsel:	
Headquarters, Office of Special Counsel	Assoc Special Counsel (Prosecution).
	Assoc Spec Counsel (Investigation).
	Deputy Associate Spec Counsel for Prosecution.
	Assoc Special Counsel for Disclosure and Complaints Examination.
	Director for Management.
	Assoc Special Counsel Planning and Oversight.
	Associate Special Counsel for Plan & Advice.
Railroad Retirement Board:	
Board Staff	Chief of Technology Service.
	Director of Hearing and Appeals.
	Chief Actuary.
	Director of Field Service.
	Director of Administration.
	Deputy General Counsel.
	Asst Inspector General for Investigations.
	Chief Financial Officer.
	Assistant Inspector General for Audit.
	Director of Taxation.
	General Counsel.
	Director of Programs.
	Chief Information Officer.
	Dir of Operations.
	Dir of Policy & Systems.
	Director of Fiscal Operations.
Securities and Exchange Commission:	
Office of the Executive Director	Associate Executive Director (Finance).
	Associate Executive Director (Administration).
Division of Corporation Finance	Associate Director (Operations).
	Associate Director (Legal).
Office of Compliance Inspections & Examiantions	Senior Adviser.
Small Business Administration:	
Office of the Inspector General	Asst Inspection General for Auditing.
	Asst Inspector General for Investigations.
	Counsel to the Inspector General.
	Deputy Inspector General.
	Assistant Inspector Gen/Inspection & Eval.
	Asst Inspector General for Legal Cousl.
	Assistant Inspector General for Inspections and Evaluation.
Office of the General Counsel	Associate General Counsel for General Law.
	Assoc Gen Counsel Litigation.
	Associate General Counsel for Procurement Law.
Office of Field Operations	District Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
	District Director.
Office of Equal Employment Opportunity and Civil Rights Compliance.	Asst Admr for Equal Employment Opportunity & Civil Rights Compliance.
Office of Hearings and Appeals	Asst Administrator for Hearing and Appeals.
Office of the Chief Financial Officer	Deputy Chief Financial Officer.
	Chief Financial Officer.
Office of Capital Acess	Deputy to the Assoc Dep Administrator for Capital Access.
Office of Financial Assistance	Assoc Administrator for Financial Assist.
	Dep Assoc Admr for Financial Assistance.
	Asst Admr for Portfolio Management.
Office of Surety Guarantees	Assoc Administrator for Surety Guarantees.
Office of Entrepreneurial Development	Deputy to the ADA for Entrepreneurial Dev.
Office of the Chief Information Officer	Chief Information Officer.
Office of Human Resources	Asst Administrator for Human Resources.
Office of Business Development	Associate Administrator for Business Development.
Office of Policy, Planning & Liaison	Associate Administrator for Procurement Policy and Liaison.
Social Security Administration:	
Office of the Inspector General	Deputy Inspector General.
	Counsel to the Inspector General.
Office of Investigations	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigations.
Office of Audits	Asst Inspector Gen for Audits.
	Dep Asst Inspector General for Audits.
Office of Executive Operations	Assistant Inspector General for Executive Operations.
Office of Hearings and Appeals	Assoc Comm for Hearing & Appeals.
	Deputy Assoc Comr for Hearings and Appeals.
	Executive Dir., Ofc of Appellate Operations.
Office of Actuary	Chief Actuary.
	Deputy Chief Actuary (Long-Range).
	Deputy Chief Actuary (Short-Range).
Office of Civil Rights and Equal Opportunity	Deputy Associate Commissioner for Civil Rights and Equal Opportunity.
Office of Labor-Management and Employee Relations	Dir Ofc Labor-Management Employee Relations.
Office of Finance, Assessment & Management	Senior Financial Executive.
Office of Financial Policy and Operations	Assoc Comr, Office of Fin Policy & Operations.
	Dep Assoc Comm Financial Policy & Operations.
Office of Quality Assurance and Performance Assessment	Assoc Commr for Quality Assurance & Performance Assessment.
	Dep Assoc Commr for Quality A & P Assessment.
Information Technology Systems Review Staff	Dir Information Technology System Review Stf.
Office of Acquisition and Grants	Assoc Commissioner for Acquisition & Grants.
Office of Telecommunications and Systems Operations	Assoc Comm for Telecommunications & Sys Oper.
	Deputy Associate Commissioner for T&SO.
	Dep Assoc Commr for T & S Ops (Telecomm).
Office of General Law	Associate General Counsel for General Law.
Department of State:	
Office of the Inspector General	Assistant Inspector General for Audits.
	Asst Inspector General for Investigations.
	Counsel to the Inspector General.
	Dep Asst Inspector General for Audits.
	Asst Insp Gen for Policy, Plng and Management.
	Dep Asst Inspector Gen for Inspections.
	Deputy Inspector General.
	Asst Inspector Gen for Security Oversight.
	Senior Inspector—Thematic Review.
Bureau of Intelligence and Research	Executive Director.
Bureau of International Organizational Affairs	Director, Office of International Conferences.
Office of Under Secy for Management	Principal Deputy Assistant Secretary.
Bureau of Administration	Director, Office of Acquisitions.
Bureau of Personnel	Director, Ofc of Civil Service Personnel Mgmt.
	SES Long Term Training.
Bureau of Arms Control	Office Director.
	Office Director.
	Office Director.
	Office Director.
	Deputy Asst. Secretary.
	Director, Office of Strategic negotiations and Implementation.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Bureau of Nonproliferation	Office Director.
Department of Transportation:	
Asst Secretary for Budget & Programs	Deputy Chief Financial Officer.
Assistant Secretary for Administration	Asst Secy for Administration.
Office of the Senior Procurement Executive	Senior Procurement Executive.
Office of Inspector General	Deputy Inspector General.
	Senior Counsel.
Assistant Inspector General for Auditing	Asst Insp General for Auditing.
	Dep Asst Inspector General for Auditing.
Office of Financial, Information Technology and Department-Wide Programs.	Deputy Assistant Inspector General for Financial, Information Technology, & Dept Wide Programs.
Office of Aviation	Dep Asst Inspector General for Aviation.
Assistant Inspector General for Investigations	Asst Inspector General for Investigations.
	Dep Asst Inspector General for Investigations.
Office of National Transportation Infrastructure	Deputy Assistant Inspector General for National Transportation Infrastructure.
Assistant Inspector General for Maritime & Highway Safety	Deputy Assistant Inspector General for Maritime & Highway Safety.
Asst Inspector Gen for Competition, Oversight, Rail, Economic, and Special Prog.	Deputy Assistant Inspector General for Competition Oversight, Economic, Rail, & Special Programs.
Associate Administrator for Safety	Assoc Admr for Safety.
Office of Safety Enforcement	Director, Office of Safety Assurance and Compliance.
Associate Administrator for Pipeline Safety	Assoc Admr for Pipeline Safety.
Associate Admr for Ship Analysis and Cargo Preference	Assoc Admr for Ship Fin A & C Preference
Associate Admr for Shipbuilding	Director, Office of Shipbuilding and Marine Technology.
Administrator	Executive Director.
Office of Real Estate Services	Dir Ofc of Real Estate Services.
Safety	Program Manager, Safety.
Office of Budget and Finance	Dir Ofc of Budget & Finance.
Office of Acquisition Management	Director, office of Acquisition Management.
Office of Safety Research and Development	Director, Office of Safety R & D.
Administrator	Assistant Administrator/Chief Safety Officer.
Office of Bus & Truck Standards and Operations	Director, Office of Bus & Truck Standards and Operations.
Office of Enforcement and Compliance	Director, Office of Compliance.
Associate Administrator for Safety Assurance	Associate Administrator for Safety Assurance.
Office of Defects Investigation	Dir—Ofc of Defects Investigation.
Office of Vehicle Safety Compliance	Dir—Ofc of Vehicle Safety Compliance.
Chief of Staff	Director of Finance and Procurement.
Office of the Assistant Commandant for Acquisition	Deputy Assistant Commandant for Acquisition.
Proceedings	Deputy Director—Legal Analysis.
Economic Environmental Analysis and Administration	Director of Economics, Environmental A & A.
Office of the Administrator	Senior Advisor.
Department of the Treasury:	
Under Secretary for Domestic Finance	Director, Office of Procurement.
Fiscal Assistant Secretary	Fiscal Assistant Secretary.
	Deputy Assistant Secretary for Fiscal Operations and Policy.
	Deputy Assistant Secretary (Accounting Policy).
Financial Management Service	Director, Regl Fin Ctr (San Francisco).
	Director, Regl Fin Ctr (Austin).
	Director Platform Services Directorate.
	Assistant Commissioner, Governmentwide Accounting.
	Director, Kansas City Financial Center.
	Commr of Financial Management Service.
	Asst Commissioner, Information Resources.
	Assistant Commissioner, Federal Finance.
	Director Operations Group.
	Dep Com Financial Management Service.
	Director Cash Management Directorate.
	Director, Birmingham Debt Management Operations Center.
	Assistant Commissioner, Regional Operations.
	Asst Comr, Management (Chief Fin Ofcr).
	Director, Systems Management Directorate.
	Assistant Commissioner (Agency Services).
	Chief Accounting Officer.
	Assistant Commissioner, Financial Operations.
	Deputy Director, Operations Directorate.
	Director, Asset Management Directorate.
	Assistant Commissioner Debt Management Sercs.
Bureau of the Public Debt	Commissioner.
	Dep Commr of the Public Debt.
	Asst Commissioner (Savings Bond Operations).
	Asst Commr (Financing).
	Executive Director Administrative Resource Center).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Executive Director.
	Assistant Commissioner, Office of Securities Operations.
	Asst Commr/Securities & Accounting Services.
	Assistant Commissioner, Office of Investor Services.
	Assistant Commissioner (Office of Information Technology).
	Executive Director, Marketing.
	Asst Commissioner (Public Debt Accounting).
Assistant Secretary (Enforcement)	Dep Dir, Financial Crimes Enforcement Network.
	Director Fincen.
	Executive Assistant Director, Fincen.
	Dir Exe Ofc for Asset Forfeiture.
Bureau of Alcohol, Tobacco and Firearms	Special Agent in Charge (NY Field Division).
	Spec Agen in Charge (Washington Field Div).
	Assistant Director (Inspection).
	Dep Asst Dir (Liaison & Public Information)
	Division Director/Special Agent in Charge.
	Division Director/Special Agent in Charge.
	Division Director/Special Agent in Charge.
	Division Director/SAC, Atlanta.
	Dep Assoc Dir Reg Enforcement Field Operation.
	Deputy Asst Director (Inspection).
	Division Director/Special Agent in Charge.
	Deputy Asst Dir (CE Field Operations)—East.
	Deputy Assistant Director (CE Field Operations)—Central.
	Asst Dir (Science & Technology).
	Asst Dir (Field Operations).
	Associate Chief Counsel (Admin & Ethics).
	Deputy Asst Dir (Science & Technology).
	Director Laboratory Services.
	Deputy Director.
	Asst Dir (Alcohol & Tobacco).
	Deputy Assistant Director (Recruitment/Hiring).
	Deputy Asst Director (Alcohol & Tobacco).
	Dep Asst Dir (Firearms Explosives Arson).
	Assistant Director (Firearms, Explosives, and Arson).
	Asst Dir (Liaison & Public Information).
	Chair, Professional Review Board.
	Division/Special Agent in Charge, New York.
US Customs Service	Asst Commissioner for Internal Affairs.
	Associate Chief Counsel (Miami).
	Associate Chief Counsel (Chicago).
	Associate Chief Counsel (New York).
	Dir Ofc of Regulatory Audit.
	Special Agent in Charge, Miami.
	Associate Chief Counsel Enforcement.
	Assoc Chief Counsel (Trade Tariff & Leg).
	Associate Chief Counsel (Houston).
	Dir, Applied Technology.
	Special Agent in Charge—New York.
	Special Agent in Charge—Los Angeles.
	Deputy Assistant Commissioner, Human Resources.
	Deputy Assistant Commissioner, Internal Affairs.
	Regional Special Agent in Charge (SAIC).
	Regional Special Agent in Charge (SAIC).
	Regional Special Agent in Charge (SAIC).
	Deputy Assistant Commissioner, Office of Training and Development.
	Executive Director, Communications Management.
	Director, Asset Acquisition & Management.
	Executive Director, Labor and Employee Relations.
	Director, Office of Trade Compliance.
	Dir Customs Management Center New York.
	Area Dir, Newark.
	Dir Custioms Management Center N Atlantic.
	Asst Commissioner, Field Operations.
	Dir Customs Management Center Mid-America.
	Dir Customs Management Center—S. Texas.
	Asst Commissioner, Regulations & Rulings.
	Dir Strategic Trade Center Chicago.
	Deputy Asst Commissioner (Investigations).
	Assoc Chief Counsel (Administration).
	Associate Chief Counsel (Los Angeles).
	Area Director, JFK Airport.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Secret Service	Asst Commissioner Chief Information Officer. Special Agent in Charge (New Orleans). Assistant Commissioner, Public Affairs. Port Director, Los Angeles International Airport. Executive Director, Equal Employment Program. Asst Commissioner, Investigations. Director Strategic Trade Center-Plantation. Dir Laboratories & Scientific Services. Project Executive. Deputy Assistant Commissioner, Field Operations. Director, Field Operations, El Paso. Director, Passenger Programs. Director, Field Operations—Houston. Executive Director, Field Programs. Exec Dir The Interdiction Committee. Assistant Commissioner, Finance. Executive Director, Mission Support Service. Project Executive. Dir Tariff Classification Appeals Division. Dir Strategic Trade Center Long Beach. Processes and Policy Executive. Director, Field Operations—Miami. Deputy Assistant Commissioner, International Affairs. Director, U.S. Customs Academy. Director, Ofc of Air Interdiction. Special Agent in Charge (Houston). Dir Customs Management Center—S California. Dir Office of Planning. Director, Strategic Trade Center Operations. Director, Intelligence and Communications Division. Director, Software Development. Director, Budget Division. Executive Director, South West Border Coordination. Dir Customs Management Center South Pacific. Executive Director, Field Operations. Associate Executive Director (West). Director, Administration Policy & Planning. Asst Commissioner, Strategic Trade. Special Agent in Charge, Chicago. Special Agent in Charge, (San Diego). Asst Commissioner, Human Resources Mgmt. Regional Special Agent in Charge. Port Director, Miami. Associate Executive Director, East. Asst Commissioner, Office of Training and Development. Director, Field Operations, Laredo. Director, Infrastructure Division. Director, Management Inspection. Associate Executive Director, Central. Deputy Chief Financial Officer. Special Agent in Charge—El Paso. Special Advisor Renforcement). Director of the Secret Service. Deputy Director U.S. Secret Service. Asst Director, Investigations. Asst Dir (Protective Operations). Asst Dir (Protective Research). Assistant Director, Administration. Assistant Director, Inspection. Dep Asst Dir (Protective Operations). Spec Agent in Charge—Presidential Protective. Special Agent in Charge, New York Office. Special Agent in Charge, Chicago. Special Agent in Charge, Los Angeles Office. Dep. Asst. Dir. (Protective Research). Assistant Director—Training. Asst Director—Govt Liaison and Public AFF. Spec Agent in Charge—VP Protect Div. Spec Agent in Charge—Tech Sec Div. Spec Agent in Charge—Intelligence Div. Spec Agent in Charge—Washington Field Office. Spec Agent in Charge—Philadelphia Field Offic.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Spec Agent in Charge—San Francisco Office.
	Special Agent in Charge, Dallas Field Office.
	Deputy Chief Counsel.
	Deputy Assistant Director, Government Liaison and Public Affairs.
	2002 Winter Olympics Coordinator.
	Deputy Assistant Director—Human Resources & Training.
	Deputy Special Agent in Charge, Protective Operations (Tactical Operations).
	Deputy Asst Dir Investigations.
	DAD Administration.
	Deputy Special Agent in Charge Pres Prot Div.
	DAD (Uniformed Forces, F & E Dev), Ofc Trng.
	Dep Special Agent in Charge—PPD White House.
	Dep Asst Dir Investigations.
	Special Agent in Charge—Houston Field Ofc.
	Special Agent in Charge, Rowley Training Center.
	Special Agent in Charge, Paris.
	Deputy Assistant Director—Technology.
	Deputy Asst Director Office of Inspection.
	Spec Agent in Charge—Miami Field Office.
	Deputy Special Agent in Charge—VP Prot Div.
	Dep Asst Dir Protective Operations.
	Chf, Info, Resources Management Division.
	Spec Agent in Charge—Atlanta Field Office.
	Deputy Asst Dir Protective Operations.
	Special Agent in Charge.
Ofc of the Inspector General	Dep Asst Inspector Gen for Audit (Fin Mgmt).
	Dep Insp Gen Investigation (DAIGI).
	Counsel to the Inspector General.
	Assistant Inspector General for Management Services.
	Assistant Inspector General for Audit.
	Dep Asst Inspect General for Audit Prog Audit.
	Asst Inspector General for Investigations.
Office of the General Counsel	Chief Counsel.
Inspector General for Tax Administration	Deputy Associate Inspector General for Investigations.
	Assistant Inspector General for Management Services.
	Deputy Inspector General for Investigations.
	Associate Inspector General for Audit.
	Counsel to the Treasury Inspector General for Tax Administration.
	Associate Inspector General for Audit (Wage and Investment)
	Associate Inspector General for Audit (Small Business and Tax Exempt).
	Deputy Inspector General for Audit.
	Assistant Inspector General for Information Technology.
	Assistant Inspector General for Investigation (Investigative Support).
	Assistant Inspector General for Investigation (Field Operations).
Assistant Secretary (Economic Policy)	Sr Economist.
Assistant Secretary (Tax Policy)	Dir (Economic MOD & Computer Applications).
Assistant Secretary (Management)	Deputy Chief Financial Officer.
United States Mint	Associate Dir, Information Resources/CIO.
	Associate Director for Circulating.
	Associate Director for Numismatics.
	Assoc Dir for Pol & Mgmt Chf Fin Officer.
Internal Revenue Service	Regional Commissioner, Southeast.
	District Dir, Los Angeles.
	District Dir, Manhattan.
	District Director, Georgia.
	Dir Martinsburg Computing Center.
	District Director, Ohio.
	Assistant District Director, N California.
	Chief EEO and Diversity.
	Assistant District Director, Georgia.
	Director, Technical Contract Management Division.
	Director, Submission Processing Division.
	Director, Complaint Processing and Analysis Group.
	Assistant to the Commissioner.
	Director, Workforce Relations.
	Director of Research.
	Director of Compliance, Atlanta—W & I.
	Project Director—BSMO.
	Senior Advisor to the Commission.
	Director, Leadership and Organizational Development—NHQ.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, National Customer Research Study. Director, National Public Liaison. Special Agent in Charge, New York. Special Agenct in Charge, Chicago. Director, Personnel Operations—AWSS. Project Director. Director, Field Operations—Fin Srvc & Healthcare. Director, Field Operations—Fin Srvc & Healthcare. Deputy Director, Strategy, Research & Program Planning. Director, Reporting Compliance—SBSE. Director, Centralized Workload Selection & Delivery—SBSE. Director, Compliance Los Angeles Area Office—SBSE. Director, Compliance New York Area Office—SBSE. Director, Human Resources—SBSE. Director, Filing & Payment Compliance—SBSE. Project Director. Director, Business Systems Planning. Accounts Management Field Director, Atlanta, W & I. Area Director, Field Assistance (San Francisco)—W & I. Director, Remote Shared Serviced Division. Transition Executive for Strategy, Criminal Investigation. Transition Executive for Operations, Criminal Investigation. Project Manager, Service Center Transition—W & I. Commissioner, Tax Exempt & Government Entities Division. Director, Exempt Organizations Examinations. Director, Facilities Operations—AWSS. Director, Service Center Operations. Asst Deputy Commissioner (Modernization). Director, Customer Support—AWSS. Director, Compliance Area, Laguna Niguel—SBSE. Director, Retailers, Food and Pharmaceuticals. Project Director. Director, Taxpayer Education Area, Brooklyn—SBSE. Director, Compliance Area. Director, Taxpayer Education Area, Dallas—SBSE. Director of Field Operations (Central Area)—CID. Director, Quality Assurance and Performance Management. Director, Revenue and Accounting. Project Director. Director, Tax Forms & Publications—W & I. Director, Legislative Affairs Division. Director, Statistics of Income. Director, Electronic Tax Administration—W & I. Submission Processing Field Director, Memphis. Director, Field Operations—Retailers, Food, and Pharmaceuticals. Deputy Division Commissioner, Large and Mid-Size Business. Director, Compliance Area, St. Paul—SBSE. Director, Government Entities. Director, Field Assistance Area (Greensboro) W & I. Director, Taxpayer Education Area, Nashville—SBSE. Director, Taxpayer Education Area, Seattle—SBSE. Compliance Service Field. Director, Management and Finance, SBSE. Division Information Officer—SBSE. Director, Criminal Investigation Modernization—CID. Special Agent in Charge, Los Angeles. Director, Field Assistance Area (Phoenix)—W & I. Director, Compliance Area, Denver—SBSE. Assistant District Director—New Jersey. Deputy Director, Strategic Human Resources. Project Director. Deputy Director, International. Director, Field Assistance Area, Hartford—W&I. Director, Compliance Services—SBSE. Privacy Advocate. Director, Taxpayer Education Area, Baltimore—SBSE. Director, Enterprise Operations. District Director, Central California. National Director of Appeals. Director, Appeals—LMSB. Project Director, San Francisco—Appeals. Director of Support Services, Northeast.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Chief Compliance.
	Associate Inspector General for Audit (Information Systems and Financial Mgmt).
	Area Director of Information Technology—Western.
	Compliance Services Field Director.
	Dir of Investigations, Central Area of Ops.
	Deputy Executive Officer for Customer Service.
	Deputy CFO Finance.
	Chief Communications and Liaison.
	Special Assistant to Chief, Management and Finance.
	Director of Procurement.
	Dean School of Information Technology.
	Project Director.
	Director, Taxpayer Education Area, Cincinnati—SBSE.
	Director, Strategy, Research and Performance Management.
	Deputy Commissioner (Operations).
	Director, Compliance Area, Baltimore—SBSE.
	Director, Field Operations—Retailers, Food & Pharm.
	Director, Stakeholder, Partnership, Education & Communication —W & I.
	Director, Employee Plans.
	Director, Electronic Crimes Program Office.
	Deputy National Taxpayer Advocate.
	Project Director, Joint Transition Planning Team Leader.
	Area Director, Spec—Hartford—W & I.
	Director of Research, W & I.
	Natl Dir, Submission Processing Division.
	Director, Field Assistance—W & I.
	Director, Submission Processing (Cincinnati)—W & I.
	Director, Submission Processing Center, Fresno.
	Accounts Management Field Director, Brookhaven.
	Accounts Management Field Director, Cincinnati.
	Accounts Management Field Director—Odgen.
	Accounts Management Field Director, Austion—W & I.
	Area Director Information System Technology (Southeast).
	Deputy Chief, Appeals.
	Deputy Director, Management & Finance, SBSE.
	Area Director, Stakeholder Partnership Education and Communication.
	Director, Systems Support Division.
	Compliance Services Field Director.
	Executive Director, Modernization Design.
	Director, Field Operations.
	Director of Field Operations (Mid-Atlantic Area).
	Project Director.
	Director, Compliance Area, Chicago—SBSE.
	Director, Exam, Strategy and Selection—W & I.
	Area Director of Information Technology, NE.
	Director, Operations Policy and Support—CID.
	Director, Tennessee Computing Center.
	Director of Field Operations (Pacific Area)—CID.
	Director, Refund Crimes.
	Director, Strategy—CID.
	Deputy Chief, Criminal Investigation.
	Associate Director, Facilities Operations.
	Regional Commissioner, Midstates.
	District Director, S Florida.
	Project Director.
	Director, Natural Resources Industry—LMSB.
	Director, Product Assurance Division.
	Director, Compliance Area, Philadelphia—SBSE.
	Asst Dist Dr, Virginia–West Virginia.
	Director, Field Operations, Communications, Technology & Media, LMSB.
	Director, Program and Project Management Division.
	Dep Chief Info Officer (Info Resources Mgmt).
	Director, Field Assistance Area, Indianapolis—W&I.
	Director, Submission Processing Center—Austin.
	Director, Field Operations (Natural Resources), Houston.
	Director of Field Operations (Midstates Area)—CID.
	Assistant Commissioner (Customer Service).
	National Director, Strategic Planning & Client Services.
	Project Director, BSMO.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Dean School of Taxation. Director, Program Analysis Customer Account Services—W & I. Director, Field Operations—Heavy Manufacturing, Construction, & Transportation. Deputy Associate Commissioner for Program Management. Director, Learning and Education. Director, Office of Program Eval & Risk Analysis. Director, Communications. Project Director. Director, Business Systems Planning—LMSB. Director, Compliance Area, Jacksonville—SBSE. Director, Compliance Area, Dallas—SBSE. Director, Telecommunications. Director, Taxpayer Education Area, Denver—SBSE. Dir Office of System Standards & Evaluation. District Director, S California. Accounts Management Field Director. Director of Field Operations, North Atlantic Area—CID. Director, Field Operations (Heavy Manufacturing), Laguna Niguel. Director, Strategy, Research and Performance Management, SBSE. Deputy Chief, Management and Finance. Project Director. Director, Field Operations, Spec—W&I. Director Customer Account Services, SBSE. Director, Program Filing and Payment Compliance—SBSE. Project Director. Project Director, CIO. Director, Program and Project Coordination. Director, Field Assistance Area, St Louis—W & I. Director, Cyber Security Operations. Accounts Management Field Director—ANDOVER. Project Director. Director, Field Assistance Area, New Orleans—W&I. Deputy Chief Information Officer (Systems). Director, Employee Plans Examination. National Dir, Collection Field Operations. Compliance Service Field Director—Atlanta. Submission Processing Field Director—Philadelphia. Director, Compliance—W & I. Project Director. Director, Field Operations—Heavy Manufacturing. Director, Communication, Assistance, Research & Education. Director, Compliance Area, Nashville—SBSE. Submission Processing Field Director, Austin—W & I. Submission Processing Field Director—Brookhaven. Accounts Management Field Dir, Kansas City—W&I. Regional Commissioner, Western. Director, Corporate Processing Division. Asst to the Senior Dep Commissioner. Director, Strategic Human Resources. Director, Tax Exempt Bonds. Director, Facilities Operations. Director, Submission Processing/ETA Systems Division. Director, Human Resources, Wages & Investment. Director, Financial Services and Healthcare Industry. Director, Strategy & Finance—W & I. Director, Appeals—SB/SE & TE/GE. Deputy Commissioner, Small Business/Self Employed Division. Deputy Director, Taxpayer Education and Communication, SBSE. Deputy Program Executive for Organizational Performance Management. Deputy Division Commissioner, Tax Exempt and Government Entities. Deputy Director, Procurement. Deputy CIO (Operations). Director, Exempt Organizations. Deputy Director, Customer Account Services. Deputy Director, Submission Processing. District Director, South Texas. Director, Compliance Services. Director, Office of Security Evaluation and Oversight. National Director for Systems & Account Stds. Deputy Asst Commissioner (International).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Director, Business Systems Planning. Project Director. Director, Pre-Filing and Technical Guidance—LMSB. Deputy Director, Compliance, SBSE. Director, Business Systems Requirements. Director, Compliance, SBSE. Deputy Director, Pre-Filing and Technical Guidance. Director, Collection Strategy—W&I. Director, Electronic Program Operations—W&I. Director, Research Analysis & Statistics of Income. Executive Director Modernization Design. Director, Office of Tax Administration. Project Director. Director, Martinsburg Computing Center. Project Director. Transition Executive For Shared Services. Director, Finance and Administration System Division—CIO. Project Director. Project Director. Deputy Director, Systems Development. Project Director—SBSE. Compliance Service Field Director—Philadelphia. Director, Compliance Area, Baltimore—SBSE. Director, Enterprise Systems and Asset Management. Submission Processing Field Director—Atlanta. Director, Heavy Manufacturing, Transportation & Construction Industry. Director, Multimedia—W&I. Director, Accounts Management—W&I. Deputy Associate Commissioner, Systems Integration—BSMO. Director, Compliance Area. Area Director, Spec, Dallas—W&I. Chief, Management and Finance, LMSB. Accounts Management Field Director—Memphis. Modernization Team Executive. Chief Financial Officer. Director, Customer Service/Taxpayer Advocate Division. Chief, Compliance, Western. Director, Personnel Policy. Director, Field Specialists—LMSB. Deputy Chief Operations. Director, Real Estate and Facilities Management. Director, Field Operations (Financial Services), Laguna Nigules. Submission Processing Field Director—Cincinnati. Compliance Service Field Director, Ogden—W&I. Director, Exempt Organizations, Rulings and Agreements. Program Executive for Organization Performance Management. Director, Procurement. Deputy Director, Business Systems Moderzation. Project Director. Executive Director Modernization Design. Director, Taxpayer Education & Communication Area, St. Louis—SBSE. Deputy Director, Strategic Planning and Client Services—IS. Director, Compliance Area, Dallas—SBSE. Director, Personnel Services. Commissioner Wage & Investment Division. Deputy CFO, Strategic Planning and Budget. Director, Research and Management System Division—CIO. Chief, Management and Finance. Senior Counselor to the Commissioner (Tax Administration, Practice and Professional Responsibility). Electronic Tax Administration Modernization Executive. Director, Communications, Technology & Media Industry, LMSB. Division Information Officer—LMSB. Director, Corporate Systems Division. Director, Human Resources Policy & Programs, IS. Director, Detroit Computing Center. Director, Systems Division. Director, Customer Account Services, W&I. Compliance Service Field Director—Kansas City. Director, Portfolio Management, OITS. Deputy Chief, Agencywide Shared Services.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
IRS Chief Counsel	Deputy Director, Procurement. Director, Telecommunications. Director, Electronic Program Enhancement—W & I. Director, Specialty Tax and Technical Support—SBSE. Director, Business Systems Planning—SBSE. Director, Taxpayer Education Area, Chicago—SBSE. Director, Financial Policy, Planning & Programs—BSMO. Director, EEO and Diversity. Director, Compliance Systems Division. Assistant Deputy Commissioner. Director, Taxpayer Education and Community, SBSE. Submission Processing Field Director—Andover. Accounts Management Field Director, Fresno. Project Director. Director of Field Operations (Southeast Area) CID. Division Information Officer (Wage & Investment). Regional Counsel SE Region. District Counsel, New England. District Counsel, Ohio. District Counsel, New Jersey. District Counsel, S. Florida. Assistant Chief Counsel (International) (Litigation). Dep Asst Chf Coun (Income Tax & Accounting). Assistant Chief Counsel (Collection, Bankruptcy & Summonses). Regional Counsel, Midstates. Division Counsel (Wage and Investment). Dep Div Counsel/Dep Asst Chief Counsel (Criminal Tax). Deputy Associate Chief Counsel (General Legal Services). Assistant Chief Counsel (Disclosure & Privacy Law). Dep Asst Chief Coun (Financial Inst & Prod). Area Counsel (SBSE) (Area 7). Area Counsel (SBSE)—Los Angeles. Deputy Associate Chief Counsel (GLS) (Labor & Personnel Law). Area Counsel (SBSE)—Philadelphia. Deputy Assoc Chief Counsel (International). Area Counsel (SBSE)—Chicago. Area Counsel (SBSE)—New York. Deputy Division Counsel #1 (SBSE). Division Counsel (Large and Mid-Size Business). Division Counsel (Small Business/Self Employed). Deputy Associate Chief Counsel (Corporate). Asst Chf Coun (Fin Institutions & Products). Area Counsel (Large & Mid-Size Business) (Area 1) (Financial Services & Health Care). Deputy Associate Chief Counsel #2 (Passthroughs & Special Industries). Associate Chief Counsel (Procedure & Administration). Associate Chief Counsel (Passthroughs & Special Industries) Associate Chief Counsel (Corporate). Deputy Division Counsel #2 (Small Business/Self Employed). Deputy Associate Chief Counsel (Finance and Management). Deputy Associate Chief Counsel #1 (ITA). Area Counsel (LMSB) (Area 2) (Heavy Manufacturing, Construction and Transportation). Special Counsel to the National Taxpayer Advocate. Assistant Chief Counsel (International) (Technical). Associate Chief Counsel (General Legal Services). Assoc Chief Counsel (Enforcement Litigation). Area Counsel (LMSB) (Area 5)(Communications, Technology, & Media). Assistant Chief Counsel (Administrative Provisions & Judicial Practice). Special Counsel (Modernization & Strat Plnng). Area Counsel (SBSE)—Jacksonville. Assistant Chief Counsel (Employee Benefits). Deputy Associate Chief Counsel (Procedure and Administration). Deputy Associate Chief Counsel (Strategic International Programs). Deputy Division Counsel (Large and Mid-Size Business). Deputy Chief Counsel (Technical). Area Counsel (SBSE)—Dallas. Deputy Associate Chief Counsel #2 (Income Tax and Accounting). Deputy Division Counsel and Deputy Associate Chief Counsel (Tax Exempt & Government Entities).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
	Area Counsel, LMSB (Area 3) (Food, Mass Retailers, & Pharmaceuticals.
	Associate Chief Counsel (International).
	Assoc Chf Counsel (Finance & Management).
	Deputy Associate Chief Counsel (Financial Institutions & Products).
	Associate Chief Counsel/Operating Division Counsel (TEGE).
	Dep Assoc Chief Coun (Domestic) (Field Serv).
	Deputy Chief Counsel (Operations).
	Assistant Chief Counsel (EO/ET/GE).
	Associate Chief Counsel (Income Tax and Accounting).
	Area Counsel (LMSB) (Area 4) (Natural Resources).
	Area Counsel (SBSE)—Denver.
	Deputy Associate Chief Counsel #1 (Passthroughs & Special Industries).
	Division Counsel/Associate Chief Counsel (Criminal Tax).
U.S. Agency for International Development:	
Office of the Administrator	Counselor to the Agency.
Office of the General Counsel	Deputy General Counsel.
	Asst General Counsel for Ethics & Adm.
Office of the Inspector General	Assistant Inspector General for Management.
	Deputy Assistant Inspector General for Audit.
	Counsel to the Inspector General.
	Deputy Inspector General.
Office of Security	Director, Office of Security.
Office of Equal Opportunity Programs	Dir Ofc of Equal Opportunity Programs.
Bureau for Global Programs, Field Support and Research	Assoc Asst Admr Center for Economic Growth.
	Senior Deputy Assistant Administrator.
	Dep Asst Admr, Ctr for Pop, Health, Nutr.
	Associate Assistant Administrator.
Bureau for Europe and Eurasia	Deputy Asst Administrator.
Bureau for Management	Chf Fin Ofcr, Office of Financial Management.
	Dir Office of Information Resource Management.
	Deputy Director Ofc of Procurement.
	Deputy Director, Office of Human Resources.
	Dir. Ofc of Admin Services.
	Deputy Director, Ofc of Procurement.
	Deputy Asst Admr Bureau for Management.
	Dep Director, Office of Financial Management.
U.S. International Trade Commission:	
Office of Industries	Dir Ofc of Industries.
Office of Investigations	Dir. Ofc of Investigations.
Department of Veterans Affairs:	
Office of the Secretary and Deputy	Director, Office of EDCA.
Office of the Inspector General	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
	Dep Inspector General.
	Asst Inspector Gen for Dept Rev & Magnt Sup.
	Dep Asst Inspector General for Investigations.
	Counselor to the Inspector General.
	Asst Inspector General for Healthcare Inspect.
	Dep Asst Inspector General for Auditing.
	Deputy Assistant Inspector General for Healthcare Inspections.
	Deputy Assistant Inspector General for Management and Administration.
	Director of Medical Consulation and Review.
	Associate Director of Medical Consulation and Review.
Board of Veterans Appeals	Vice Chairman.
Office of the General Counsel	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
	Regional Counsel.
Office Assistant Secretary for Management	Principal Deputy Assistant Secretary for Management.
	Corefls Project Director.
Office of Finance	Deputy Assistant Secretary for Finance.
	Assoc Dep Asst Secy for Financial Operations.
	Director, Financial Services Center.
Office of Acquisition and Materiel Management	Dep Asst Sec for Acquisition & Materiel Mgmt.
	Assoc Dep Assistant Secy for Acquisitions.
	Assoc Dep Asst Secy for Prog Mgmt & Oper.
	Executive Director/Chief Operating Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 2001—Continued

Agency organization	Career reserved positions
Office of Asset Enterprise Management	Deputy Director, Asset Enterprise Management.
Ofc Asst Secy for Policy and Planning	Chief Actuary.
Office of Human Resources Management	Assoc Dep Asst Secy for Human Res Management.
	Assoc Dep Asst Secy for Human Res Management.
Office of Security and Law Enforcement	Dep Asst Secy for Security & Law Enforcement.
Office Asst Secretary for Information and Technology	Dir, VA Automation Ctr, Austin, TX.
	Assoc Dep Asst Secy for Telecommunications.
	Assoc Dep Asst Secy for Pol & Prog Assistance.
	Associate Deputy Assistant Secretary for Cyber Security.
National Cemetery Administration	Director, Office of Finance and Planning.
	Director, Office of Construction Management.
Veterans Benefits Administration	Deputy Chief Financial Officer.
	Dep Dir Compensation & Pension Service.
	Chief Financial Officer.
Veterans Health Administration	Dir VA/DOD Medical Sharing Office.
	ACFO for Revenue.
	Deputy Director Emergency Medical Prep Ofc.
	Chief Financial Officer.
	Director, Financial Management Office.
	Associate Chief Financial Officer for Compliance.
	Deputy Chief Financial Officer.
	Associate Chief Facilities Management Officer for Strategic Management.
	Associate Chief Facilities Management Officer for Service Delivery.
	Deputy Associate Chief Facilities Management Officer for Service Delivery.
	Associate Chief Facilities Management Officer for Resource Management.
	Deputy Chief Information Officer.
	Chief Operating Officer.
	Financial Manager.
	Logistics Management Officer.
	ACIO Implementation and Training Services.
Veterans Integrated Service Network Directors	Dir Canteen Service.

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with ''P L U S'' (Public Laws Update Service) on 202–523–6641. This list is also available online at *http://www.nara.gov/fedreg/plawcurr.html*.

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H.J. Res. 82/P.L. 107–143

Recognizing the 91st birthday of Ronald Reagan. (Feb. 14, 2002; 116 Stat. 17)

S. 737/P.L. 107–144

To designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''. (Feb. 14, 2002; 116 Stat. 18)

S. 970/P.L. 107–145

To designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''. (Feb. 14, 2002; 116 Stat. 19)

S. 1026/P.L. 107–146

To designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''. (Feb. 14, 2002; 116 Stat. 20)

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