

and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Cerestar Holding B. V., Mitsubishi Chemical Corp., and Nikken Chemicals Co., "Petition to amend the regulation for 21 CFR 101.80 to authorize a noncariogenicity dental health claim for the sugar alcohol erythritol (1,2,3,4-butanetetrol)," April 4, 1997, [CP1].

List of Subjects in 21 CFR Part 101

Food labeling, Nutrition, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 101 is amended as follows:

PART 101—FOOD LABELING

1. The authority citation for 21 CFR part 101 continues to read as follows:

Authority: 15 U.S.C. 1453, 1454, 1455; 21 U.S.C. 321, 331, 342, 343, 348, 371.

2. Section 101.80 is amended by revising paragraph (c)(2)(ii)(B) to read as follows:

§ 101.80 Health claims: dietary sugar alcohols and dental caries.

* * * * *

(c) * * *

(2) * * *

(ii) * * *

(B) The sugar alcohol in the food shall be xylitol, sorbitol, mannitol, maltitol, isomalt, lactitol, hydrogenated starch hydrolysates, hydrogenated glucose syrups, erythritol, or a combination of these.

* * * * *

Dated: November 21, 1997.

William B. Schultz,

Deputy Commissioner for Policy.

[FR Doc. 97-31587 Filed 12-1-97; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

23 CFR Part 1327

[Docket No. NHTSA-97-3155]

RIN 2127-AG21

Procedures for Participating in and Receiving Data From the National Driver Register Problem Driver Point System

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule amends the agency's National Driver Register (NDR) regulations to implement a recent amendment to the National Driver Register Act of 1982, as amended. The amendment authorizes the Commandant of the Coast Guard to request and receive information from the National Driver Register (NDR) regarding the motor vehicle driving records of any officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve (including a cadet or an applicant for appointment or enlistment of any of the foregoing, and any member of a uniformed service who is assigned to the Coast Guard). This interim final rule establishes the procedures for such individuals to request, and for the Commandant to receive, NDR information.

DATES: This interim final rule becomes effective on December 2, 1997. Comments on this interim final rule are due no later than February 2, 1998.

ADDRESSES: Written comments should refer to the docket number and be submitted (preferably in ten copies) to: Department of Transportation—Dockets, Room PL-401, Nassif Building, 400 Seventh Street, S.W., Washington, DC 20590. (Docket hours are from 10:00 a.m. to 5:00 p.m.)

FOR FURTHER INFORMATION CONTACT: Mr. William Holden, Chief, Traffic Records and Driver Register Division, NTS-32, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590; telephone (202) 366-4800 or Ms. Heidi L. Coleman, Assistant Chief Counsel for General Law, NCC-30, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590; telephone (202) 366-1834.

SUPPLEMENTARY INFORMATION: The National Driver Register (NDR) is a central file of information on individuals whose licenses to operate a motor vehicle have been denied, revoked, suspended, or canceled, for cause, or who have been convicted of certain serious traffic-related violations, such as racing on the highways or driving while impaired by alcohol or other drugs.

As provided in the NDR Act of 1982, as amended, 49 U.S.C. 30301, *et seq.*, State chief driver licensing officials are authorized to request and receive information from the NDR for driver licensing and driver improvement purposes. When an individual applies for a driver's license, for example, these State officials are authorized to request and receive NDR information to determine whether the applicant's

driver's license has been withdrawn for cause in any other State. Because the NDR is a nationwide index, chief driver licensing officials need to submit only a single inquiry to obtain this information.

State chief driver licensing officials also are authorized under the Act to request NDR information on behalf of other authorized NDR users for transportation safety purposes. The NDR Act authorizes the following entities to receive NDR information for limited transportation purposes: the National Transportation Safety Board and the Federal Highway Administration for accident investigation purposes; employers and prospective employers of motor vehicle operators; the Federal Aviation Administration (FAA) regarding any individual who holds or has applied for an airman's certificate; air carriers regarding individuals who are seeking employment with the air carrier; the Federal Railroad Administration (FRA) and employers or prospective employers of locomotive operators; and the U.S. Coast Guard regarding any individual who holds or who has applied for a license, certificate of registry, or a merchant mariner's document. The Act also provides that individuals can learn whether information about themselves is on the NDR file and can receive any such information.

On October 19, 1996, Pub. L. 104-324 was enacted into law. Section 207 of that Act contained an amendment to the NDR Act of 1982, as amended (49 U.S.C. 30305), authorizing the Commandant of the Coast Guard to request and receive NDR information regarding any officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve (including a cadet or an applicant for appointment or enlistment of any of the foregoing, and any member of a uniformed service who is assigned to the Coast Guard).

Procedures for Requesting and Receiving NDR Information

The procedures that the Commandant of the Coast Guard would use to receive NDR information on these Coast Guard members would be the same as those used by the U.S. Coast Guard to receive information regarding individuals who hold or who have applied for a license, certificate of registry, or a merchant mariner's document.

The Commandant of the Coast Guard may not initiate a request for NDR information. Rather, the individual member or applicant must do so. To initiate a request, the individual must either complete, sign and submit a request for an NDR file search, or

authorize the Commandant of the Coast Guard to request the NDR file search by completing and signing a written consent. The request or written consent must state that NDR records are being requested; state specifically who is authorized to receive the records; be dated and signed by the individual (the member or applicant); and specifically state that the authorization is valid for only one search of the NDR. It must also specifically state that the NDR identifies "probable" matches that require further inquiry for verification, that it is recommended (but not required) that the Commandant of the Coast Guard verify matches with the state of record, and state that individuals have the right to request NDR records regarding themselves to verify the accuracy of any information on the file pertaining to them.

The Commandant of the Coast Guard may receive such information and shall make the information available to the individual. The Commandant will not receive any information that was entered in the Register more than three years before the date of the request, unless the information relates to a revocation or suspension still in effect on the date of the request.

In accordance with Pub. L. 104-324, requests to transmit NDR information to the Commandant are to be submitted through a State chief driver licensing official. Such requests may be submitted through the chief driver licensing official of any state that participates in the NDR's Problem Driver Pointer System (PDPS). Currently, all 50 States participate in the NDR PDPS, and the District of Columbia is in the process of connecting to the PDPS system.

The NDR response would be sent to the chief driver licensing official who will provide it to the Commandant and will indicate whether a match (probable identification) was found and, if so, the response will identify the State in which the full substantive record can be found (the State of record). The agency encourages the Commandant to obtain the substantive data relating to the match from the State of record to determine whether the person described in the record is in fact the subject individual before taking further action.

Interim Final Rule

This document is published as an interim final rule. Accordingly, the changes to part 1327 described above are fully in effect and binding upon the date of the document's publication. No further regulatory action by NHTSA is necessary to make these changes effective.

In an effort to establish the procedures to permit Coast Guard members to submit requests to the NDR and the Commandant of the Coast Guard to receive NDR information as soon as possible, these regulatory changes have been made in an interim final rule, without prior notice and opportunity for comment. In addition, the changes made to the regulation in this interim final rule simply reflect the statutory amendments enacted by Pub. L. 104-324. Further, the procedures that have been established in this interim final rule for requesting that NDR information be provided to the Commandant of the Coast Guard are nearly identical to the procedures already being followed by the States, by airmen, by seamen/merchant mariners, and by others in the field of transportation safety. Those procedures were established by a rulemaking process during which notice and an opportunity to comment were provided.

NHTSA requests comments on these regulatory changes. All comments submitted in response to this document will be considered by the agency. Following the close of the comment period, NHTSA will publish a document responding to the comments and, if appropriate, will further amend the provisions of part 1327.

Written Comments

Interested persons are invited to comment on this interim final rule. It is requested, but not required, that ten copies be submitted.

All comments must be limited to 15 pages in length. Necessary attachments may be appended to those submissions without regard to the 15 page limit. (49 CFR 553.21.) This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

Written comments to the public docket must be received by February 2, 1998. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the above address before and after that date. To the extent possible, comments received after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date. Following the close of the comment period, NHTSA will publish a document responding to the comments and, if appropriate, NHTSA will amend the provisions of this rule. NHTSA will continue to file relevant material in the docket as it becomes available after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the docket should enclose, in the envelope with their comments, a self-addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

Copies of all documents will be placed in Docket NHTSA-97-3155 in Room PL-401, Nassif Building, 400 Seventh Street, SW, Washington, DC 20590.

Regulatory Analyses and Notice

Executive Order 12778 (Civil Justice Reform)

This interim final rule will not have any preemptive or retroactive effect. The enabling legislation does not establish a procedure for judicial review of final rules promulgated under its provisions. There is no requirement that individuals submit a petition for reconsideration or other administrative proceedings before they may file suit in court.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The agency has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or Department of Transportation Regulatory Policies and Procedures. The changes in this interim final rule merely reflect amendments contained in Pub. L. 104-324. Accordingly, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612), the agency has evaluated the effects of this action on small entities. Based on the evaluation, we certify that this action will not have a significant impact on a substantial number of small entities. Accordingly, the preparation of a Regulatory Flexibility Analysis is unnecessary.

Paperwork Reduction Act

There are reporting requirements contained in the regulation that this rule is amending that are considered to be information collection requirements, as that term is defined by the Office of Management and Budget (OMB) in 5 CFR part 1320. Accordingly, these requirements have been submitted previously to and approved by OMB, pursuant to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*). These requirements had been approved through September 30, 2000, under OMB No. 2127-0001.

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that it will not have any significant impact on the quality of the human environment.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism assessment. Accordingly, the preparation of a Federalism Assessment is not warranted.

List of Subjects in 23 CFR Part 1327

Highway safety, Intergovernmental relations, National Driver Register, Reporting and recordkeeping requirements.

In consideration of the foregoing, chapter III of title 23 of the CFR is amended as follows:

PART 1327—PROCEDURES FOR PARTICIPATING IN AND RECEIVING INFORMATION FROM THE NATIONAL DRIVER REGISTER PROBLEM DRIVER POINTER SYSTEM

1. The authority citation for Part 1327 is revised to read as follows:

Authority: Pub.L. 97-364, 96 Stat. 1740, as amended (49 U.S.C. 30301 *et seq.*); delegation of authority at 49 CFR 1.50.

2. Section 1327.3 is amended by redesignating paragraphs (a) through (w) as paragraphs (b) through (x) and by adding a new paragraph (a) to read as follows:

§ 1327.3 Definitions.

(a) *Any officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve* includes a cadet or an applicant for appointment or enlistment of any of the foregoing and any member of a uniformed service who is assigned to the Coast Guard.

* * * * *

§ 1327.5 [Amended]

3. Section 1327.5 is amended by removing the period at the end of paragraph (c)(2) introductory text and adding in its place the words “, or regarding any officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve.”.

4. Section 1327.6 is amended by revising paragraph (e)(1) introductory text to read as follows:

§ 1327.6 Conditions and procedures for other authorized users of the NDR.

* * * * *

(e) * * *

(1) To initiate an NDR file check, the individual who holds or who has applied for a license, certificate of registry, or a merchant mariner's document or the individual who is an officer, chief warrant officer, or enlisted member of the Coast Guard or Coast Guard Reserve shall either:

* * * * *

Issued on: November 25, 1997.

Ricardo Martinez,

Administrator, National Highway Traffic Safety Administration.

[FR Doc. 97-31436 Filed 12-1-97; 8:45 am]

BILLING CODE 4910-59-P

LIBRARY OF CONGRESS**Copyright Office****37 CFR Part 202**

[Docket No. 97-6]

Registration of Claims to Copyright: Group Registration of Serials

AGENCY: Copyright Office, Library of Congress.

ACTION: Final rule; policy announcement.

SUMMARY: This announcement notifies the public of an amendment that slightly modifies the administrative procedures for qualifying to use the group registration of serials option. Under the amendment, the letter currently addressed to the General Counsel's Office should instead be addressed to “Group Periodicals Registration.”

EFFECTIVE DATE: December 2, 1997.

FOR FURTHER INFORMATION CONTACT:

Marilyn Kretsinger, Assistant General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: In 1990, the Copyright Office adopted a new registration procedure which permitted group registration of serial publications under certain conditions. 55 FR 50556 (1990). This procedure is part of the regulations of the Copyright Office at 37 CFR Chap. II, §§ 202.3(b)(5) and 202.20(c)(2)(xvii). The primary requirement for an applicant to become

eligible to use the group registration procedure is for the applicant to establish two complimentary subscriptions of the individual serial title for the Library of Congress. In order to encourage compliance, the regulations required that the applicant submit a letter to the General Counsel's Office, stating that the complimentary subscriptions had been entered.

In administering the group registration procedure, the letter submitted has been addressed to the General Counsel's Office. In the future this letter should be addressed to: Library of Congress, “Group Periodicals Registration,” Washington, D.C. 20540-4161. In the future, the Copyright Acquisitions Division, will maintain the file of these letters relating to group registration of serials. Questions or requests for information relating to deposits for group registration of serials should be directed to the Chief of the Copyright Acquisitions Division (202) 707-7125. All other conditions relating to this procedure will continue without modification.

List of Subjects in 37 CFR Part 202

Registration of claims to copyright, Claims to copyright, Copyright registration.

Final Regulations

In consideration of the foregoing, the Copyright Office is amending part 202 of 37 CFR, chapter II in the manner set forth below.

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

1. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 702.

2. The second sentence of § 202.3(b)(5)(ii) is revised to read as follows:

§ 202.3 Registration of copyright.

* * * * *

(b) * * *

(5) * * *

(ii) * * * The letter should be sent to Library of Congress, ‘Group Periodicals Registration,’ Washington, D.C. 20540-4161.

* * * * *

Dated: November 26, 1997.

Marilyn J. Kretsinger,

Assistant General Counsel.

[FR Doc. 97-31548 Filed 12-1-97; 8:45 am]

BILLING CODE 1410-30-P