

U.S.C. 5323(j)(2)(B), which states those requirements shall not apply if the item or items being procured are not produced in the U.S. in sufficient and reasonably available quantities and of a satisfactory quality. The implementing regulation provides that, "[i]t will be presumed that the conditions exist to grant this non-availability waiver if no responsive and responsible bid is received offering an item produced in the United States." 49 CFR 661.7(c)(1). The regulation goes on to note that, "[t]he waivers described in paragraphs (b) and (c) of this section may be granted for a component or subcomponent in the case of procurement of the items governed by section 165(b)(3) of the Act (requirements for rolling stock). If a waiver is granted for a component or subcomponent, that component or subcomponent will be considered to be of domestic origin for the purposes of Section 661.11 of this part." 49 CFR 661.7(f). The regulations allow a bidder or supplier to request a non-availability waiver for a component or subcomponent in the procurement of rolling stock. See 49 CFR 661.7(f) and 49 CFR 661.9(d).

You claim that the type of axle necessary for the production of the Orion II is not available from a domestic source. In addition to the representations in your correspondence, you have also provided me with letters from two U.S. manufacturers of the heavy-duty axle, Spicer Heavy Axle and Meritor Automotive, Inc. You represent that these are the only two such manufacturers, and they both indicate that they have no plans to manufacture the product in the U.S.

Based on the information you have provided, I have determined that the grounds for a "non-availability" waiver do exist. Therefore, pursuant to the provisions of 49 U.S.C. 5323(j)(2)(B), the waiver is hereby extended for the procurement of heavy-duty axles for the Orion II for the period of two years, or until such time as a domestic source for this heavy-duty axle becomes available. In order to insure that the public is aware of this waiver, particularly potential manufacturers, this waiver will be published in the **Federal Register**.

If you have any questions, please contact Meghan G. Ludtke at (202) 366-4011.

Very truly yours,

Gregory B. McBride,
Deputy Chief Counsel.

Issued: April 26, 2000.

Nuria I. Fernandez,
Acting Administrator.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the information collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. Described below is the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection was published on February 15, 2000 (65 FR 7608).

DATES: Comments must be submitted on or before May 31, 2000. Comments were due April 17, 2000. No comments were received.

FOR FURTHER INFORMATION CONTACT: Christopher Krusa, Office of Maritime Labor, Training, and Safety, Maritime Administration, 400 Seventh Street, SW, Room 7302, Washington, DC 20590, telephone number 202-366-2648. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Maritime Administration

Title of Collection: "Information to Determine Seamen's Reemployment Rights—National Emergency."

OMB Control Number: 2133-0526.

Type of Request: Approval of an existing information collection.

Affected Public: U.S. merchant seamen who have completed designated national service in time of war or national emergency and are seeking reemployment with a prior employer.

Form(s): None.

Abstract: MARAD is requesting approval of this information collection in an effort to implement provisions of the Maritime Security Act of 1996. These provisions amend the Merchant Marine Act, 1936, to grant reemployment rights and other benefits to certain merchant seamen serving on vessels used by the United States for a war, armed conflict, national emergency, or maritime mobilization need. This rule establishes the procedure for obtaining the necessary MARAD certification for reemployment rights and other benefits conferred by statute and MARAD's assistance in pursuing these statutory rights and benefits. This collection requires merchant seamen to provide documents indicating their period of employment and their merchant mariner's status. The information provided will allow MARAD to determine eligibility for reemployment rights when the employment is related to a designated national service.

Annual Estimated Burden Hours: 50 hours.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW, Washington, DC 20503, Attention MARAD Desk Officer.

Comments are Invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

Dated: April 25, 2000.

Joel C. Richard,

Secretary, Maritime Administration.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the information collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. Described below is the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection was published on February 15, 2000 [65 FR 7607]. Public comments were due on or before April 17, 2000. No comments were received.

DATES: Comments must be submitted on or before May 31, 2000.

FOR FURTHER INFORMATION CONTACT: Thomas W. Harrelson, Office of Cargo Preference, Maritime Administration, 400 Seventh Street, SW, Room 8118, Washington, DC 20590, telephone number 202-366-4610. Copies of this collection can also be obtained from that office.