Workgroup, of the Pesticide Program Dialogue Committee (PPDC).

DATES: Nominations will be accepted until 5 p.m. on July 21, 1999.

ADDRESSES: Submit nominations in writing to Margie Fehrenbach, Designated Federal Officer for PPDC, 7501C, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Margie Fehrenbach, Designated Federal Officer for PPDC, 7501C, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, telephone (703) 305–7090, or

Cameo Smoot, 7506C, Field and External Affairs Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, telephone: (703) 305–5454. Office locations: 11th floor, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA; e-mail: fehrenbach.margie@epa.gov or smoot.cameo@epa.gov.

SUPPLEMENTARY INFORMATION: The Office of Pesticide Programs (OPP) is currently working to establish a workgroup to advise the PPDC on ways of making information on inert ingredients more available to the public while working within the mandates of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and related Confidential Business Information (CBI) concerns. The work group will review the current OPP policy and process for disseminating inert ingredient or ''other ingredient'' information to the public and examine the process that OPP uses to protect CBI. The workgroup will also provide a forum for open discussions on the principles of disclosure (e.g., right-to-know) and the principles of CBI protection (e.g., substantial harm to a business' competitive position in the market place). Finally, the workgroup will examine options for alternative ways of disseminating inert ingredient information to the public and present its findings to the PPDC.

The workgroup will be formed as a workgroup of the PPDC. The PPDC provides advice and guidance to OPP regarding pesticide regulatory, policy and implementation issues. The PPDC is a balanced group of participants from the following sectors: Federal agencies and State, local, and Tribal governments; consumer and environmental/public interest groups, including representatives from the general public; medical community; the public health community; industry and trade associations; and academia; and user groups. The PPDC may form workgroups for any purpose consistent with its charter. Copies of the PPDC charter are filed with the appropriate committees of Congress and the Library of Congress and are available via the Internet at http://www.epa.gov/oppfead1/cb/ppdc/charter.htm or hard copies are available by request.

An important consideration in EPA's selection of workgroup members will be to maintain balance and diversity of experience and expertise. EPA intends to appoint work group members who represent a broad geographic representation from the following sectors: Environmental/public interest and consumer groups; industry and pesticide users; Federal, State and local governments; the general public; academia and public health organizations.

Potential candidates should submit the following information: Name, occupation, organization, position, address, telephone number and a brief resume containing their background, experience, qualifications and other relevant information as part of the consideration process. Any interested person and/or organization may submit the names of qualified persons.

List of Subjects

Environmental protection, Pesticides.

Dated: June 9, 1999.

Joseph Merenda, Jr.

Acting Director, Office of Pesticide Programs.

[FR Doc. 99–15716 Filed 6–18–99; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL LABOR RELATIONS AUTHORITY

[FLRA Docket No. WA–CA–30451]

Opportunity To Submit Amicus Curiae Briefs in an Unfair Labor Practice Proceeding Pending Before the Federal Labor Relations Authority

AGENCY: Federal Labor Relations Authority.

ACTION: Notice of the opportunity to file briefs as amici curiae in a proceeding before the Federal Labor Relations Authority in which the Authority is determining, in the context of resolving the case before it, whether and under what circumstances agencies are obligated to engage in union-initiated midterm bargaining.

SUMMARY: The Federal Labor Relations Authority provides the opportunity for interested parties to file briefs as amici curiae on a significant issue arising in a case pending before the Authority. The Authority is considering the case pursuant to its responsibilities under the Federal Service Labor-Management Relations Statute. The issue concerns whether and under what circumstances an agency is required, during the term of a collective bargaining agreement, to engage in union-initiated midterm bargaining.

DATES: Briefs submitted in response to this notice will be considered if received by mail or personal delivery in the Authority's Case Control Office by 5 p.m. on July 19, 1999. Placing submissions in the mail by this date will not be sufficient. Extensions of time to submit briefs will not be granted.

FORMAT: All briefs shall be captioned *''Department of the Interior, Washington, D.C. and U.S. Geological Survey, Reston, VA and National Federation of Federal Employees, Local 1309,* WA–CA–30451.'' Briefs shall not exceed fifteen double-spaced pages and must contain separate, numbered topic-headings. Parties must submit an original and four copies of each amicus brief, on 8½ by 11 inch paper. Briefs must include a signed and dated statement of service that complies with the Authority's regulations showing service of one copy of the brief on all counsel of record or other designated representatives. 5 CFR 2429.27(a) and (c). The designated representatives are: Leslie Deak, Union Representative, National Federation of Federal Employees, 1016 16th Street, NW, Washington, D.C. 20036; Beatrice G. Chester, Agency Representative, Office of the Solicitor, U.S. Department of the Interior, 1849 C Street, NW., Washington, D.C. 20240; and Michael W. Doheny, Regional Director, Federal Labor Relations Authority, 800 K Street, NW., Suite 910, Washington, D.C. 20001.

ADDRESSES: Mail or deliver briefs to Peter Constantine, Director, Case Control Office, Federal Labor Relations Authority, 607 14th Street, NW, Room 415, Washington, DC 20424–0001.

FOR FURTHER INFORMATION CONTACT: Peter Constantine, Director, Case Control Office, Federal Labor Relations Authority, (202) 482–6540.

SUPPLEMENTARY INFORMATION: The case presenting the issues on which amicus briefs are being solicited is before the Authority on remand from the United States Supreme Court (*NFFE and FLRA* v. *Department of the Interior,* 119 S. Ct. 1003 (1999) (*NFFE and FLRA* v. *Interior*)) and in turn from the United States Court of Appeals for the Fourth Circuit (*U.S. Department of the Interior* v. *FLRA and NFFE,* Nos. 96–2855 and 97–1135 (4th Cir. April 23, 1999) (*Interior* v. *FLRA and NFFE*)). To assist

interested persons in responding, the Authority offers the following litigation background, limitation on briefs, and question on which amicus views are being sought.

A. Litigation Background

In 1987, the United States Court of Appeals for the District of Columbia Circuit set aside the Authority's decision in *Internal Revenue Service,* 17 FLRA 731 (1985) (IRS I) that an agency had no obligation to bargain over union-initiated proposals offered during the term of a collective bargaining agreement. *National Treasury Employees Union* v. *FLRA,* 810 F.2d 295 (D.C. Cir. 1987) (*NTEU* v. *FLRA*). Relying on private sector precedent and congressional intent to encourage and promote collective bargaining in the federal sector, the court held that the obligation to bargain under the Federal Service Labor-Management Relations Statute, 5 U.S.C. 7101–7135 (1994 & Supp. III 1997) (Statute), extended to union-initiated midterm proposals. Id. at 301. On remand, the Authority adopted the reasoning of the D.C. Circuit and held that an agency is obligated to bargain during the term of a collective bargaining agreement on negotiable union proposals concerning matters not contained in or covered by the term agreement unless the union has waived its right to bargain about the subject matter involved. *Internal Revenue Service,* 29 FLRA 162, 166 (1987) (*IRS II*).

In 1992, the United States Court of Appeals for the Fourth Circuit expressly disagreed with the reasoning of the Authority and the D.C. Circuit, concluding that ''union-initiated midterm bargaining is not required by the [S]tatute and would undermine the congressional policies underlying the [S]tatute.'' *Social Security Admin.* v. *FLRA,* 956 F.2d 1280, 1281 (4th Cir. 1992) (*SSA* v. *FLRA*). The court, on examining the text of the Statute and its legislative history, concluded that the mutual obligation to bargain in good faith ''arises as to only one, basic agreement[.]'' *Id.* at 1284–85.

Subsequently, the Authority and, in turn, the Fourth Circuit were presented with the issue of midterm bargaining in a different context. In both *U.S. Department of Energy, Washington, D.C.,* 51 FLRA 124 (1995) (*Department of Energy*), and in the case now before the Authority on remand, *U.S. Department of the Interior, Washington, D.C.* and *U.S. Geological Survey,* 52 FLRA 475 (1996) (*Department of Interior*), the Authority analyzed an agency's obligation to bargain over a contract term requiring union-initiated midterm bargaining. In *Department of Energy,* the Authority concluded that the agency had violated the Statute by disapproving a provision obligating an agency to bargain over union-initiated proposals not contained in or covered by the agreement. 51 FLRA at 125. Similarly, in *Department of Interior,* the Authority found a violation where the agency refused to bargain over a proposal substantially identical to that at issue in *Department of Energy;* specifically, the proposal provided, in pertinent part, that ''[t]he Union may request and the Employer will be obligated to negotiate on any negotiable matter not covered by the provisions of this agreement.'' 52 FLRA at 476.

The Fourth Circuit reviewed and reversed both decisions. In *Department of Energy* v. *FLRA,* 106 F.3d 1158 (4th Cir. 1997) (*Energy* v. *FLRA*), the court found the midterm bargaining provision inconsistent with the Statute because it is ''at odds with the policies underlying [the Statute] and is wholly contrary to congressional intent.'' *Id.* at 1164. The court further held that finding the provision at issue negotiable ''would effectively vitiate [*SSA* v. *FLRA*].'' *Id.* at 1163. In *Interior* v. *FLRA,* 132 F.3d 157 (4th Cir. 1997), on finding the case controlled by *SSA* v. *FLRA* and *Energy* v. *FLRA,* the court granted the agency's petition for review.

The Authority petitioned the Supreme Court for review of the Fourth Circuit's decision in *Interior* v. *FLRA*. Acknowledging the split in the United States Courts of Appeals on this issue, the Supreme Court granted *certiorari* and focused on the issue of whether the Statute ''impose[s] a duty to bargain during the term of an existing labor contract[.]'' *NFFE* and *FLRA* v. *Interior,* 119 S. Ct. at 1007. Rejecting the view of the court below, the Court found ''the Statute's language sufficiently ambiguous or open on the point as to require judicial deference to reasonable interpretation or elaboration by the'' Authority. *Id.*

In reaching this determination, the Court, after pointing out that the Statute did not expressly address union-initiated midterm bargaining, rejected the agency's arguments that the Statute prohibited midterm bargaining. Specifically, the Court disagreed with assertions that midterm bargaining was inconsistent with the language, policies, prior practice, legislative history, or management rights provision (section 7106(a)) of the Statute. *Id.* at 1008–10. The Court concluded that ''[t]he Authority would seem better suited than a court to make the workplace-related empirical judgments' that will balance ''the policy-related considerations'' concerning the merits and drawbacks of union-initiated midterm bargaining. *Id.* at 1009. The Court went on to find the ''absolute'' interpretations of the Fourth and D.C. Circuits inconsistent with the statutory ambiguity. *Id.* at 1010. The Court found this ''statutory ambiguity [to be] perfectly consistent, however, with the conclusion that Congress delegated to the Authority the power to determine * * * whether, when, where, and what sort of midterm bargaining is required.'' *Id.* at 1010.

Finally, noting that the specific question before the Court concerned ''whether an agency must bargain endterm about including in the basic labor contract a clause that would require certain forms of midterm bargaining[,]'' the Court concluded that ''the Statute grants the Authority leeway (within ordinary legal limits) in answering that question as well.'' *Id.* at 1011. However, the Court found that the Authority's prior explanation concerning the duty to bargain over such proposals was ''more an effort to respond to, and to distinguish, a contrary judicial authority, rather than an independently reasoned effort to develop complex labor policies.'' *Id.* Accordingly, the Court remanded the case to afford the Authority the opportunity to consider the issues of midterm bargaining, and the related question of bargaining about midterm bargaining, ''aware that the Statute permits, but does not compel, the conclusions [that the Authority] reached.'' *Id.*

The Fourth Circuit remanded ''to the Authority for further proceedings consistent with the opinion of the Supreme Court.'' *Interior* v. *FLRA* and *NFFE,* slip op. at 4.

B. Limitations on Briefs

As noted in the preceding section, the Supreme Court has determined that the Statute is ambiguous on the issue of whether an agency is obliged to engage in union-initiated midterm bargaining. As a result, the Authority will not entertain any further argument on the question of whether union-initiated midterm bargaining is required or prohibited by the Statute. Rather, we seek interested parties' views only to assist the Authority in making ''the workplace-related empirical judgments'' that will balance ''the policy-related considerations'' concerning union-initiated midterm bargaining. *NFFE* and *FLRA* v. *Interior,* 119 S. Ct. at 1009. Because of the extensive previous litigation on this issue, the Authority has concluded that the fifteen page length limitation noted above is appropriate and will provide ample

opportunity for interested parties to express their views.

C. Question on Which Briefs Are Solicited

The parties in the instant case have been directed to address the question set forth below. Additionally, the Authority believes that this issue is likely to be of concern to the federal sector labor-management relations community in general. Accordingly, the Authority invites interested persons to address the following and any other policy-related matters deemed relevant to balancing the pros and cons of union-initiated midterm bargaining.

In the context of resolving this case, what policy considerations and empirical data should the Authority balance in determining whether, when, and where union-initiated midterm bargaining is required?

Dated: June 16, 1999.

For the Authority.

Peter Constantine,

Director of Case Control.

[FR Doc. 99–15656 Filed 6–18–99; 8:45 am]

BILLING CODE 6727–01–P

FEDERAL MARITIME COMMISSION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m.–June 24, 1999.

PLACE : 800 North Capitol Street, N.W., First Floor Hearing Room, Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Docket No. 98–14—Shipping Restrictions, Requirements and Practices of the People's Republic of China.

2. Petition No. P5–98—Petition of National Customs Brokers & Forwarders Associaton of America for Issuance of a Rulemaking or, in the Alternative, for a Declaratory Order.

CONTACT PERSON FOR MORE INFORMATION: Bryant L. VanBrakle, Secretary, (202) 523–5725.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 99–15830 Filed 6–17–99; 12:58 pm]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 15, 1999.

A. Federal Reserve Bank of Richmond (A. Linwood Gill III, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. Peoples Bancorp of North Carolina, Inc., Newton, North Carolina; to become a bank holding company by acquiring 100 percent of the voting shares of Peoples Bank, Newton, North Carolina.

B. Federal Reserve Bank of Atlanta (Lois Berthaume, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303-2713:

1. United Community Banks, Inc., Blairsville, Georgia; to merge with 1st Floyd Bankshares, Inc., Rome, Georgia, and thereby indirectly acquire 1st Floyd Bank, Rome, Georgia.

C. Federal Reserve Bank of Chicago (Philip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1413:

1. Mahaska Investment Company, Oskaloosa, Iowa; to acquire 100 percent of the voting shares of Pella State Bank, Pella, Iowa (in organization).

2. Old Kent Financial Corporation, Grand Rapids, Michigan; to merge with Pinnacle Banc Group, Inc., Oak Brook, Illinois, and thereby indirectly acquire Pinnacle Bank, Cicero, Illinois, and Pinnacle Bank of the Quad-Cities, Silvis, Illinois.

In connection with this application, Applicant also has applied to acquire, indirectly through Pinnacle Banc Group, Inc., Oakbrook, Illinois, more than 5 percent of the voting shares of Dovenmuehle Mortgage Company, L.P., Schaumburg, Illinois, and thereby engage in making, acquiring, brokering or servicing loans or other extensions of credit, pursuant to § 225.28(b)(1) of Regulation Y.

Board of Governors of the Federal Reserve System, June 15, 1999.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 99–15695 Filed 6–18–99; 8:45 am]

BILLING CODE 6210–01–F

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 6, 1999.

A. Federal Reserve Bank of New York (Betsy Buttrill White, Senior Vice President) 33 Liberty Street, New York, New York 10045-0001:

1. The Fuji Bank, Limited, Tokyo, Japan; to acquire through its subsidiary, Heller Financial Inc., Chicago, Illinois, up to 100 percent of the voting shares of HealthCare Financial Partners, Inc., Chevy Chase, Maryland, and thereby engage in extending credit and servicing