

number) or by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 1104H, Washington, DC 20230, or transmit by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov). Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 97-6A003."

The Association for the Administration of Rice Quotas, Inc.'s original Certificate was issued on January 21, 1998 (63 FR 4220, January 28, 1998), and previously amended on June 4, 1998 (63 FR 31738, June 10, 1998); September 25, 1998 (63 FR 53013, October 2, 1998); June 1, 2000 (65 FR 36410, June 8, 2000); April 5, 2001 (66 FR 21368, April 30, 2001); and February 5, 2002 (67 FR 7357, February

19, 2002). A summary of the current application for an amendment follows.

#### Summary of the Application

*Applicant:* Association for the Administration of Rice Quotas, Inc. (AARQ), c/o David Van Oss of Riviana Foods Inc., 2777 Allen Parkway, Houston, Texas 77019.

*Contact:* M. Jean Anderson, Esq., Counsel to Applicant, Telephone: (202) 682-7217.

*Application No.:* 97-6A003.

*Date Deemed Submitted:* November 19, 2002.

*Proposed Amendment:* AARQ seeks to amend its Certificate to:

1. Add each of the following companies as a new "Member" of the Certificate within the meaning of section 325.2(l) of the Regulations (15 C.F.R. § 325.2(l) (2002)): JIT Products, Inc., Davis, California; Nidera, Inc., Stamford, Connecticut (a subsidiary of Nidera Handelscompagnie BV (Netherlands)); and Sunshine Rice, Inc., Stockton, California (a subsidiary of Sunshine Business Enterprises, Inc.).
2. Delete the following companies as Members of the Certificate: Glencore Ltd., Stamford, Connecticut (a subsidiary of Glencore International AG), for the activities of Glencore Grain Division; and Liberty Rice Mill, Inc., Kaplan, Louisiana.
3. Change the listing of the following Members: "CAL PAC Investments, LLC dba California Pacific Rice Milling, Woodland, California" should be amended to read "Gold River Mills, LLC dba California Pacific Rice Milling, Woodland, California;" "Incomar Texas Ltd., and its subsidiary, Gulf Rice Arkansas, LLC, Houston, Texas" should be amended to read "Gulf Rice Arkansas, LLC (subsidiary of Ansera Marketing, Inc.), Houston, Texas;" "PS International, Ltd., Durham, North Carolina" should be amended to read "PS International, Ltd., Chapel Hill, North Carolina;" "Texana Rice, Inc., Houston, Texas" should be amended to read "Texana Rice Inc., Louise, Texas;" "The Connell Company, Berkeley Heights, New Jersey" should be amended to read "The Connell Company for the activities of itself, its subsidiary, Connell (Taiwan) Ltd., and its two divisions, Connell Rice & Sugar Co. and Connell International Company, Berkeley Heights, New Jersey;" and "Uncle Ben's, Inc., Houston, Texas" should be amended to read "Uncle Ben's Inc., Greenville, Mississippi."

Dated: November 25, 2002.

**Jeffrey C. Anspacher,**  
*Director, Office of Export Trading, Company Affairs.*

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BILLING CODE 3510-DR-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Notice of Indirect Cost Rates for the Damage Assessment and Restoration Program for Fiscal Years 2000 and 2001

**AGENCY:** National Oceanic and Atmospheric Administration.

**ACTION:** Notice.

**SUMMARY:** The National Oceanic Administration's (NOAA) Damage Assessment and Restoration Program (DARP) is announcing new indirect cost rates on the recovery of indirect costs for its component organizations involved in natural resource damage assessment and restoration activities for fiscal years (FY) 2000 and 2001. The indirect cost rates for these fiscal years and dates of implementation are provided in this notice. More information on these rates and the DARP policy can be found at the DARP Web site at: <http://www.darp.noaa.gov>.  
**FOR FURTHER INFORMATION CONTACT:** Eli Reinharz, 301-713-3038, ext. 193; (FAX: 301-713-4387; e-mail: [Eli.Reinharz@noaa.gov](mailto:Eli.Reinharz@noaa.gov)), or Linda Burlington, 301-713-1217 (FAX: 301-713-1229; e-mail: [Linda.B.Burlington@noaa.gov](mailto:Linda.B.Burlington@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** The mission of the DARP is to restore natural resource injuries caused by releases of hazardous substances or oil under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601 *et seq.*), the Oil Pollution Act of 1990 (OPA) (33 U.S.C. 2701 *et seq.*), and support restoration of physical injuries to National Marine Sanctuary resources under the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1431 *et seq.*) The NOAA DARP consists of three component organizations: the Damage Assessment Center (DAC) within the National Ocean Service; the Restoration Center within the National Marine Fisheries Service; and the Office of the General Counsel for Natural Resources (GCNR). The DARP conducts Natural Resource Damage Assessments (NRDAs) as a basis for recovering damages from responsible parties, and uses the funds

recovered to restore injured natural resources.

Consistent with Federal accounting requirements, the DARP is required to account for and report the full costs of its programs and activities. Further, the DARP is authorized by law to recover reasonable costs of damage assessment and restoration activities under CERCLA, OPA, and the NMSA. Within the constraints of these legal provisions and their regulatory applications, the DARP has the discretion to develop indirect cost rates for its component organizations and formulate policies on the recovery of indirect cost rates subject to its requirements.

### The DARP's Indirect Cost Effort

In December 1998, the DARP hired the public accounting firm Rubino & McGeehin, Chartered (R&M), to: evaluate the cost accounting system and allocation practices; recommend the appropriate indirect cost allocation methodology; and determine the indirect cost rates for the three organizations that comprise the DARP. A **Federal Register** notice on R&M's effort, their assessment of the DARP's cost accounting system and practice, and their determination respecting the most appropriate indirect cost methodology and rates for FYs 1993 through 1999 was published on December 7, 2000 (65 FR 76611). The notice and report by R&M can also be found on the DARP Web site at: <http://www.darp.noaa.gov>.

R&M continued its assessment of DARP's indirect cost rate system and structure for FYs 2000 and 2001. As in the prior years, R&M concluded that the cost accounting system and allocation practices of the DARP component organizations are consistent with Federal accounting requirements. R&M also determined that the most appropriate indirect allocation method continues to be the Direct Labor Cost Base for all three DARP component organizations. The Direct Labor Cost Base is computed by allocating total indirect cost over the sum of direct labor dollars plus the application of NOAA's leave surcharge and benefits rates to direct labor. The indirect costs rates that R&M computed for each of the three DARP component organizations were further assessed as being fair and equitable. A report on R&M's recent assessment of the DARP's cost accounting system and recommended cost rate structure can also be found on the DARP Web site at: <http://www.darp.noaa.gov>.

### The DARP's Indirect Cost Rates and Policies

The DARP will apply the indirect cost rates for FY 2000 and 2001 as recommended by R&M for each of the DARP component organizations as provided in the following table:

DARP Component organization	Fiscal years (percent)	
	2000	2001
Damage Assessment Center (DAC) .....	198.54	217.27
Restoration Center (RC) ...	219.60	257.79
General Counsel for Natural Resources (GCNR)	270.10	239.24

These rates are based on the Direct Labor Cost Base allocation methodology.

The FY 2000 and 2001 revised rates identified in the above table will be applied to all damage assessment and restoration case costs for the respective fiscal year periods. The FY 2000 rate is effective as of May 16, 2002. The FY 2001 rate is effective as of September 30, 2002. DARP will use FY 2001 indirect cost rates for future fiscal years until year-specific rates can be developed.

For cases that have settled and for cost claims paid prior to the effective date of the fiscal year in question, the DARP will not re-open any resolved matters for the purpose of applying the revised rates in this policy for these fiscal years. For cases not settled and cost claims not paid prior to the effective date of the fiscal year in question, costs will be recalculated using the revised rates in this policy for these fiscal years. Where a responsible party has agreed to pay costs using previous year's indirect rates, but has not yet made the payment because the settlement documents are not finalized, the costs will not be recalculated.

The DARP indirect cost rate policies and procedures approved as of October 18, 2000 and published in the **Federal Register** on December 7, 2000 (65 FR 76611) remain in effect except as updated by this notice.

Dated: November 22, 2002.

**Jamison S. Hawkins,**

*Acting Assistant Administrator for Ocean Services and Coastal Zone Management.*

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**BILLING CODE 3510-JE-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 112502E]

### Pacific Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Ad Hoc VMS Committee will hold a meeting, which is open to the public.

**DATES:** The meeting will convene at 8:30 a.m. on Wednesday, December 18, 2002, and adjourn when business for the day is completed.

**ADDRESSES:** The meeting will be held in the West Conference Room at the Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220-1384, (503) 820-2280. Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Burner, Pacific Fishery Management Council, (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** At its November 2002 meeting, the Council recommended the implementation of a pilot VMS program for West Coast groundfish fisheries. The primary purpose of the meeting is to review the Council recommendations and develop draft language for a proposed regulatory package.

Although non-emergency issues not contained in the meeting agenda may come before the Ad Hoc VMS Committee for discussion, those issues may not be the subject of formal Ad Hoc VMS Committee action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Ad Hoc VMS Committee's intent to take final action to address the emergency.

### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.