

requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR § 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### **Vessel Proposed for Waiver of the U.S.-Build Requirement:**

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* FINNESSE. *Owner:* Fairwinds Sailing LLC.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "47.6 in length, US Coast Guard, 35 Gross Tons, 31 Net tons, Breadth: 14.5, and depth: 10.2."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "The vessel will be used in the coastwise trade, specifically carrying passengers with a crew, for a fee. The vessel will have two bases of operation. One base will be from Woods Hole, Massachusetts and the vessel will cruise the waters from Eastport, Maine to Atlantic City, New Jersey. The second base of operation will be Fort Lauderdale, Florida and the cruising waters will cover the waters from Hilton Head, South Carolina to the Florida Keys."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1989. *Place of construction:* Finland.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "Both areas of operation have large passenger vessel activity with lots of opportunity for employment. The operators of FINNESSE are the principals of the company and are not competing for employment with other operators."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "There is no adverse effect on US vessel builders. Based on the size of the boat and the passenger capacity of less than 6

passengers, the vessel will not economically impact US vessel builders. The National Marine Manufacturers Association has data illustrating that there are 16 million vessels in the United States. The subject vessel's economic impact on United States vessel builders will be negligible."

Dated: July 31, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-19684 Filed 8-2-02; 8:45 am]

**BILLING CODE 4910-81-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Maritime Administration**

**[Docket Number: MARAD-2002-12991]**

#### **Requested Administrative Waiver of the Coastwise Trade Laws**

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel LAMLASH.

**SUMMARY:** As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR Part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before September 4, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12991. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m.

and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

#### **FOR FURTHER INFORMATION CONTACT:**

Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR § 1.66, Delegations to the Maritime Administrator, as amended.

By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### **Vessel Proposed for Waiver of the U.S.-Build Requirement**

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* LAMLASH. *Owner:* Alastair Hunter-Henderson and Noralyn Marshall.

(2) Size, capacity and tonnage of vessel. According to the applicant: "*Length (ft.):* 59.3, *Hull Depth (ft.):* 9, *Hull Breadth (ft.):* 16.2, *Gross Tonnage:* 43, *Net Tonnage:* 38, *Capacity:* not to exceed 12 passengers."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant:

Recreational chartering in US coastal waters both on the East Coast and the West Coast of the United States and Caribbean waters (including the US Virgin Islands) but excluding Alaska and Hawaii."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1990. *Place of construction:* Tan Shui, Taipei.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "The granting of the

waiver will have no impact on any other commercial passenger operators or existing operators.”

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: “The granting of the waiver will have no impact the operations of any U.S. shipyards.”

Dated: July 31, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 02-19685 Filed 8-2-02; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34231]

#### Missouri & Valley Park Railroad Corporation—Lease Exemption—The Burlington Northern and Santa Fe Railway Company

Missouri & Valley Park Railroad Corporation (MVP), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to lease<sup>1</sup> from The Burlington Northern and Santa Fe Railway Company (BNSF) and operate approximately 2.14 miles of rail line between BNSF's milepost 20.50 near West Valley Park, MO, on the south side of the Cuba Sub Main Line, and at or near BNSF's milepost 18.36 on the Cuba Sub at East Valley Park, MO, on the south side of the Cuba Sub Main Line. MVP certifies that its projected revenues do not exceed those that would qualify it as a Class III rail carrier.

The transaction was due to be consummated on or after July 22, 2002. The earliest the transaction could have been consummated was on July 22, 2002, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34231, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Edwin I. Josephson, Chuhak & Tecson, P.C., 30

South Wacker Drive, Suite 2600, Chicago, IL 60606.

Board decisions and notices are available on our website at “[www.stb.dot.gov](http://www.stb.dot.gov).”

Decided: July 25, 2002.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 02-19310 Filed 8-2-02; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Financial Crimes Enforcement Network; Proposed Collection; Comment Request; Suspicious Activity Report by the Securities and Futures Industry

**AGENCY:** Financial Crimes Enforcement Network (“FinCEN”), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, FinCEN invites comment on a proposed information collection contained in a new form, “Suspicious Activity Report by the Securities and Futures Industry (SAR-SF).” The form will be used by broker-dealers to report suspicious activity to the Department of the Treasury. Futures commission merchants may also use the form to report suspicious activity to the Department of the Treasury on a voluntary basis. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. 3506(c)(2)(A).

**DATES:** Written comments are welcome and must be received on or before October 4, 2002.

**ADDRESSES:** Written comments should be submitted to: Office of Chief Counsel, Financial Crimes Enforcement Network, Department of the Treasury, P.O. Box 39, Vienna, Virginia 22183, Attention: PRA Comments—SAR-Securities and Futures Industry Form. Comments also may be submitted by electronic mail to the following Internet address: [regcomments@fincen.treas.gov](mailto:regcomments@fincen.treas.gov), again with a caption, in the body of the text, “Attention: PRA Comments—SAR-Securities and Futures Industry Form.”

**Inspection of comments.** Comments may be inspected, between 10 a.m. and 4 p.m., in the FinCEN reading room in Washington, DC. Persons wishing to inspect the comments submitted must request an appointment by telephoning (202) 354-6400.

### FOR FURTHER INFORMATION CONTACT:

Peter Djinis, Executive Assistant Director Regulatory Policy, FinCEN, at (703) 905-3930; Russell Stephenson, Regulatory Program Specialist, Office of Compliance and Regulatory Enforcement, FinCEN, at (202) 354-6015; and Judith R. Starr, Chief Counsel and Christine L. Schuetz, Attorney-Advisor, Office of Chief Counsel, FinCEN, at (703) 905-3590.

### SUPPLEMENTARY INFORMATION:

**Title:** Suspicious Activity Report by the Securities and Futures Industry (SAR-SF).

**OMB Number:** 1506-0019.

**Form Number:** TD F 90-22.XX.

**Abstract:** The statute generally referred to as the “Bank Secrecy Act,” Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5332, authorizes the Secretary of the Treasury, *inter alia*, to require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities, to protect against international terrorism, and to implement counter-money laundering programs and compliance procedures.<sup>1</sup> Regulations implementing Title II of the Bank Secrecy Act appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act has been delegated to the Director of FinCEN.

The Secretary of the Treasury was granted authority in 1992, with the enactment of 31 U.S.C. 5318(g), to require financial institutions to report suspicious transactions. On July 1, 2002, FinCEN issued a final rule requiring brokers or dealers in securities (“broker-dealers”) to report suspicious transactions (“Broker-Dealer SAR Rule”). (67 FR 44048). The final rule can also be found at 31 CFR 103.19.

In the preamble to the final Broker-Dealer SAR Rule, FinCEN indicated that it would be developing a suspicious activity reporting form for broker-dealers entitled “Suspicious Activity Report—Brokers or Dealers in Securities,” or “SAR-BD.”<sup>2</sup> The form may also be used by futures commission merchants (“FCMs”) registered with the Commodities Futures Trading

<sup>1</sup> Language expanding the scope of the Bank Secrecy Act to intelligence or counter-intelligence activities to protect against international terrorism was added by Section 358 of the Uniting and strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (the “USA Patriot Act”), P.L. 107-56.

<sup>2</sup> See 67 FR 44048, 44051.

<sup>1</sup> MVP states that it has also entered into a trackage and interchange agreement with BNSF that affects the above leased rail line.