

identity, the amount, status, and history of the debt and the agency or program under which the debt arose.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Records are maintained in both electronic and paper form at the system locations identified above.

**RETRIEVABILITY:**

Records are retrieved by employee name and/or SSN.

**SAFEGUARDS:**

Only authorized personnel who have a need for the information in the performance of official duties will be permitted access to the information in this system of records.

**RETENTION AND DISPOSAL:**

Records in this system are retained for three years at which time they are destroyed. The means of disposal will be appropriate to the storage medium (e.g., deletion of individual electronic records or shredding of paper records).

**SYSTEM MANAGER(S) AND ADDRESS(ES):**

For Paper Files—In Headquarters: Associate Commissioner, Office of Personnel, Office of Human Resources, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235. In the Field: Center for Human Resources, Office of the Regional Commissioner (see systems location above for addresses). For Electronic Records: Associate Commissioner, Office of Personnel, Office of Human Resources, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235

**NOTIFICATION PROCEDURE(S):**

An individual can determine if this system contains a record about him/her by writing to the systems manager(s) at the above address and providing his/her name, SSN or other information that may be in the system of records that will identify him/her. An individual requesting notification of records in person should provide the same information, as well as provide an identity document, preferably with a photograph, such as a driver's license. If an individual does not have identification documents sufficient to establish his/her identity, the individual must certify in writing that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

If notification is requested by telephone, an individual must verify his/her identity by providing identifying information that parallels the record to which notification is being requested. If it is determined that the identifying information provided by telephone is insufficient, the individual will be required to submit a request in writing or in person. If an individual is requesting information by telephone on behalf of another individual, the subject individual must be connected with SSA and the requesting individual in the same phone call. SSA will establish the subject individual's identity (his/her name, SSN, address, date of birth and place of birth along with one other piece of information such as mother's maiden name) and ask for his/her consent in providing information to the requesting individual.

If a request for notification is submitted by mail, an individual must include a notarized statement to SSA to verify his/her identity or must certify in the request that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense. These procedures are in accordance with SSA Regulations (20 CFR 401.40).

**RECORD ACCESS PROCEDURE(S):**

Same as "Notification" procedures. Requesters also should reasonably specify the record contents they are seeking. These procedures are in accordance with SSA Regulations (20 CFR 401.50).

**CONTESTING RECORD PROCEDURE(S):**

Same as "Notification" procedures. Requesters also should reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is untimely, incomplete, inaccurate or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.65).

**RECORD SOURCE CATEGORIES:**

Information in this system of records is: (1) Supplied directly by the individual; (2) supplied by the Department of Transportation; or (3) supplied by SSA officials.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:**

None.

[FR Doc. 02-16685 Filed 7-2-02; 8:45 am]

**BILLING CODE 4191-02-P**

**DEPARTMENT OF STATE**

**[Public Notice 4061]**

**Determination Pursuant to Section 1(b) of Executive Order 13224 Relating to Babbar Khalsa International and the International Sikh Youth Federation**

Acting under the authority of section 1(b) of Executive Order 13224 of September 23, 2001, and in consultation with the Secretary of the Treasury and the Attorney General, I hereby determine that Babbar Khalsa International and the International Sikh Youth Federation have committed, or pose a serious risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice need be provided to any person subject to this determination who might have a constitutional presence in the United States because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

**Colin L. Powell,**

*Secretary of State, Department of State.*

[FR Doc. 02-16799 Filed 7-2-02; 8:45 am]

**BILLING CODE 4710-10-P**

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**[USCG-1998-4734]**

**Exemptions of Manufacturers From Standards for Recreational Boats: Definitions of Watercraft**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Request for comments.

**SUMMARY:** In a notice published on October 19, 1999, the Coast Guard solicited comments so it could better respond to a petition for rulemaking submitted by the Personal Watercraft Industry Association (the PWIA). The petition asked the Coast Guard to authorize a new method of complying with laws on safety of recreational boating as they relate to personal watercraft (PWC). A comment from the

American Canoe Association (the ACA) received after the close of the comment period raised a new issue on definitions of watercraft. This notice seeks comments on the desirability of establishing definitions of water-jet-powered watercraft, particularly PWC.

**DATES:** Comments and related material must reach the Document Management Facility on or before December 30, 2002.

**ADDRESSES:** To make sure your comments and related material [referred to USCG 1998-4734] do not enter the docket more than once, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By hand delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, at the address listed above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions on this proposed rule, contact Mr. Alston Colihan, Project Manager, Office of Boating Safety, Coast Guard, by telephone at 202-267-0981 or by e-mail at [acolihan@comdt.uscg.mil](mailto:acolihan@comdt.uscg.mil). For questions on viewing or submitting material to the docket, call Ms. Dorothy Beard, Chief of Dockets, Department of Transportation, telephone 202-366-9329.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory History**

The Coast Guard published a request for comments on October 19, 1999 [64 FR 56287], so it could better respond to a petition for rulemaking submitted by the PWIA. The petition asked us to authorize a new method of complying with laws on safety of recreational

boating as they relate to PWC. Because PWC are physically different from conventional boats, they cannot comply with current standards of the Coast Guard for safety. Therefore, manufacturers of PWC must apply for exemptions from these standards and demonstrate equivalent levels of safety. The petition suggested that we replace the exemption process with a requirement for manufacturers to comply with certain standards generated by the industry itself. The comment period closed on January 19, 2000.

The Coast Guard received 11 timely comments in response to that petition. But a comment from the ACA, received after the close of the comment period, raised a new issue on definitions of watercraft. While we haven't decided how or even whether to proceed with rulemaking, this request seeks public comments on the question of what to call PWC or how to define them.

#### **Discussion of Comments**

We received 11 timely comments about the notice and a request from the ACA to re-open the comment period and deal with a new issue. Here follow summaries of the comments and the request, and an analysis of the definitions propounded by the request.

#### *Comments From State Boating Officials*

A State Boating Law Administrator (SBLA) urges that we formally recognize a definition for PWC using the definitions from the International Standards Organization (ISO) and the Model Acts of the National Association of State Boating Law Administrators (NASBLA) and the PWIA as models to establish the definition. The SBLA states that we should refrain from referring to these vessels by a different name from PWC, because such a change would only create further confusion.

A second SBLA also favors adoption of an amended definition for PWC that addresses other forms of propulsion, combining the definitions from the Model Act of NASBLA for PWC and from ISO 13590. The comment states that our definition should not limit the number of persons that may be carried, but should limit the length of the vessel to 13 feet or preferably 16 feet. The comment favors use of the term PWC because of the public's familiarity with its usage. If we stopped using the term, the change would confuse nearly everyone, substantially impeding implementation of programs relative to these vessels.

A comment from NASBLA states that we should adopt an amended definition for PWC that addresses other forms of

propulsion, combining the just-discussed definitions. The comment states that we should refrain from referring to these vessels by a different name from PWC, because everyone is familiar with the term and our changing it would be counter-productive. According to the comment, many States have passed statutes and instated rules on PWC and have adopted all or part of the Model Act of NASBLA for PWC, and any change in the terminology therefore would have a large effect on uniformity of boating laws throughout the country.

#### *Comments From the PWIA*

A comment from the PWIA states that there is no need for us to recognize or adopt a formal Federal definition of PWC separate from the existing definitions of vessel, motor vessel, recreational vessel, boat, and motorboat in relevant Federal statutes and rules. According to the comment, the existing definitions reflect a principled approach to retain broad definitions that cover a wide range of types of vessels, rather than attempt to create separate definitions for each different or new type. The comment states that the existing definitions encompass all past and current models of PWC and will cover any future models, regardless of their size, mode of propulsion, cargo and towing capacities, or other features. The comment states that PWC have undergone substantial changes in design and production and that the continuing evolution of the features of the vessels makes having a separate definition for PWC impracticable and unnecessary, especially considering that we have not attempted to develop or adopt separate definitions for other types of motorboats, such as bass boats, airboats, or racing boats.

The comment further states that the standards recommended by the ISO and SAE include a definition of PWC, and that the purpose of the definition is to specify those vessels that are subject to those standards. While there are other boats that might fit under this definition, except that they are powered by outboard motors, the comment states, the standards of the ISO and SAE are thus not applicable to such vessels. The comment also notes that somewhat different definitions of PWC appear in the Model State legislation of the PWIA and NASBLA and that the purpose of those definitions is to specify those vessels that are subject to States' age restrictions, operational rules, and livery requirements for PWC. The comment states that many States have modified NASBLA's definition of PWC to account for particular States' circumstances and policies. As a result,

according to the comment, the States have shown that they do not want a uniform definition of PWC, and instead have used their discretion to develop definitions necessary to accomplish their interests in regulating the use of PWC within their jurisdictions.

With regard to the term *thrillcraft*, the comment states that, in addition to being pejorative, the term has no clearly understood meaning; similarly, the words *sport boat* would appear to encompass a wide variety of recreational vessels. According to the comment, use of the term *Jet Ski*, is also inappropriate, because the term is a registered trademark.

#### Comments From the ACA

##### Definitions Recommended by the ACA

The ACA asks that we phase out the use of the general term *PWC* for jet-pump-powered watercraft on which the operator and any passengers do not ride within the confines of a conventional hull, and that we replace it with a more specific term such as *Personal Water Jet* or *Personal Jet Craft*. The ACA recommends that we adopt the following definition or something close to it for the craft currently referred to as *PWC*:

*The term, \_\_\_\_\_, means any watercraft that uses an engine powering a water-jet pump, or other form of jet thrust, as its primary source of propulsion, and that is designed to be operated by a person or persons sitting or standing on or astride the craft, rather than within the confines of the hull. These craft are often designed specifically for high-speed use and performance, and are often capable of carrying multiple passengers and gear.*

The ACA also asks that we adopt specific terminology to describe water-jet-powered craft on which the operator and passengers do ride within the confines of conventional hulls. The ACA recommends the use of a term such as *Jet Boat*, *Jet Craft*, or *Water Jet* to identify such watercraft. The ACA recommends that we adopt the following definition or something close to it for these craft:

*The term, \_\_\_\_\_, means any watercraft that uses an engine powering a water-jet pump, or other form of jet thrust, as its primary source of propulsion, and that is designed to be operated from within the confines of the hull or cockpit. These craft are often designed specifically for high-speed use and performance, and are often capable of carrying multiple passengers and gear.*

According to the ACA, the general term *PWC* is ambiguous and could just as easily describe any watercraft designed for operation by a single person—a canoe, kayak, catamaran, rowboat, or some other such craft. It

states that the manufacturers of no particular type of craft should be able to simply lay claim to a general term. It notes that Webster's Dictionary defines the term *personal* to mean *of, related to, or affecting a person* and defines the term *watercraft* to mean *craft for water transport*. It states that these are real words with concrete meanings and thus that their usage together has a concrete meaning that is broad and not exclusively related to jet-pump-powered watercraft.

#### Confusion Concerning Watercraft Alleged by the ACA

The ACA believes that what it considers improper usage of this terminology creates the likelihood of confusion on the nation's waterways and throughout the regulatory process. According to the ACA, the confusion caused by the industry's use of the term *PWC* is already widespread. Across the nation, there are public *watercraft-launching* areas that do not allow the launching of so-called *PWC* of the jet-powered kind. In areas that intend to forbid the launching of jet-powered *PWC*, other boaters have misinterpreted signs and literature to forbid the launching of all privately owned watercraft. The same confusion often occurs when outfitters of canoes and kayaks advertise *PWC rentals*: People believe that they can rent jet-powered *Personal Watercraft*.

The ACA believes that this problem is almost certain to get worse as the generic term *watercraft* is increasingly used as a term referring to specific water-jet-powered craft, contrary to its true definition as a term that refers to all waterborne vessels.

#### Operational Issues and PWC From the Perspective of the ACA

The ACA states that there is ample evidence that craft powered by water-jet pumps, especially those currently referred to as *Personal Watercraft*, are very different from traditional types of boats and need to be regulated differently in order to ensure the safety of other waterway users—including canoeists and kayakers—as well as the safety of the operators of the *PWC* themselves.

The ACA states that the need for these official definitions for regulatory purposes is obvious. Watercraft powered by water-jet pumps have significantly different operational characteristics from craft with traditional inboard and outboard motors; they are used differently from craft with traditional inboard and outboard motors; they are designed specifically for high-speed use; and,

because of their unique design, they have different impacts on the environment and on other users of waterways.

#### Other Comments

A comment from an association promoting the safety of *PWC* states that we should formally recognize a definition of *PWC* because there is a mandate for change in the design of *PWC* to include capabilities of off-throttle steering and braking. According to the comment, subcategories of *PWC* might include craft designed to carry more than one person. The comment offers the definition from the PWIA as a simple definition of *PWC*. According to the comment, other terms such as *jet skis*, *water scooters*, and *sport boats* are not adequate, because the industry itself has, for the most part, adopted *PWC* in self-description.

A comment from the NTSB notes that for industry standards to be consistently applied manufacturers will need a clear definition of *PWC*.

A comment from a private association engaged in advocacy for national parks states that we should formally recognize a definition for *PWC* that includes larger vessels and jet boats. It favors a definition addressing design characteristics and end use, rather than specific dimensions. It also favors inclusion of all vessels whose primary purpose is thrill-related. It states that *PWC* are distinct in design and in intended use from traditional recreational boats, and that they should be defined as *thrillcraft* as they are in the State of Hawaii. It also states that the definition from the PWIA is inadequate, because it doesn't encompass all types of *PWC*, for example, special-purpose vessels propelled by *PWC*, and jet boats. The comment states that the definition from the PWIA fails to recognize that *PWC* are designed and marketed as high-speed *thrillcraft* meant to be used aggressively.

A comment from an environmental association believes that the definition from the PWIA is seriously flawed. It mentions the special-purpose vessels propelled by *PWC* and states that merely adding appendages to a *PWC* should not disqualify it from being regulated as a *PWC*. The comment also states that the definition from the PWIA excludes vessels such as jet boats that are clearly *PWC*. According to the comment, jet boats share, besides technology, many of the performance characteristics of modern *PWC*, such as the ability to perform extreme maneuvers and turns, achieve remarkably high speeds, and reach

waters that conventional motorboats can't navigate.

#### Call for Comments

The Coast Guard encourages you to submit comments and related material responding to the suggestions of the ACA; others just discussed; the questions that follow; or other issues concerning definitions of watercraft. We also welcome any other comments in connection with this notice. Please include with your submission your name and address, identify the docket number for this rulemaking [USCG-1998-4734], indicate the specific questions in the next four paragraphs to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. Your comments will help us to determine whether to initiate a rulemaking in accordance with the petitioner's request.

#### Questions

1. Are the difficulties associated with the use of water-jet-driven recreational vessels so severe that they require the Coast Guard to adopt fresh terms and definitions, so as to describe those vessels and distinguish them from conventional propeller-driven vessels?
2. Should the Coast Guard adopt fresh terms and definitions to identify the recreational vessels now generally referred to as *PWC* that lack conventional hulls? If so, what? Is the definition suggested by the ACA adequate for one? Should any terms and definitions depend upon a minimum of water-jet thrust? Should any of them cover similar propeller-driven recreational vessels? How many people should such vessels carry, and how large should they be allowed to get, before they fall outside the definitions?
3. Should the Coast Guard adopt fresh terms and definitions to identify other types of recreational vessels propelled by water-jet pumps that have conventional hulls? If so, what? Is the definition suggested by the ACA adequate for one? Should any terms and

definitions depend upon a minimum of water-jet thrust?

4. Should the Coast Guard adopt fresh terms and definitions to identify other types of recreational vessels such as canoes, kayaks, houseboats, bowriders, bassboats, and jonboats? If so, why?

Dated: June 24, 2002.

**Kenneth T. Venuto,**

*Rear Admiral, Coast Guard, Director of Operations Policy.*

[FR Doc. 02-16755 Filed 7-2-02; 8:45 am]

**BILLING CODE 4910-15-P**

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights-BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34212, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Louis E. Gitomer, 1455 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: June 27, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 02-16720 Filed 7-2-02; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34212]

#### Central Railroad Company of Indianapolis—Trackage Rights Exemption—Norfolk Southern Railway Company

Norfolk Southern Railway Company (NSR), pursuant to a written trackage rights agreement entered into between NSR and Central Railroad Company of Indianapolis (CERA)<sup>1</sup> has agreed to grant overhead and limited local trackage rights to CERA over a portion of NSR's track (1) from CERA's connection with NSR and the trackage of the West Marion Belt at Michael, IN, at milepost TS-157.44, to the connection between the West Marion Belt and the trackage of Winamac Southern Railroad Company adjacent to NSR-operated Goodman Yard at Marion, IN, and (2) from CERA's connection with NSR at milepost TS-157.44, through the switch serving Bell Fiber Corporation at milepost TS-155.6, to, and including, the switch serving Essex Wire, Incorporated, at milepost TS-154.65, a total distance of approximately 5 miles.

The transaction was scheduled to be consummated on or shortly after June 21, 2002, the effective date of the exemption (7 days after the notice was filed).

The trackage rights will allow CERA to enhance rail service for certain shippers and provide more efficient and economical routings and service for the shippers' traffic.

<sup>1</sup> On June 14, 2002, CERA concurrently filed a notice of exemption in STB Finance Docket No. 34221, *Central Railroad Company of Indianapolis—Acquisition and Control Exemption—Norfolk Southern Railway Company*, wherein CERA would acquire and continue to operate approximately 31.66 miles of railroad from NSR, which runs between (1) Kokomo, IN, milepost I-51.8 and near Kokomo, IN milepost I-57.2, and (2) near West Marion Belt, IN, milepost TS-157.44, and Kokomo, IN, milepost TS-183.7.

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

June 26, 2002.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before August 2, 2002 to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number: 1545-0001.*

*Form Number: IRS Form CT-1.*

*Type of Review: Revision.*

*Title: Employer's Annual Railroad Retirement Tax Return.*