

require that FDIC staff participate as the AAC deems appropriate.

#### *J. Dismissal and Withdrawal*

An appeal may be dismissed by the AAC if it is not timely filed, if the legal or factual basis for the appeal is not discernable from the appeal, or if the institution moves to withdraw the appeal.

#### *K. Scope of Review and Decision*

The AAC will review all submissions concerning an appeal, review the final determination being appealed, consider any other matters it deems in its discretion to be appropriate, and issue a written decision within 60 days from the date the appeal is filed, or within 60 days from oral presentation, if held.

#### *L. Publication of Decisions*

AAC decisions will be published. Published AAC decisions will be redacted to avoid disclosure of exempt information. Published decisions of the AAC may be cited as precedent in appeals to the AAC.

#### *M. AAC Guidelines Generally*

Appeals to the AAC will be governed by these guidelines. The AAC will retain the discretion to waive any provision of the guidelines for good cause; the AAC may adopt supplemental rules governing AAC operations; the AAC may order that material be kept confidential; and the AAC may consolidate similar appeals.

#### *N. Effect on Deposit Insurance Assessment Payments*

The use of the procedures set forth in these guidelines by an insured institution will not affect, delay, or impede the obligation of that institution to make timely payment of any deposit insurance assessment.

Dated at Washington, DC, this 10th day of March, 2004.

By order of the Board of Directors.  
Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 04-6112 Filed 3-17-04; 8:45 am]

**BILLING CODE 6714-01-P**

## **FEDERAL ELECTION COMMISSION**

### **Sunshine Act Notices**

**DATE AND TIME:** Tuesday, March 23, 2004, at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC

**STATUS:** This meeting will be closed to the public.

### **ITEMS TO BE DISCUSSED:**

Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

\* \* \* \* \*

**DATE AND TIME:** Thursday, March 25, 2004, at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC (ninth floor).

**STATUS:** This meeting will be open to the public.

### **ITEMS TO BE DISCUSSED:**

Correction and approval of minutes.

Draft Advisory Opinion 2004-06:

Meetup, Inc. by counsel, Marc E. Elias and Brian G. Svoboda.

Legislative Recommendations 2004.

Routine Administrative Matters.

### **FOR FURTHER INFORMATION CONTACT:**

Robert Biersack, Acting Press Officer, Telephone: (202) 694-1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 04-6194 Filed 3-16-04; 11:48 am]

**BILLING CODE 6715-01-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 April 1, 2004.

**A. Federal Reserve Bank of Chicago** (Patrick Wilder, Managing Examiner) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Christine V. Lake*, Brookfield, Wisconsin; to acquire voting shares of Ridgestone Financial Services, Inc., Brookfield, Wisconsin, and thereby

indirectly acquire voting shares of Ridgestone Bank, Brookfield, Wisconsin.

Board of Governors of the Federal Reserve System, March 12, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-6054 Filed 3-17-04; 8:45 am]

**BILLING CODE 6210-01-S**

## **FEDERAL RESERVE SYSTEM**

### **Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 12, 2004.

**A. Federal Reserve Bank of New York** (Jay Bernstein, Bank Supervision Officer) 33 Liberty Street, New York, New York 10045-0001:

1. *Mariner's Bancorp*, Edgewater, New Jersey; to become a bank holding company by acquiring 100 percent of the voting shares of Mariner's Bank, Edgewater, New Jersey.

**B. Federal Reserve Bank of Minneapolis** (Jacqueline G. Nicholas, Community Affairs Officer) 90

Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *First Holding Company of Cavalier, Inc.*, Cavalier, North Dakota; to acquire 100 percent of the voting shares of Argyle Financial Services, Inc., Argyle, Minnesota, and thereby indirectly acquire voting shares of Argyle State Bank, Argyle, Minnesota.

Board of Governors of the Federal Reserve System, March 12, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-6053 Filed 3-17-04; 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 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.ffiec.gov/nic/](http://www.ffiec.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 April 1, 2004.

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

1. *Parkers Prairie Bancshares, Inc.*, Parkers Prairie, Minnesota; to acquire Waubun Insurance Agency, Waubun, Minnesota, and thereby engage in insurance agency activities in a town

with a population not exceeding 5,000, pursuant to section 225.28(b)(11)(iii) of Regulation Y.

Board of Governors of the Federal Reserve System, March 12, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-6052 Filed 3-17-04; 8:45 am]

BILLING CODE 6210-01-S

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 2004D-0124]

#### Guidance for Industry: Animal Drug User Fees and Fee Waivers and Reductions; Availability

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of a guidance document for industry (#170) entitled "Animal Drug User Fees and Fee Waivers and Reductions." The purpose of this document is to provide guidance to industry on the fee waiver provisions of the Animal Drug User Fee Act of 2003 (ADUFA). The guidance document is immediately in effect, but it remains subject to comment in accordance with the agency's good guidance practices (GGPs).

**DATES:** Submit written or electronic comments on agency guidances at any time.

**ADDRESSES:** Submit written comments on the guidance document to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>. Comments should be identified with the full title of the guidance document and the docket number found in brackets in the heading of this document. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

Submit written requests for single copies of the guidance document to the Communications Staff (HFV-12), Center for Veterinary Medicine, Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests.

**FOR FURTHER INFORMATION CONTACT:** David Newkirk, Center for Veterinary

Medicine (HFV-100), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-6967, e-mail: [dnewkirk@cvm.fda.gov](mailto:dnewkirk@cvm.fda.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On November 18, 2003, ADUFA (Public Law 108-130) was enacted. ADUFA amends the Federal Food, Drug, and Cosmetic Act and requires FDA to assess and collect user fees for certain applications, products, establishments, and sponsors. It also requires the agency to grant a waiver from or a reduction of fees in certain circumstances.

The purpose of the guidance document is to provide guidance on the types of fees FDA is authorized to collect and how to request waivers and reductions from FDA's animal drug user fees. It describes the types of fees and fee waivers and reductions, what information FDA recommends you submit in support of a request for a fee waiver or reduction, how to submit such a request, and FDA's process for reviewing requests.

FDA is making this guidance document immediately available because prior public participation was not feasible or appropriate. ADUFA's user fee provisions are already in effect, and it is essential for the agency to provide guidance on how to request fee waivers and reductions as quickly as possible. Although it was not feasible or appropriate to obtain comments before issuing the guidance, in accordance with this agency's procedures, FDA will accept comments on the guidance at any time.

##### II. Paperwork Reduction Act of 1995

FDA is announcing that a collection of information entitled "Guidance for Industry: Animal Drug User Fees and Fee Waivers and Reductions" has been approved by the Office of Management and Budget (OMB) under the emergency processing provisions of the Paperwork Reduction Act of 1995 (the PRA). According to the PRA, a collection of information should display a valid OMB control number. The valid OMB control number for this information collection is 0910-0540. It expires on September 30, 2004. A copy of the supporting statement for this information collection is available on the Internet at <http://www.fda.gov/ohrms/dockets>.

##### III. Significance of Guidance

This level 1 guidance is being issued consistent with FDA's GGPs regulation (21 CFR 10.115). The guidance represents the agency's current thinking on the fee waiver provisions of ADUFA. It does not create or confer any rights for