

dominant in their fields, and governmental jurisdictions with populations of less than 50,000 people.

The small entities identified (approximately 3 charter fisherman and 1 tug operator) do not represent a substantial number of entities that would be affected by this proposed rule. Most vessels that must pass Franklin Street bridge are pleasure craft. According to LaPorte County Highway Dept., the charter fisherman can pass Franklin Street in the closed position once all lowerable appurtenances on their vessels are adjusted. Otherwise, the scheduled openings would still satisfy the reasonable needs for these few vessels. The 12-hour advance notice requirement during winter months is a standard practice on the Great Lakes and still provides for bridge openings with advance notice from vessel operators.

Therefore, the Coast Guard certifies under 5 U.S.C 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Collection of Information

This proposed rule would call for no new collection of information requirement under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposed rule under the principles and criteria contained in Executive Order 13132, and determined that this rule does not have federalism implications under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a state, local, or tribal government or the private sector to incur direct costs without the federal government having first provided the funds to pay those unfunded mandate costs. This proposed rule will not impose an unfunded mandate.

Taking of Private Property

This proposed rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 34(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. This proposed rule changes a drawbridge regulation which has been found not to have a significant effect on the environment. A Categorical Exclusion Determination is not required.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to revise Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Revise § 117.401 to read as follows:

§ 117.401 Trail Creek.

(a) The draw of the Franklin Street bridge, mile 0.5 at Michigan City, shall be operated as follows:

(1) From March 16 through November 30, the draw shall open on signal; except from 6:15 a.m. to 11:15 p.m., Monday through Sunday, the draw need open only from three minutes before to

three minutes after the quarter-hour and three-quarter hour.

(2) From December 1 through March 15, the draw shall open on signal if at least 12-hours advance notice is provided prior to intended time of passage.

(b) The draw of the Amtrak bridge, mile 0.9 at Michigan City, shall open on signal; except, from December 1 through March 15, the bridge shall open on signal if at least 12-hours advance notice is provided prior to intended time of passage.

(c) Public vessels of the United States, state or local vessels used for public safety, vessels in distress, and vessels seeking shelter from severe weather shall be passed through the draws of each bridge as soon as possible.

Dated: February 5, 2001.

James D. Hull,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 01–4884 Filed 2–27–01; 8:45 am]

BILLING CODE 4910–15–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51, 60, 63, 70, 123, 142, 145, 162, 233, 257, 258, 271, 281, 403, 501, 745 and 763

[FRL–6949–6]

RIN 2025–AA10

Public Information: Advanced Notice of Proposed Rulemaking on Electronic Reporting and Recordkeeping and Delayed Effective Date of Recordkeeping Provisions in the Electronic Signatures in Global and National Commerce Act of 2000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: EPA announces its intent to develop a rule to establish performance standards to assure accuracy, record integrity, and accessibility of electronic reports and records applying generally to all recordkeeping requirements contained in Chapter I of Title 40 of the Code of Federal Regulations. This action delays until June 1, 2001 the effective date of certain provisions in the Electronic Signatures in Global and National Commerce Act of 2000 that may affect certain federal environmental recordkeeping requirements.

DATES: In order to be considered, comments on this ANPRM must be received on or before March 30, 2001.

Please direct all correspondence to the addresses shown below.

ADDRESSES: Written comments should be submitted in triplicate to the United States Environmental Protection Agency, Enforcement and Compliance Docket and Information Center (Mail Code 2201A), Docket Number EC-2000-007 (Attn: E-SIGN ANPRM), 1200 Pennsylvania Avenue NW, Washington, DC, 20460. No facsimiles (faxes) will be accepted.

Comments in an electronic format should also reference docket number EC-2000-07, (Attn: E-SIGN ANPRM), and should be addressed to the following Internet address: docket.oeca@epa.gov. Electronic comments must be submitted as an ASCII, WordPerfect 5.1/6.1/8 format file and avoid the use of special characters or any form of encryption.

FOR FURTHER INFORMATION CONTACT: David Schwarz (2823), Office of Environmental Information, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460, (202) 260-2710, schwarz.david@epa.gov, or Evi Huffer (2823), Office of Environmental Information, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC, 20460, (202) 260-8791, huffer.evi@epa.gov.

SUPPLEMENTARY INFORMATION: The Electronic Signatures in Global and National Commerce Act of 2000, 15 U.S.C. 7001 to 7031 (hereinafter "E-Sign"), enacted on June 30, 2000, provides that, with respect to any transaction in or affecting interstate commerce, no contract, signature, or record relating to such a transaction shall be denied legal effect solely because it is in electronic form. Similarly, E-Sign provides that such a document may not be denied legal effect solely because an electronic signature or record was used in its formation. Under E-Sign, terms of existing statutes or agency rules containing paper-based requirements that might otherwise deny effect to electronic signatures and records in consumer, commercial or business transactions between two or more parties are superseded. While E-Sign does not generally affect reporting under federal regulations or records of those reports, E-Sign does potentially supersede a requirement that a record be kept on paper if that record is not retained principally for governmental purposes, but is maintained primarily for consumer, commercial or business purposes. E-Sign does, however, preserve the authority of federal and State agencies to set technology-neutral

standards and formats for the retention of any such electronic records.

Today, EPA announces its intent to develop rules governing the use of electronic records to satisfy any recordkeeping requirements contained in Chapter I of Title 40 of the Code of Federal Regulations, including any recordkeeping requirements potentially affected by E-Sign. With respect to record retention requirements imposed by federal statute, regulation, or other rule of law, E-Sign takes effect on March 1, 2001 unless a federal regulatory agency has announced, proposed, or initiated, but not completed, rulemaking to establish performance standards to assure accuracy, record integrity, and accessibility of electronic reports and records. If a federal agency announces, proposes, or initiates such a rulemaking on or before March 1, 2001, the effective date of E-Sign is delayed until June 1, 2001, with respect to such records. Today's ANPRM announces EPA's intent to develop a rule applying generally to all recordkeeping requirements contained in Chapter I of Title 40 of the Code of Federal Regulations and, accordingly, to the extent E-Sign affects any such requirement, E-Sign will take effect on June 1, 2001, instead of March 1, 2001.

In order to satisfy the mandates of the Government Paperwork Elimination Act (GPEA) of 1998, public law 105-277, <http://ec.fed.gov/gpedoc.htm>, EPA is currently developing the Cross-Media Electronic Reporting and Recordkeeping Rule (CROMERRR). This rule would govern the use of electronic records and recordkeeping to satisfy any reporting or recordkeeping requirement contained in Chapter I of Title 40 of the Code of Federal Regulations. EPA may also choose to develop a rule in addition to CROMERRR that would apply to the subset of those recordkeeping requirements that are affected by E-Sign. Such a rule would establish interim performance standards to assure accuracy, record integrity, and accessibility of this smaller universe of electronic records until EPA is able to finalize the CROMERR rule of general applicability. EPA solicits comment on whether it should develop such an interim rule. EPA also solicits comment on what class or classes of records should be subject to any such interim rule.

Dated: February 23, 2001.

Christine Todd Whitman,
Administrator.

[FR Doc. 01-4972 Filed 2-27-01; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 36

Cancellation of the Meeting of the Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance

AGENCY: Indian Health Service, HHS.

ACTION: Notice of Meeting Cancellation.

SUMMARY: On February 13, 2001, the Indian Health Service published a notice in the **Federal Register** announcing two meetings of the Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance (66 FR 10182, February 13, 2001). The first meeting, scheduled for February 27-28 in Washington, DC, is cancelled. The second meeting, scheduled for March 15-16 in San Diego, CA, will be held as planned at the Clarion Hotel Bay View, 660 K Street, San Diego, CA 92101, from 8:00 a.m.-5:00 p.m. each day.

FOR FURTHER INFORMATION CONTACT: Paula Williams, Director, Office of Tribal Self-Governance, Indian Health Service, 5600 Fishers Lane, Room 5A-55, Rockville, MD 20857, Telephone 301-443-7821. (This is not a toll-free number.)

Dated: February 22, 2001.

Michael H. Trujillo,

Assistant Surgeon General, Director.

[FR Doc. 01-4967 Filed 2-26-01; 12:37 pm]

BILLING CODE 4160-16-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-390, MM Docket No. 01-46, RM-10046]

Digital Television Broadcast Service; Temple, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Channel 6, Inc., licensee of station KCEN-TV, NTSC channel 6, Temple, Texas, requesting the substitution of DTV channel 9 for station KCEN-TV's assigned DTV channel 50. DTV Channel 9 can be allotted to Temple, Texas, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (31-16-24 N. and 97-13-14 W.). As requested, we propose to allot