

provided that the terms of the contract indicate that the technical advisor has the discretion of an independent contractor and do not vest the TAG recipient with responsibility for the direction and control of the technical advisor.

6. *Roles and Responsibilities:* Program Offices. Project officers should alert Grants Management Offices (GMOs) if they find indications that a recipient is using consultants, e.g., statements in workplans or findings as a result of post

award monitoring activities. GMOs Grant Specialists must review applications for indications that a recipient may use consultants. If the application or other information, including the budget, indicates the recipient will use funds for contracts or consultants, the Grants Specialist must include the "Consultant Fee" Term and Condition in the award document. Also, as required by the protocols for both On-Site and Desk Reviews, Grant Specialists must verify that consultant

fees do not exceed the consultant fee cap. GMOs should, in cases where it is determined in accordance with Section 5 of this Order, that a recipient may be obtaining consultant services under a contract, refer the cases to the Office of Regional or General Counsel for consideration.

7. *Award Term and Condition:* The current Integrated Grants Management System Consultant Fee Term and Condition is shown below:

Award condition	
Short title	A28 Individual consultants
Type	Administrative

Payment to consultants. EPA participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2004, the limit is \$524.72 per day and \$65.59 per hour. The rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j)(2) or 30.27(b), as applicable.

EPA updates this term and condition annually based on changes in Level IV of the Executive Schedule maximum pay.

8. *Examples:*

A. If a consultant bills the recipient for 3 days of service at \$2,000.00/day, EPA will limit its participation to the consultant fee cap which would be  $3 \times \$524.72 = \$1,574.16$ , provided the consultant works 8 or more hours each day. If the recipient pays the consultant more than \$1,574.16, the additional amount is not EPA allowable and cannot be used for cost sharing.

B. If a consultant works 3 hours in a day, EPA will allow only  $3 \times \$65.59$  or \$196.77. If the recipient pays the consultant more than \$196.77, the additional amount is not EPA allowable and cannot be used for cost sharing.

C. If a consultant works more than 8 hours in a given day and, as a result, the recipient must pay the consultant more than the daily consultant fee cap, EPA will limit its participation to \$524.72 (NOT, for example,  $10 \times \$65.59$  or \$655.90). If the recipient pays the consultant more than \$524.72, the additional amount is not EPA allowable and cannot be used for cost sharing.

9. *Waivers:* This policy makes clear that, if a consultant works less than 8 hours in a day, the maximum amount allowable would be the number of hours worked times the maximum hourly rate. In the past, recipients may have believed that EPA would participate in the maximum daily rate even if a

consultant worked less than 8 hours in a day. In such cases, recipients and Grants Management Offices should document the facts of the situation and may request a waiver of the hourly limit from the Director, Grants Administration Division.

10. *Anticipated Outcomes/Results:* EPA's Regions and Headquarters offices will apply the consultant fee cap consistently.

11. *Sunset/Review Date:* The Grants Administration Division will review this policy annually to determine if adjustments are needed because of changes in the daily and hourly salary of Federal employees at the ES-IV level. Adjustments will be reflected in revisions to the consultant fee assistance agreement term and condition.

12. *Supersedes/Cancels:* This Grants Policy Issuance (GPI) revises and rescinds GPI 03-02 to further clarify EPA's policy with respect to the consultant fee cap.

[FR Doc. 04-7867 Filed 4-6-04; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800

North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 011642-008.

*Title:* East Coast United States/East Coast of South America Vessel Sharing Agreement.

*Parties:* A.P. Moller-Maersk A/S; N.V.; P&O Nedlloyd Limited; P&O Nedlloyd B.V.; Mercosul Line Navegacao e Logistica Ltda.; Alianca Navegacao e Logistica Ltda.; and Hamburg-Sud.

*Synopsis:* The modification removes Safmarine Container Lines, Compania Sud Americana de Vapores, and Companhia Libra de Navegacao as participants in the agreement. It also revises the remaining parties' space allocations and vessel contributions as a result to the foregoing withdrawals. The parties request expedited review.

*Agreement No.:* 011874.

*Title:* K-Line/Zim Space Charter Agreement.

*Parties:* Kawasaki Kisen Kaisha, Ltd. and Zim Israel Navigation Company Ltd.

*Synopsis:* The proposed agreement is a vessel-sharing agreement between the parties in the trade between ports in Oregon and Washington and the port of Vancouver, Canada, on the one hand, and ports in China, Japan, Korea, Singapore, Sri Lanka, Israel, Croatia,

Slovenia, Italy, and Greece, on the other hand.

*Agreement No.:* 011875.

*Title:* Zim/Hapag-Lloyd USEC Slot Charter Agreement.

*Parties:* Hapag-Lloyd Container Linie GmbH and Zim Israel Navigation Company Ltd.

*Synopsis:* The proposed agreement is a vessel-sharing agreement between the parties in the trade between ports on the U.S. East Coast, on the one hand, and the ports of Halifax, Canada, and Kingston, Jamaica, on the other hand.

By Order of the Federal Maritime Commission.

Dated: April 2, 2004.

**Karen V. Gregory,**

*Assistant Secretary.*

[FR Doc. 04-7905 Filed 4-6-04; 8:45 am]

BILLING CODE 6730-01-P

## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

**SUMMARY:** Notice is hereby given of the final approval of proposed information collections by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the OMB 83-I's and supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

#### FOR FURTHER INFORMATION CONTACT:

Acting Federal Reserve Clearance Officer—Michelle Long—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3829).

OMB Desk Officer—Joseph Lackey—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

### Final Approval Under OMB Delegated Authority of the Extension for Three Years, With Revision, of the Following Reports

*1. Report title:* Annual Report of Bank Holding Companies.

*Agency form number:* FR Y-6.

*OMB Control number:* 7100-0124.

*Frequency:* Annual.

*Reporters:* top-tier domestic Bank Holding Companies (BHCs).

*Annual reporting hours:* 21,913 hours.

*Estimated average hours per response:* 4.25 hours.

*Number of respondents:* 5,156.

*General description of report:* This information collection is mandatory: Section 5(c)(1)(A) of the Bank Holding Company Act (12 U.S.C. § 1844(c)(1)(A)); Section 8(a) of the International Banking Act (12 U.S.C. § 3106(a)); Sections 11(a)(1), 25 and 25A of the Federal Reserve Act (12 U.S.C. §§ 248(a)(1), 602, and 611a); Section 211.13(c) of Regulation K (12 CFR 211.13(c)); and Section 225.5(b) of Regulation Y (12 CFR 225.5(b)). Individual respondent data are not considered as confidential. However, a company may request confidential treatment pursuant to sections (b)(4) and (b)(6) of the Freedom of Information Act (5 U.S.C. §§ 522(b)(4) and (b)(6)).

*Abstract:* The FR Y-6 is an annual report filed by top-tier BHCs, and collects financial data, an organization chart, and information about shareholders. The Federal Reserve uses the data to monitor holding company operations and determine holding company compliance with the provisions of the BHC Act and Regulation Y.

*Current actions:* On December 5, 2003, the Federal Reserve issued for public comment proposed revisions to the Annual Report of Bank Holding Companies (68 FR 68083). The comment period expired on February 3, 2004. The proposed revisions included requiring that only top-tier BHCs file the FR Y-6 report, eliminating Report Item 1(a) that requires a BHC to submit a copy of its Securities and Exchange Commission form 10-K, adding three minor items to the cover page, and clarifying several areas in the instructions.

The Federal Reserve did not receive any comment letters directly related to the proposed changes; however, one small BHC suggested the Federal Reserve allow a reporting exemption for BHCs with consolidated assets less than \$500 million. The Federal Reserve relies heavily on off-site reports for smaller BHCs in order to limit the frequency of on-site inspections. Additionally, certain information collected on the FR

Y-6 is not available from other sources for nonpublic companies, which is most of the population of BHCs with less than \$500 million in consolidated assets. Accordingly, the Federal Reserve has decided to retain the FR Y-6 reporting requirement for BHCs with consolidated assets less than \$500 million.

The Federal Reserve approved revisions to the FR Y-6 as proposed, effective with fiscal years beginning after December 31, 2003.

*2. Report titles:* Report of Changes in Organizational Structure and Report of Changes in FBO Organizational Structure

*Agency form numbers:* FR Y-10 and FR Y-10F.

*OMB control number:* 7100-0297.

*Frequency:* Event generated.

*Reporters:* FR Y-10: Top-tier domestic BHCs, including financial holding companies (FHCs), and unaffiliated state member banks; FR Y-10F: foreign banking organizations (FBOs), including FHCs.

*Annual reporting hours:* FR Y-10: 9,792 hours; FR Y-10F: 1,635 hours.

*Estimated average hours per response:* FR Y-10: 1 hour; FR Y-10F: 1 hour.

*Number of respondents:* FR Y-10: 2,448; FR Y-10F: 327.

*General description of reports:* These information collections are mandatory: Sections 4(k) and 5(c)(1)(A) of the Bank Holding Company Act (12 U.S.C. §§ 1843(k), 1844(c)(1)(A)); Section 8(a) of the International Banking Act (12 U.S.C. § 3106(a)); Sections 11(a)(1), 25(7) and 25A of the Federal Reserve Act (12 U.S.C. §§ 248(a)(1), 602, and 611a); Section 211.13(c) of Regulation K (12 CFR 211.13(c)); and Sections 225.5(b) and 225.87 of Regulation Y (12 CFR 225.5(b) and 225.87). Individual respondent data are not considered as confidential. However, a company may request confidential treatment pursuant to sections (b)(4) and (b)(6) of the Freedom of Information Act (5 U.S.C. §§ 522(b)(4) and (b)(6)).

*Abstract:* The FR Y-10 is filed by top-tier domestic BHCs, including FHCs, and state member banks unaffiliated with a BHC or FHC, to capture changes in their regulated investments and activities. The Federal Reserve uses the data to monitor structure information on subsidiaries and regulated investments of these entities engaged in both banking and nonbanking activities.

The FR Y-10F is filed by FBOs, including FHCs, to capture changes in their regulated investments and activities. The Federal Reserve uses the data to ensure compliance with U.S. banking laws and regulations and to determine the risk profile of the FBO structure.