

that potentially could be “commonly worn by both sexes.”

Once it is determined that an imported line of footwear potentially susceptible to unisex treatment is in fact “commonly worn by both sexes,” Customs applies unisex treatment to that footwear line only in sizes up to and including American men’s size 8. This size-limited treatment isolates from the full range of imported sizes those footwear sizes that are most “commonly worn by both sexes.”

Even if a shoe in an imported line claimed to be for males is of a type of footwear commonly worn by both sexes (for example, a hiker, sandal, work boot, tennis shoe), Customs does not accord unisex treatment to the imported line if a “comparable line” of styles is available to females. The styles of the “comparable line,” however, should be substantially similar to the styles for males in general appearance, value, marketing, activity for which designed, and component material (including percentage) breakdowns.

With regard to a ratio of male styles to female styles at which a “comparable line” may be found to exist, in Headquarters Ruling Letter (HQ) 955960, issued August 19, 1994, Customs stated that “\* \* \* a good case \* \* \* exists [for that finding] in the situation where an equal number of styles of a particular type of footwear \* \* \* for men and women is available.” In other words, a one to one ratio clearly establishes a “good case” by which an importer may avoid unisex treatment of footwear claimed to be for males.

For purposes of establishing the existence of a “comparable line” for females, Customs confines its determination to the imported footwear at issue. Customs may take notice of additional styles made available by the importer that are not included in a particular entry. Customs does not, however, consider the availability of comparable styles for females in the U.S. market as a whole in determining what constitutes an importer’s “comparable line.”

Finally, Customs does not consider the fact that a certain shoe is not marketed to women to be evidence that the shoe is not “commonly worn by both sexes.” Customs has no control over decisions regarding the marketing of imported footwear, and it is further noted that sales to females of footwear claimed to be for males, without the expense of marketing, would certainly appear to be profitable and therefore probably do occur.

### Submission of Comments

Customs is interested in receiving preliminary comments from the public on all aspects of the unisex footwear issue for the purpose of assisting Customs in the preparation of specific proposals for further public comment, with a view to promulgating, if feasible, a final interpretive rule setting forth standards for the tariff classification of unisex footwear. Comments are specifically invited on, but need not be limited to, the following matters:

1. Whether specific, mandatory criteria, as opposed to general guidelines, should be used by Customs in resolving unisex footwear classification issues;
2. The acceptability of the five FDRA proposals both individually and as a group;
3. The extent to which any of the positions of Customs described above should be retained, revised or discarded;
4. Whether any general standards or specific criteria other than those already mentioned in this document should be adopted;
5. Whether the terms “category,” “type,” “style,” and “line” (or “imported line”) should be specifically defined with reference to footwear for purposes of their use in developing unisex footwear classification standards; and
6. Whether application of unisex footwear classification standards should be limited to the subheadings under heading 6403, HTSUS, mentioned above or should also apply for purposes of classification under other HTSUS headings (for example, under heading 6402, for purposes of distinguishing at the statistical subheading level between footwear “for men” and footwear “for women” and “other” footwear.

Consideration will be given to any written comments timely submitted to Customs. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4, Treasury Department Regulations (31 CFR 1.4), and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., 3rd Floor, Washington, DC.

Dated: April 9, 2002.

**John Durant,**

*Director, Commercial Rulings Division.*

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**BILLING CODE 4820-02-P**

### DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0519]

#### Proposed Information Collection Activity: Proposed Collection; Comment Request

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** The Veterans Health Administration (VHA), 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 locality pay rates for nurses at VA facilities.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before June 14, 2002.

**ADDRESSES:** Submit written comments on the collection of information to Ann W. Bickoff (193B1), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 or e-mail: [ann.bickoff@hq.med.va.gov](mailto:ann.bickoff@hq.med.va.gov). Please refer to “OMB Control No. 2900-NEW” in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Ann W. Bickoff at (202) 273-8310 or FAX (202) 273-9381.

**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, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA’s functions, including whether the information will have practical utility; (2) the accuracy of VHA’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:* Locality Pay System for Nurses and Other Health Care Personnel, VA Form 10-0132.

*OMB Control Number:* 2900-0519.

*Type of Review:* Extension of a currently approved collection.

*Abstract:* VA Form 10-0132 is used to collect data to determine locality pay rates for registered nurses and nurse anesthetists at VA facilities. Rates of pay are established by VA medical facility Directors based on rates of compensation for corresponding positions in the local labor market. The law requires that where available, data from the Bureau of Labor Statistics or other third party industry surveys will be used in determining the beginning rates of compensation. Without this information, VA cannot provide for a locality pay system to maintain competitive pay rates for the recruitment and retention of affected health care personnel.

*Affected Public:* Business or other for-profit.

*Estimated Annual Burden:* 1,519 hours.

*Estimated Average Burden Per Respondent:* 45 minutes.

*Frequency of Response:* Annually.

*Estimated Number of Respondents:* 2,025.

Dated: March 28, 2002.

By direction of the Secretary.

**Barbara H. Epps,**

*Management Analyst, Information Management Service.*

[FR Doc. 02-8979 Filed 4-12-02; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0086]

### 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 a applicant's eligibility for loan guaranty benefits, and the amount of entitlement available.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before June 14, 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](mailto:irmnkess@vba.va.gov). Please refer to "OMB Control No. 2900-0086" 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:* Request for a Certificate of Eligibility for VA Home Loan Benefits, VA Form 26-1880.

*OMB Control Number:* 2900-0086.

*Type of Review:* Extension of a currently approved collection.

*Abstract:* VA Form 26-1880 is used by an applicant to establish eligibility for loan guaranty benefits, request restoration of entitlement previously used, or request a duplicate Certificate of Eligibility due to the original being lost or stolen.

*Affected Public:* Individuals or households.

*Estimated Annual Burden:* 110,625 hours.

*Estimated Average Burden Per Respondent:* 15 minutes.

*Frequency of Response:* One time.

*Estimated Number of Respondents:* 442,500.

Dated: March 28, 2002.

By direction of the Secretary.

**Barbara H. Epps,**

*Management Analyst, Information Management Service.*

[FR Doc. 02-8980 Filed 4-12-02; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0049]

### 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 necessary to determine entitlement to compensation and pension benefits for a child between the ages of 18 and 23 attending school.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before June 14, 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](mailto: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 (Public Law 104-13; 44 U.S.C., 3501-3520), Federal agencies