

*Albuquerque School District (Albuquerque)*

32. Unlike Ysleta, Albuquerque states that it relied on a purchasing alliance as equivalent to an RFP when it selected IBM. In 1999, the Western States Contracting Alliance (WCSA) set out an RFP to select computer vendors for several Western states. After a competitive bidding process, the WCSA selected five computer companies with whom to enter into price agreements, effective from September 3, 1999 through September 2, 2004: Compaq, CompUSA, Dell, Gateway, and IBM. Price was factored into the selection of the five companies in a limited manner, as each vendor submitted bids with prices for three computer configurations: a server, a desktop computer, and a laptop computer. The resulting price agreements included various pricing protections for Albuquerque and the other members of WCSA, such as predetermined discount percentages that would apply to purchases after certain volume "trigger points" were reached.

33. Albuquerque's FCC Form 470 was posted on December 10, 2001. Similar to Ysleta's FCC Form 470, Albuquerque indicated in its FCC Form 470 that it was seeking services for virtually every product and service eligible for discounts under the support mechanism. Subsequently, Albuquerque began negotiating Statements of Work (SOWs) with IBM. IBM proposed five SOWs: maintenance, servers, network electronics, video systems, and web-based community interaction. Albuquerque contracted with IBM to provide services based on three SOWs—maintenance, servers, and network electronics (without cabling).

34. On March 24, 2003, SLD denied Albuquerque's request on the grounds that Albuquerque "did not identify the specific services sought—either clearly on the 470 or in the RFP—to encourage full competition on major initiatives." Albuquerque maintains that it competitively bid for eligible services, because the 1999 WCSA RFP served as the RFP for its Funding Year 2002 selection of IBM. Albuquerque also suggests that its agreement with IBM that stemmed from the WCSA RFP constituted a master contract, which is permissible under our rules.

35. Although Albuquerque maintains that it relied on a master contract, and therefore did not need to submit an FCC Form 470, the WCSA contract with IBM does not meet our requirements for a master contract, negotiated by third parties, that has been competitively bid. Master contracts subject to competitive bidding must bear a reasonable connection to the products or services for which discounts are sought. We conclude that in this instance, the WCSA contract did not have such a connection. The record does not reflect that IBM's bid on the cost of a server, a laptop, and a desktop in its 1999 bid was reasonably related to the extensive costs for maintenance and network electronics for which Albuquerque sought discounts in Funding Year 2002. Although Albuquerque argues that the 1999 master contract includes "maintenance and support services," we are not persuaded that the type of maintenance and support services sought in 2002 in the 1999 RFP are sufficiently similar to the extensive maintenance and support services

to relieve Albuquerque of its obligation to competitively bid those services in Funding Year 2002. We therefore conclude that Albuquerque's reliance on the WCSA contract in lieu of an FCC Form 470 was misplaced.

36. Albuquerque's competitive bidding without regard to costs for specific projects funded by the schools and libraries support mechanism violated section 54.504(a) of the Commission rules requiring that "an eligible school or library shall seek competitive bids \* \* \* for all services eligible for support." We also find that because Albuquerque violated our competitive bidding rules, it violated section 254's mandate that applicants submit a bona fide request for services.

[FR Doc. 04-1366 Filed 1-22-04; 8:45 am]

**BILLING CODE 6712-01-P**

*Number of Petitions Filed: 6.***Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-1409 Filed 1-22-04; 8:45 am]

**BILLING CODE 6712-01-M**

**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 February 6, 2004.

**A. Federal Reserve Bank of Richmond** (A. Linwood Gill, III, Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *Brian F. Thomas*, Morgantown, West Virginia, and Roger A. Hardesty, Kingwood, West Virginia; to acquire voting shares of State Bancorp, Inc., Bruceton Mills, West Virginia, and thereby indirectly acquire voting shares of Bruceton Bank, Bruceton Mills, West Virginia, and The Terra Alta Bank, Terra Alta, West Virginia.

Board of Governors of the Federal Reserve System, January 16, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-1391 Filed 1-22-04; 8:45 am]

**BILLING CODE 6210-01-S**

**FEDERAL RESERVE SYSTEM****Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities**

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or

**FEDERAL COMMUNICATIONS COMMISSION****[Report No. 2641]****Petitions for Reconsideration and Clarification of Action in Rulemaking Proceedings**

January 7, 2004.

Petitions for Reconsideration and Clarification have been filed in the Commission's Rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC, or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to these petitions must be filed by February 9, 2004. *See* section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets (WT Docket No. 00-230).

*Number of Petitions Filed: 5.*

*Subject:* In the Matter of Digital Broadcast Content Protection (MB Docket No. 02-230).

*Number of Petitions Filed: 4.*

*Subject:* In the Matter of Implementation of Section 304 of the Telecommunications Act of 1996 (CS Docket No. 97-80).

Commercial Availability of Navigation Devices.

Compatibility Between Cable Systems and Consumer Electronics Equipment (PP No. 00-67).

assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffcic.gov/nic/](http://www.ffcic.gov/nic/).

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than February 6, 2004.

**A. Federal Reserve Bank of Minneapolis** (Jacqueline G. Nicholas, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291;

*1. South Dakota Bancshares, Inc.*, Pierre, South Dakota; to engage *de novo* through its subsidiary, SDBS Reinsurance Limited, Grand Turks & Caicos Islands, in the underwriting of credit life, credit accident and health insurance reinsurance, pursuant to section 225.28(b)(11)(i) of Regulation Y.

Board of Governors of the Federal Reserve System, January 16, 2004.

**Robert deV. Frierson**,  
Deputy Secretary of the Board.

[FR Doc. 04-1390 Filed 1-22-04; 8:45 am]

**BILLING CODE 6210-01-S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

[Document Identifier: OS-0990-TANF]

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Office of the Secretary.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited

to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

#### *#1 Type of Information Collection Request:* New Collection;

*Title of Information Collection:* Survey of State and Local Contracting Officials on Contracting for Social Services Under Charitable Choice; *Form/OMB No.:* OS-0990-TANF;

*Use:* This data collection will enable HHS to document the extent to which state and local contracting officials in the Temporary Assistance for Needy Families and Substance Abuse Prevention and Treatment programs understand and implement Federal Charitable Choice regulations governing the provisions of social services by faith-based organizations. The information will be collected via a mail survey of a total of 173 respondents at the state and local levels.

*Frequency:* One time;

*Affected Public:* State, local, or Tribal governments;

*Annual Number of Respondents:* 173;

*Total Annual Responses:* 173;

*Average Burden Per Response:* 30 to 90 minutes;

*Total Annual Hours:* 175;

*#2 Type of Information Collection Request:* New collection;

*Title of Information Collection:* Implementation of an Internet & Paper-based Uniform Data Set for OMH-funded Activities;

*Form/OMB No.:* OS-0990-OMH;

*Use:* Involves transitioning the developed paper-based UDS modules to the Web-based prototype; implementing among OMH-partners. Will be regular system for reporting program management and performance data for all OMH-funded activities.

*Frequency:* Quarterly;

*Affected Public:* Not-for-profit institutions and State, Local, or Tribal Government;

*Annual Number of Respondents:* 2,772;

*Total Annual Responses:* 2,772;

*Average Burden Per Response:* 15 minutes to 15 hours;

*Total Annual Hours:* 2,772;

To obtain copies of the supporting statement and any related forms for the

proposed paperwork collections referenced above, access the HHS Web site address at <http://www.hhs.gov/oirm/infocollect/pending/> or e-mail your request, including your address, phone number, OMB number, and OS document identifier, to [Naomi.Cook@hhs.gov](mailto:Naomi.Cook@hhs.gov), or call the Reports Clearance Office on (202) 690-6162. Written comments and recommendations for the proposed information collections must be mailed within 30 days of this notice directly to the OMB Desk Officer at the address below:

*OMB Desk Officer:* Brenda Aguilar.

OMB Human Resources and Housing Branch, Attention: (OMB #0990-TANF/OMH), New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 16, 2004.

**Robert Polson,**

*Office of the Secretary, Paperwork Reduction Act Reports Clearance Officer.*

[FR Doc. 04-1398 Filed 1-22-04; 8:45 am]

**BILLING CODE 4168-17-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

[30Day-19-04]

### Proposed Data Collections Submitted for Public Comment and Recommendations

The Centers for Disease Control and Prevention (CDC) publishes a list of information collection requests under review by the Office of Management and Budget (OMB) in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). To request a copy of these requests, call the CDC Reports Clearance Officer at (404) 498-1210. Send written comments to CDC, Desk Officer, Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 or by fax to (202) 395-6974. Written comments should be received within 30 days of this notice.

*Proposed Project:* Project DIRECT: Phase 2 Evaluation of Impact of Multilevel Community Interventions—New—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Prevention and Control (CDC). Project DIRECT (Diabetes Intervention Reaching and Educating Communities Together) is the first comprehensive community based project in the United States to address the growing burden of diabetes in African Americans. The goal