

**DATES:** Comments must be submitted on or before April 3, 2003.

**FOR FURTHER INFORMATION CONTACT:** Otto A. Strassburg, Maritime Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: 202-366-4161; Fax: 202-366-7901, or e-mail: [joe.strassburg@marad.dot.gov](mailto:joe.strassburg@marad.dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title:* Approval of Underwriters for Marine Hull Insurance.

*OMB Control Number:* 2133-0517.

*Type of Request:* Extension of currently approved collection.

*Affected Public:* Underwriters of marine insurance and marine insurance brokers.

*Form(s):* None.

*Abstract:* This collection of information involves the approval of marine hull underwriters to insure MARAD program vessels. Applicants will be required to submit financial data upon which MARAD approval would be based. This information is needed in order that MARAD officials can evaluate the underwriters and determine their suitability for providing marine hull insurance on MARAD vessels.

*Annual Estimated Burden Hours:* 46 hours.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention MARAD Desk Officer.

*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 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 collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

Issued in Washington, DC, on February 27, 2003.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*  
[FR Doc. 03-5022 Filed 3-3-03; 8:45 am]

**BILLING CODE 4910-81-M**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-12367; Notice 2]

#### Toyota Motor Corporation; Grant of Application for Decision for Determination of Inconsequential Non-Compliance

This notice grants the application by Toyota Motor Corporation (TMC) of Aichi-ken, Japan, to be exempted from the notification and remedy requirements of 49 U.S.C. 30118 and 30120 for a noncompliance with 49 CFR 571.205, Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials." TMC has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Pursuant to 49 CFR part 556, "Exemption for Inconsequential Defect or Noncompliance," TMC has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. chapter 301, "Motor Vehicle Safety." The basis of the grant is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published July 8, 2002, (67 FR 45182) affording an opportunity for comment. The comment closing date was August 7, 2002. No comments were received.

From January 8, 2001 to May 17, 2001, TMC manufactured 5,789 airdams for use in 2002 Lexus SL 430 passenger cars that do not meet the labeling requirements of paragraph S6 of FMVSS No. 205. The airdams were not marked with the "DOT" symbol and a manufacturer's code.

FMVSS No. 205, paragraph S6, "Certification and marking," requires that each piece of glazing material shall be marked in accordance with Section 6 of the American National Standard "Safety Code for Safety Glazing Materials for Glazing Materials for Glazing in Motor Vehicles Operating on Land Highways" Z-26.1-1977, January 26, 1977, as supplemented by Z26.1a, July 3, 1980 (ANS Z26). This specifies all safety glazing materials for use in accordance with this code shall be legibly and permanently marked in letters and numerals at least 0.070 inch (1.78 mm) in height, with the words "American National Standard" or the characters "AS" and, in addition, with a model number that will identify the type of construction of the glazing material. The glazing materials shall also be marked with the manufacturer's distinctive designation or trademark. In addition, FMVSS No. 205, paragraph

S6.2 requires that each piece of glazing material be marked with the symbol "DOT." The TMC airdams were constructed to comply as glazing materials under American National Standard Items 4 and 5, and should have been identified as "AS 4" or "AS 5." TMC stated that the noncompliance consists of the airdams not being marked with the "DOT" symbol and the AS 4 or AS 5 codes.

According to TMC, during its design and testing process, it confirmed that the airdam meets the performance requirements of ANS Z26 for item 4 and item 5 glazing as referenced by FMVSS No. 205. It supplied two "Notice of Equipment Compliance" reports. The American Association of Motor Vehicle Administrators issued the first report, and the Japan Vehicle Inspection Association issued the second. The first, dated 1993, provided compliance information for AS 4 and AS 5 material that was used in the vehicle prior to inclusion of the marking and that expired in 1998. The second, dated 2001, provided compliance information for AS 4 and AS 5 material that was used after the marking was placed on the airdam. TMC claims there is virtually no difference between the compliance data; therefore, TMC believes there is no safety risk.

NHTSA has reviewed TMC's application and, for the reasons discussed in this paragraph, concludes that the noncompliance of the TMC airdam is inconsequential to motor vehicle safety. TMC has provided documentation indicating that the airdams do comply with all other safety performance requirements of the standard except the labeling. Consequently, the noncompliance would not affect the purposes of FMVSS No. 205 that include reducing injuries from impacts to glazing surfaces, ensuring driver visibility, or minimizing the possibility of occupants being thrown through the vehicle windows in collisions. The lack of labeling to the airdam described herein, would not result in inadvertent replacement of the airdams with the wrong glazing material. Since TMC is the only certifying manufacturer of the airdam, a person attempting to replace the airdam would have to contact TMC for the proper part. Consequently TMC, or their representative, would be able to provide the correct replacement airdam.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance it describes is inconsequential to motor vehicle safety.

Accordingly, the application is granted, and the applicant is exempted

from providing the notification of the noncompliance that is required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

The applicant is hereby informed that all products manufactured on and after the date it determined the existence of this noncompliance must fully comply with the requirements of FMVSS No. 205.

**Authority:** 49 U.S.C. 30118(b), 30120(h), delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: February 27, 2003.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 03-5039 Filed 3-3-03; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

February 25, 2003.

The Department of 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 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before April 3, 2003 to be assured of consideration.

### Financial Crimes Enforcement Network (FinCEN)

*OMB Number:* New.

*Form Number:* None.

*Type of Review:* New collection.

*Title:* FinCEN Office of Regulatory Programs (ORP) Customer Satisfaction Survey.

*Description:* This survey will measure customer satisfaction with regulatory guidance provided by FinCEN.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents:* 200.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting Burden:* 100 hours.

*Clearance Officer:* Steve Rudzinski (703) 905-3845, Financial Crimes

Enforcement Network, 2070 Chain Bridge Road, Suite 200, Vienna, VA 22182.

*OMB Reviewer:* Joseph F. Lackey, Jr. (202) 395-7316, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports, Management Officer.*

[FR Doc. 03-5018 Filed 3-3-03; 8:45 am]

**BILLING CODE 4810-02-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

February 24, 2003.

The Department of 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 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before April 3, 2003 to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0973.

*Form Number:* IRS Form 8569.

*Type of Review:* Extension.

*Title:* Geographic Availability Statement.

*Description:* The data collected from this form is used by the executive panels responsible for screening internal and external applicants for the SES Candidate Development Program, and other executive positions.

*Respondents:* Individuals or households, Federal Government.

*Estimated Number of Respondents:* 500.

*Estimated Burden Hours Per Respondent:* 10 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting Burden:* 84 hours.

*OMB Number:* 1545-1128.

*Regulation Project Number:* CO-69-87 Final, CO-68-87 Final and CO-18-90 Final.

*Type of Review:* Extension.

*Title:* CO-69-87 and CO-68-87 Final; Final Regulations under Sections 382

and 383 of the Internal Revenue Code of 1986; Pre-change Attributes; and

CO-18-90 Final: Final Regulations under Section 382 of the Internal Revenue Code of 1986; Limitations on Corporate Net Operating Loss Carryforwards.

*Description:* (CO-69-87 and CO-68-87) These regulations require reporting by a corporation after it undergoes an "ownership change" under sections 382 and 383. Corporations required to report under these regulations include those with capital loss carryovers and excess credits. (CO-18-90) These regulations provide rules for the treatment of options under Internal Revenue Code (IRC) section 382 for purposes of determining whether a corporation undergoes an ownership change. The regulation allows for certain elections for corporations whose stock is subject to options.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents/Recordkeepers:* 75,150.

*Estimated Burden Hours Per Respondent/Recordkeeper:* 2 hours, 56 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 220,575 hours.

*OMB Number:* 1545-1617.

*Regulation Project Number:* REG-124069-02 NPRM, Temporary and Final; and REG-118966-97 Final.

*Type of Review:* Extension.

*Title:* REG-124069-02 NPRM, Temporary and Final Regulations: Section 6038—Returns Required with Respect to Controlled Foreign Partnerships;

REG-118966-97 Final: Information Reporting with Respect to Certain Foreign Partnership and Certain Foreign Corporations.

*Description:* (REG-124069-02) Treasury Regulation § 1.6038-3 requires certain United States persons who own interests in controlled foreign partnerships to annually report information to the IRS on Form 8865. This regulation amends the reporting rules under Treasury Regulation section § 1.6038-e to provide that a U.S. person must follow the filing requirements that are specified in the instructions for Form 8865 when the U.S. person must file Form 8865 and the foreign partnership completes and files Form 1065 or Form 1065-B.

(REG-118966-97) Section 6038 requires certain U.S. persons who own interest in controlled foreign partnerships or certain foreign corporations to annually report information to the IRS. This regulation