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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Availability of Draft Director's Order Concerning National Park Service Policies and Procedures Governing its Value Analysis Program

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of availability.

SUMMARY: The National Park Service (NPS) has prepared a Director's Order setting forth its policies and procedures governing use of Value Analysis. When adopted, the policies and procedures will apply to all units of the national park system, and will supersede and replace the policies and procedures issued in July 1994.

DATES: Written comments will be accepted until September 19, 2000.

ADDRESSES: Draft Director's Order #90 is available on the Internet at <http://www.nps.gov/refdesk/DOrders/index.htm>. Requests for copies and written comments should be sent to Richard Turk, NPS Value Analysis Program Coordinator, Construction Program Management, P.O. Box 25287, 12795 W. Alameda Parkway, Denver, CO 80225-0287, or to his Internet address: rich_turk@nps.gov.

FOR FURTHER INFORMATION CONTACT: Rich Turk at (303) 969-2470.

SUPPLEMENTARY INFORMATION: The NPS is updating its current system of internal written instructions. When these documents contain new policy or procedural requirements that may affect parties outside the NPS, they are first made available for public review and comment before being adopted. The policies and procedures governing Value Analysis have previously been published in the form of guideline NPS-90. That guideline will be superseded by the new Director's Order 90 (and a reference manual that will be issued subsequent to the Director's Order). The draft Director's Order covers topics such as the value analysis program, thresholds for application of value analysis for construction and non-construction projects, value engineering change proposals (VECP), annual report, plan of action, coordination, and funding.

Individual respondents may request that we withhold their home address from the administrative record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the 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.

Dated: August 8, 2000.

Michael LeBorgne,

Program Manager, Construction Program Management, Office of the Associate Director, Professional Services.

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-424]

In the Matter of Certain Cigarettes and Packing Thereof; Notice of Commission Determination Not To Review an Initial Determination; Schedule for the Filing of Written Submission on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on June 22, 2000.

FOR FURTHER INFORMATION CONTACT: Shara L. Aranoff, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3090, e-mail saranoff@usitc.gov.

SUPPLEMENTARY INFORMATION: The Commission instituted this trademark-based investigation on September 16, 1999, based on a complaint filed by Brown & Williamson Tobacco Corp. ("complainant") alleging unfair acts in violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation, sale for importation, and/or sale within the United States after importation of certain cigarettes and packaging thereof, by reason of (a) infringement of 11 federally registered U.S. trademarks; (b) trademark dilution; (c) false representation of source; and (d) false advertising. The Commission's notice of investigation named Allstate Cigarette Distributors, Inc. ("Allstate"), Dood Enterprises, Inc. ("Dood"), Prestige Storage and Distribution, Inc.

("Prestige"), and R.E. Tobacco Sales, Inc. ("R.E. Tobacco") as respondents.

On December 15, 1999, the Commission determined not to review an ID (Order No. 15) granting the motion of PTI, Inc., doing business as Ampac Trading ("PTI" or "intervenor"), to intervene in this investigation. On February 22, 2000, the Commission determined to review and affirm an ID (Order No. 30) granting the motion of respondent Allstate to terminate the investigation as to it based on a consent order. On March 24, 2000, the Commission determined not to review two IDs (Orders Nos. 60 and 61) granting the motions of respondents Prestige and R.E. Tobacco to terminate the investigation as to them based on consent orders. On March 24, 2000, the Commission determined not to review an ID (Order No. 59) granting complainant's motion for partial summary determination that a domestic industry exists with respect to complainant's trademarks. On April 27, 2000, the Commission determined not to review an ID (Order No. 68) granting the motion of respondent Dood to terminate the investigation as to it based on a consent order.

The ALJ held an evidentiary hearing on the merits beginning on March 20, 2000, and issued her final ID finding a violation of section 337 on June 22, 2000. She found that there had been imports of the accused products by intervenor PTI; that PTI's importation and sale of the accused cigarettes infringed complainant's trademarks; that PTI's importation and sale of accused cigarettes diluted complainant's trademarks; that PTI's importation and sale of accused cigarettes constituted a false designation of source; that complainant had failed to demonstrate that PTI engaged in false advertising with respect to the accused cigarettes; that PTI's trademark dilution and false designation of source had the threat or effect of substantially injuring the domestic industry; and that PTI was not denied due process in proceedings before the ALJ in this investigation.

Intervenor PTI filed a petition for review of the final ID, and complainants and the Commission investigative attorney filed responses to the petition.

On June 27, 2000, the Commission determined to extend the date by which it must make its determination whether to review the instant ID to August 28, 2000, and to extend the target date in this investigation to October 16, 2000.

Having examined the record in this investigation, including the ID, the Commission has determined not to review the ID.