

**FEDERAL MARITIME COMMISSION**

[Docket No. 04-06]

**San Antonio Maritime Corp., and Antilles Cement Corp., v. Puerto Rico Ports Authority; Notice of Filing of Complaint and Assignment**

Notice is given that a complaint has been filed by the San Antonio Maritime Corp., and Antilles Cement Corp., ("Complaints") against the Puerto Rico Ports Authority ("Respondent"). Complaints contend that Respondent has engaged in unjust, unreasonable, and unlawful practices in violation of section 10(d)(1); unreasonably refused to deal or negotiate in violation of sections 10(d)(3) and 10(b)(10); and imposed undue or unreasonable prejudice or disadvantage in violation of section 10(d)(4), of the Shipping Act of 1984, 46 U.S.C. app. 1709(d)(1), (3), and (4), and 1709(b)(10). As a direct result of these allegations, Complainants claim that they have suffered and will continue to suffer substantial ongoing economic damages and injury valued at not less than \$20 million. Complainants seek an order directing Respondent to cease and desist; establish and put into force such practices as the Commission determines to be lawful and reasonable; pay Complainants reparations, interest, costs, and attorneys fees and any other damages to be determined; and take any other such action or provide any other such relief as the Commission determines to be warranted.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by April 26, 2005 and a final

decision of the Commission shall be issued by August 24, 2005.

**Bryant L. VanBrakle,***Secretary.*

[FR Doc. 04-9737 Filed 4-28-04; 8:45 am]

BILLING CODE 6730-01-P

**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 May 13, 2004.

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

1. *John Wesley Templer Sr. and Jacqueline Sue Templer*, Amarillo, Texas; to acquire voting shares of Western Dakota Holding Company, Timber Lake, South Dakota, and thereby indirectly acquire voting shares of Western Dakota Bank, Timber Lake, South Dakota.

Board of Governors of the Federal Reserve System, April 23, 2004.

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

[FR Doc. 04-9687 Filed 4-28-04; 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 May 24, 2004.

**A. Federal Reserve Bank of St. Louis** (Glenda Wilson, Community Affairs Officer) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Farmers Capital Bank Corporation*, Frankfort, Kentucky; to acquire 100 percent of the voting shares of Citizens Bank (Kentucky), Inc., Georgetown, Kentucky.

Board of Governors of the Federal Reserve System, April 23, 2004.

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

[FR Doc. 04-9686 Filed 4-28-04; 8:45 am]

BILLING CODE 6210-01-S

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Office of the Secretary**

[Document Identifier: OS-0990-New]

**Emergency Clearance: Public Information Collection Requirements Submitted to the Office of Management and Budget (OMB)**

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 Service is publishing the following summary of a

proposed collection 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.

Please note that we are requesting an emergency review of the information collection referenced below. In compliance with the requirement of section 3506c(2)(A) of the (OMB) the Paperwork Reduction Act of 1995, we have submitted to the Office of Management and Budget (OMB) the following requirements for emergency review. We are requesting an emergency review because the Congressional Conference Report agreement accompanying the Fiscal Year 2004 Consolidated Appropriations Act (Pub. L. 108-199), directs the Secretary to request Title X grantees to voluntarily provide the following information regarding abortions: the number of Title X-funded sites that also provide abortions with non-Federal funds. The conferees expect the Secretary to provide a report to the House and Senate appropriations committees four months after enactment of this Act summarizing the volunteered information.

*Type of Information Collection Request:* Emergency-Approval;  
*Title of Information Collection:* Family Planning Survey: Title X-funded sites that also provide abortion;

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

*Use:* The purpose of this survey is to collect information about the number of Title X-funded family planning service delivery sites that also provide abortions with non-Federal funds. The Conference Report agreement accompanying the Fiscal Year 2004 Consolidated Appropriations Act (Pub. L. 108-199), directs the Secretary to request that Title X grantees voluntarily provide the following information regarding abortions: the number of Title X-funded sites that also provide abortions with non-Federal funds. The Conference Report language also states that the Secretary's request shall be limited to the above question with no additional information regarding the identity of the clinics or the patients receiving abortions. The Conferees directed that

when the Secretary requests the information, the letter of request should contain a statement making it clear that the grantees' responses shall be voluntary and without consequence, or threat of consequence, to non-responsiveness. The conferees further directed that the records documenting this information shall be retained by the grantee, and shall not be provided to the Secretary nor any other Federal, State, or local official or entity.

This effort will involve a one-time survey of all family planning service grantees who will be requested to voluntarily provide information on all Title X supported service delivery sites (an estimated 4,600 clinic sites across the country). The summary information provided by the service grantees will then be compiled by staff in the OFP central office. After the data is collected it will be used as the basis of a report to Congress summarizing the volunteered information.

*Frequency:* One-Time;

*Affected Public:* Public agencies and non-profit organizations;

*Annual Number of Respondents:* 86;

*Total Annual Responses:* 172;

*Average Burden Per Response:* 2 hours;

*Total Annual Hours:* 172;

**SUPPLEMENTARY INFORMATION:** The Office of Family Planning is requesting that OMB grant a 120 day approval for this information collection under procedures for emergency processing under 5 CFR 1320.13 by May 5, 2004.

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 7 days of this notice directly to the OMB Desk Officer at the address below: OMB Desk Officer: John Kraemer, OMB Human Resources and Housing Branch, Attention: (OMB #0990-NEW), New Executive Office Building, Room 10235, Washington, DC 20201.

Dated: April 21, 2004.

**Robert E. Polson,**

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

[FR Doc. 04-9668 Filed 4-28-04; 8:45 am]

BILLING CODE 4168-17-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

[Document Identifier: OS-0990-0128]

### 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.

*Type of Information Collection Request:* Revision of Currently Approved Collection;

*Title of Information Collection:* HHS Acquisition Regulations: HHSAR 352.270-9 and Section 353.223-70;

*Form/OMB No.:* OS-0990-0128;

*Use:* This clearance request addresses reporting and recordkeeping requirements for acquisitions involving care of laboratory animals (HHSAR Section 352.270-9) and safety and health (HHSAR Section 352.223-70).

*Frequency:* Reporting and on occasion;

*Affected Public:* State, local, or tribal governments, business or other for profit, non for profit institutions;

*Annual Number of Respondents:* 122;

*Total Annual Responses:* 122;

*Average Burden Per Response:* 18 hours;

*Total Annual Hours:* 1,102.

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.