

DEPARTMENT OF COMMERCE

International Trade Administration

Industry Sector Advisory Committee on Chemicals and Allied Products for Trade Policy Matters (ISAC 3); Continuation of Federal Register Notice 47405-47406, Vol. 65, Number 149, Dated August 2, 2000; Request for Nominations

AGENCY: International Trade Administration, Trade Development, Department of Commerce.

ACTION: Continuation of Request for Nominations.

SUMMARY: The Secretary of Commerce (Commerce) and the United States Trade Representative (USTR) continue to seek nominations for appointment of an environmental representative to the Industry Sector Advisory Committee on Chemicals and Allied Products for Trade Policy Matters (ISAC 3; *see* **Federal Register** Notice 47405-47406, Vol. 65, Number 149, dated August 2, 2000). Appointment will be effective for the charter term of this Committee, which expires March 17, 2002. In order to be considered for appointment to the Committee, a nominee must be a U.S. citizen, must represent a U.S. organization with an interest in environmental issues relevant to the work of the Committee, and may not be a registered foreign agent under the Foreign Agents Registration Act. Nominees' special interest in and knowledge of environmental, trade and sectoral issues will be considered.

This Notice will remain in effect for the duration of the current charter period; however, priority will be given to nominations received by October 20, 2000. Nominations will be considered as they are received. Recruitment information is available on the International Trade Administration website at www.ita.doc.gov/icp.

FOR FURTHER INFORMATION CONTACT: Further inquiries may be directed to Dominic Bianchi, Acting Assistant USTR for Intergovernmental Affairs, Winder Building, Room 100, 600 17th Street NW, Washington, D.C. 20230 or Ingrid Mitchem, Acting Director, Industries Consultations Program, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Room 2015-B, Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

Background

In section 135 of the 1974 Trade Act, as amended (19 U.S.C. 2155), Congress established a private-sector advisory system to ensure that U.S. trade policy

and trade negotiation objectives adequately reflect U.S. commercial and economic interests. Section 135(a)(1) of the 1974 Trade Act directs the President to "seek information and advice from representative elements of the private sector and the non-Federal governmental sector with respect to:

(A) negotiating objectives and bargaining positions before entering into a trade agreement under [title I of the 1974 Trade Act and section 1102 of the Omnibus Trade and Competitiveness Act of 1988];

(B) the operation of any trade agreement once entered into; including preparation for dispute settlement panel proceedings to which the United States is a party; and

(C) other matters arising in connection with the development, implementation, and administration of the trade policy of the United States. * * *

Section 135(c)(2) of the 1974 Trade Act provides—

(2) The President shall establish such sectoral or functional advisory committees as may be appropriate. Such committees shall, insofar as is practicable, be representative of all industry, labor, agricultural, or service interests (including small business interests) in the sector or functional areas concerned. In organizing such committees, the United States Trade Representative and the Secretaries of Commerce, Labor, Agriculture, the Treasury, or other executive departments, as appropriate, shall—

(A) consult with interested private organizations; and

(B) take into account such factors as—

(i) patterns of actual and potential competition between United States industry and agriculture and foreign enterprise in international trade,

(ii) the character of the nontariff barriers and other distortions affecting such competition,

(iii) the necessity for reasonable limits on the number of such advisory committees,

(iv) the necessity that each committee be reasonably limited in size, and

(v) in the case of each sectoral committee, that the product lines covered by each committee be reasonably related.

Pursuant to this provision, Commerce and USTR have established and co-chair seventeen Industry Sector Advisory Committees (ISACs) and four Industry Functional Advisory Committees (IFACs). The Committees' efforts have resulted in strengthening U.S. negotiating positions by enabling the United States to display a united front when it negotiates trade agreements

with other nations. Committees meet an average of four times a year in Washington, D.C. Members serve without compensation and are responsible for all expenses incurred in attending Committee meetings. For additional information regarding the functions and membership of these committees, and general qualifications for membership, *see* 64 FR 10448-10449, March 4, 1999 (Volume 64, Number 42). Commerce and USTR now solicit nominations for qualified environmental representatives to serve on ISAC 3 (Chemicals and Allied Products). For further background regarding this solicitation, *see* **Federal Register** Notice 47405-47406, Vol. 65, Number 149, dated August 2, 2000).

Eligibility

Eligibility to serve as an environmental representative on ISAC 3 is limited to U.S. citizens who are not full-time employees of a governmental entity, who represent a "U.S. entity" that is an organization interested in environmental issues relevant to the work of the committee, and who are not registered with the Department of Justice under the Foreign Agents Registration Act. For purposes of the preceding sentence, a "U.S. entity" is an organization incorporated in the United States (or, if unincorporated, having its headquarters in the United States):

(1) that is controlled by U.S. citizens or by another U.S. entity. An entity is not a U.S. entity if more than 50 percent of its Board of Directors or membership is made up of non-U.S. citizens. If the nominee is to represent an organization more than 10 percent of whose Board of Directors or membership is made up of non-U.S. citizens, or non-U.S. entities, the nominee must demonstrate at the time of nomination that this non-U.S. interest does not constitute control and will not adversely affect his or her ability to serve as a trade advisor to the United States; and

(2) at least 50 percent of whose annual revenue is attributable to non-governmental, U.S. sources.

Selection Criteria

USTR and Commerce will select an environmental representative eligible for appointment to ISAC 3 based upon the following:

(1) The organization to be represented will be considered based on environmental interest in trade policies in the sector relevant to the work of the committee.

(2) The nominee should demonstrate personal interest in and knowledge of the formulation of environmental policies in the sector relevant to the

work of the Committee, and ability to work with governmental and officials and industry representatives to reach consensus on complex environmental and trade issues affecting the relevant industry sector.

(3) Preference will be accorded nominees who also demonstrate knowledge of and familiarity with the relevant industry sector, as well as with international trade matters, including trade policy development, relevant to that sector.

The environmental representative, as a member of the Committee, will be required to have a security clearance. Members serve without compensation and are responsible for all expenses incurred in attending Committee meetings.

Application Procedures

Requests for applications should be sent to the Director of the Industry Consultations Program, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Room 2015-B, Washington, D.C. 20230.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C., app. 2) and 21 CFR part 14 relating to advisory committees.

Michael J. Copps,

Assistant Secretary for Trade Development.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090600A]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation of Offshore Oil and Gas Facilities in the Beaufort Sea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of a letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a letter of authorization (LOA) to take a small number of marine mammals incidental to construction and operation of offshore oil and gas facilities at the Northstar development in the Beaufort Sea off Alaska has been issued to BP

Exploration (Alaska), Anchorage, AK (BPXA).

DATES: This LOA is effective from September 18, 2000, through November 30, 2001.

ADDRESSES: A copy of the application and LOA are available for review in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and Western Alaska Field Office, NMFS, 701 C Street, Anchorage, AK 99513.

FOR FURTHER INFORMATION CONTACT:

Kenneth R. Hollingshead (301) 713-2055, ext. 128, or Brad Smith (907) 271-5006.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term $\geq$ taking $\geq$ means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals, will not have an unmitigable adverse impact on the availability of the species or stock(s) of marine mammals for subsistence uses, and if regulations are prescribed setting forth the permissible methods of taking and the requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of marine mammals incidental to construction and operation of the offshore oil and gas facility at Northstar in the Beaufort Sea were published and made effective on May 25, 2000 (65 FR 34014), and remain in effect until May 25, 2005.

Summary of Request

On November 30, 1998 (64 FR 9965, March 1, 1999), NMFS received a request from BPXA for an incidental, small take exemption under section 101(a)(5)(A) of the MMPA to take marine mammals incidental to construction and operation of an offshore oil and gas facility at Northstar in state and Federal waters. Because of delays in construction during 1999, and in issuing a proposed rule on this matter, on October 1, 1999, BPXA updated its application to NMFS. On October 22, 1999 (64 FR 57010), NMFS published a notice of proposed

rulemaking on BPXA's application and invited interested persons to submit comments, information, and suggestions concerning the application and proposed rule. These comments were addressed during the promulgation of final rulemaking on this action, which was published on May 25, 2000 (65 FR 34014). A complete description of the activity, the level of taking of marine mammals, and other concerns can be found in this document.

Issuance of this LOA is based on findings, described in the preamble to the final rule, that the total takings by this activity will result in only small numbers of marine mammals being taken, have no more than a negligible impact on marine mammal stocks in the Beaufort Sea, and not have an unmitigable adverse impact on the availability of the affected marine mammal stocks for subsistence uses. In addition, NMFS finds that BPXA has met the requirements contained in the implementing regulations, including monitoring and reporting requirements.

Dated: September 18, 2000.

Donald R. Knowles,

Director, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 27, 2000.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information