

and how to use the information to make healthy food choices. The comment period was open until October 9, 2003.

In December 2003, the Institute of Medicine of the National Academy of Science (IOM/NAS) issued a report entitled "Dietary Reference Intakes: Guiding Principles for Nutrition Labeling and Fortification" (the 2003 report) in which the overarching goal was to have updated nutrition labeling that consumers can use to make informed dietary choices. The IOM/NAS's Dietary Reference Intake (DRI) 2002 report on macronutrients did not establish an estimated average requirement (EAR), an adequate intake (AI), or an acceptable macronutrient distribution range (AMDR) for trans fat because the presence in the diet meets no known nutritional need, hence there are no DRI values that can be readily used as the basis for a trans fat daily value (DV). Therefore, to establish a DV for trans fat, the 2003 report suggested an approach to estimate minimum trans fat intakes within a nutritionally adequate North American diet and use this value to establish a DV for trans fat. The 2003 report also recommended that saturated fat and trans fat amounts be listed on separate lines, but that one numerical value for the percent DV (%DV) be included in the nutrition facts panel for these two nutrients together. In response to requests received in this docket, FDA reopened the comment period on March 1, 2004 (69 FR 9559), to allow interested persons the opportunity to consider the 2003 report and its discussion specific to trans fat labeling in comments submitted on the ANPRM.

Recently, FDA has scheduled a FAC Nutrition Subcommittee meeting for April 27 and 28, 2004 (see the notice of meeting in the **Federal Register** of March 29, 2004 (69 FR 16275), or <http://www.fda.gov/OHRMS/DOCKETS/>), to discuss, in part, the current scientific evidence for determining a maximal daily intake value of trans fat and how trans fat compares to saturated fat with respect to reducing coronary heart disease risk. The outcome of this meeting may help determine the course of action for trans fat labeling. We believe it is necessary to extend the comment period to allow stakeholders time to consider the new information when commenting in this docket. Using this new information will provide a stronger science base for a subsequent proposal. Therefore, we are requesting comment on whether the available scientific evidence, as will be discussed in the FAC Nutrition Subcommittee meeting, supports listing the %DV for saturated fat and trans fat together or

separately on the nutrition facts panel and what the maximal daily intake of trans fat may be. A transcript of the subcommittee meeting is expected to be placed in Docket 2003N-0076 by May 14, 2004.

We are continuing to request comments on whether a DV for trans fat or joint DV for saturated and trans fats would eliminate the necessity for considering a disclosure statement, in conjunction with nutrient content or health claims, concerning levels of saturated fat, trans fat, or cholesterol in a food or in the diet, or a message about the role of such cholesterol-raising lipids in increasing the risk of coronary heart disease. Further, we are requesting comment on whether a DV for trans fat or a joint DV for saturated and trans fats would eliminate the need for a footnote about trans fat, either alone or in combination with saturated fat and cholesterol.

Information and data obtained from comments and from consumer studies may be used to help draft a proposed rule on trans fat to: (1) Establish criteria for certain nutrient content or health claims; (2) require the use of a footnote, or other labeling approach, about one or more cholesterol-raising lipids in the nutrition facts panel; and (3) develop a DV for trans fat either alone or in combination with saturated fat for use with a joint %DV for saturated and trans fat on the nutrition label to assist consumers in maintaining healthy dietary practices.

## II. How to Submit Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this ANPRM. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

## III. Electronic Access

Persons with access to the Internet may obtain the ANPRM at <http://www.gpoaccess.gov/fr/index.html> by browsing the "Table of Contents from Back Issues" and selecting the publication date of Friday, July 11, 2003.

Dated: April 13, 2004.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Parts 30, 37, 39, 42, 44, and 47

**RIN 1076-AE49**

#### Need To Resubmit Comments on the No Child Left Behind Proposed Rule

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule; notice of need to resubmit comments.

**SUMMARY:** During the period of March 16 through March 25, 2004, the Department of the Interior had no internet access or e-mail capability. Comments on the No Child Left Behind rule submitted via e-mail or the internet during the period of March 16 through March 25, 2004, on this rule that the comments must be resubmitted. Because the comment period is still open and there is adequate time to resubmit any electronic comments, we will not be extending the comment period for this rule.

**DATES:** Comments on the proposed rule must be received on or before June 24, 2004.

**ADDRESSES:** Submit comments to one of the following addresses. Mail: Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153, Attention: RIN 1076-AE49. Personal or messenger delivery: 1620 L Street NW., Room 401, Washington, DC 20036. Direct Internet response: <http://www.blm.gov/nhp/news/regulatory/index.html>, or at <http://www.blm.gov>, or at [regulations.gov](http://regulations.gov) under Indian Affairs Bureau. Send comments on the information collections in the proposal to: Interior Desk Officer (1076-AE49), Office of Management and Budget, 725 15th Street NW., Washington, DC 20503; 202/395-6566 (facsimile); e-mail: [oir\\_docket@omb.eop.gov](mailto:oir_docket@omb.eop.gov).

#### FOR FURTHER INFORMATION CONTACT:

Catherine Freels, Designated Federal Official, P.O. Box 1430, Albuquerque, NM 87103-1430; Phone: 505-248-7240; e-mail: [cfreels@bia.edu](mailto:cfreels@bia.edu).

**SUPPLEMENTARY INFORMATION:** The Department published the proposed rule to implement the No Child Left behind on February 25, 2004 at 40 FR 8751.

Although this rule is published by the Bureau of Indian Affairs, the Bureau of Land Management is processing comments under agreement with the Bureau of Indian Affairs. If you wish to comment on this proposed rule, you may submit your comments by any one of several methods.

(1) You may mail comments to: Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153, Attention: RIN 1076-AE49.

(2) You may submit comments electronically by direct Internet response to either <http://www.blm.gov/nhp/news/regulatory/index.html>, or <http://www.blm.gov>,

(3) You may hand-deliver comments to: 1620 L Street NW., Room 401, Washington, DC 20036.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record. We will honor the request to the extent allowable by law.

There may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Dated: April 1, 2004.

**David W. Anderson,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 04-8775 Filed 4-16-04; 8:45 am]

**BILLING CODE 4310-6W-M**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 20 and 301

[REG-139845-02]

RIN 1545-BB12

#### Gross Estate; Election to Value on Alternate Valuation Date; Hearing

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of public hearing on proposed regulations relating to the election under section 2032 to value a decedent's gross estate on the alternate valuation date.

**DATES:** The public hearing is being held on Thursday, June 3, 2004, at 10 a.m. The IRS must receive outlines of the topics to be discussed at the hearing by Thursday, May 13, 2004.

**ADDRESSES:** The public hearing is being held in room 4718, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. Due to building security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present photo identification to enter the building.

Mail outlines to: Publications and Regulations Branch CC:PA:LPD:PR (REG-138945-02), room 5203, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Hand deliver outlines Monday through Friday between the hours of 8 a.m. and 4 p.m. to: Publications and Regulations Branch CC:PA:LPD:PR (REG-138945-02), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. Submit outlines electronically via the Internet directly to the IRS Internet site at [http://www.irs.gov/tax\\_regs](http://www.irs.gov/tax_regs).

**FOR FURTHER INFORMATION CONTACT:** Concerning submissions of comments, the hearing, and/or to be placed on the building access list to attend the hearing Treena Garrett, (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is the notice of proposed regulations (REG-138945-02) that was published in the **Federal Register** on Wednesday, December 24, 2003 (68 FR 74534).

The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who have submitted written comments and wish to present oral comments at the hearing must submit an outline of the topics to be discussed and the amount of time to be devoted to each topic (signed original and eight (8) copies) by May 13, 2004.

A period of 10 minutes is allotted to each person for presenting oral comments. After the deadline for receiving outlines has passed, the IRS will prepare an agenda containing the schedule of speakers. Copies of the agenda will be made available, free of charge, at the hearing. Because of access restrictions, the IRS will not admit visitors beyond the immediate entrance area more than 30 minutes before the hearing starts. For information about having your name placed on the building access list to attend the

hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this document.

**Dale Goode,**

*Federal Register Liaison, Legal Processing Division, Associate Chief Counsel (Procedures and Administration).*

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**BILLING CODE 4830-01-P**

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. S-030]

RIN No. 1218-AC01

#### Safety Standards for Cranes and Derricks

**AGENCY:** Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

**ACTION:** Notice of Negotiated Rulemaking Committee meeting.

**SUMMARY:** The Occupation Safety and Health Administration (OSHA) announces the meeting of the Crane and Derrick Negotiated Rulemaking Advisory Committee (C-DAC) on May 4, 5, 6 and 7. The Committee will review summary notes of the prior meeting, review draft regulatory text and continue to address substantive issues. The meetings will be open to the public.

**DATES:** The meeting will be on May 4, 5, 6, 7, 2004. It will begin each day at 8:30 a.m. Individuals with disabilities wishing to attend should contact Luz Delacruz by telephone at 202-693-2020 or by fax at 202-693-1689 to obtain appropriate accommodations no later than Friday, April 23, 2004 for the May meeting. The meeting is expected to last three and a half days.

**ADDRESSES:** The May meeting will be held at the U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 and will be in conference room N-3437 A, B, C.

Written comments to the Committee may be submitted in any of three ways: by mail, by fax, or by e-mail. Please include "Docket No. S-030" on all submissions.

By mail, submit three (3) copies to: OSHA Docket Office, Docket No. S-030, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210, telephone (202) 693-2350. Note that receipt of comments submitted by mail may be delayed by several weeks.