

	Three-year average actual costs	Three-year percentage of volume	Average year 2001 fee
New York Board of Trade	120,068	3.5220	73,730
Kansas City Board of Trade	24,582	.4019	13,854
Minneapolis Grain Exchange	5,102	.1845	3,269
Philadelphia Board of Trade	0	.0004	0
Subtotal	777,760	100.0000	676,317
National Futures Association	213,421	N/A	213,421
Total	991,184	100.0000	889,738

An example of how the fee is calculated for one exchange, the Minneapolis Grain Exchange, is set forth here:

a. Actual three-year average costs equal \$5,102.

b. The alternative computation is:
 $(.5)(\$5,102) + (.5)(.001845)(\$777,760) = \$3,269.$

c. The fee is the lesser of a or b; in this case \$3,269.

As noted above, the alternative calculation based on contracts traded, is not applicable to the NFA because it is not a contract market and has no contracts traded. The Commission's average annual cost for conducting oversight review of the NFA rule enforcement program during fiscal years 1998 through 2000 was \$213,421 (one-third of \$640,263). The fee to be paid by the NFA for the current fiscal year is \$213,421.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, requires agencies to consider the impact of rules on small business. The fees implemented in this release affect contract markets (also referred to as exchanges) and registered futures associations. The Commission has previously determined that contract markets and registered futures associations are not "small entities" for purposes of the Regulatory Flexibility Act. Accordingly, the Acting Chairman on behalf of the Commission, certifies pursuant to 5 U.S.C. 605(b), that the fees implemented here will not have a significant economic impact on a substantial number of small entities.

Issued in Washington, DC on June 6, 2001 by the Commission.

Catherine D. Dixon,

Assistant Secretary of the Commission.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 510 and 558

New Animal Drugs; Change of Sponsor

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect the change of sponsor for three approved new animal drug applications (NADAs) for oxytetracycline premixes from Pfizer, Inc., to Phibro Animal Health, Inc. The drug labeler code for Phibro Animal Health, Inc., is also being listed. **DATES:** This rule is effective June 18, 2001.

FOR FURTHER INFORMATION CONTACT: Norman J. Turner, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0214.

SUPPLEMENTARY INFORMATION: Pfizer, Inc., 235 East 42d St., New York, NY 10017-5755, has informed FDA that it has transferred ownership of, and all rights and interests in, NADA 8-804 for Terramycin® (oxytetracycline) Type A medicated articles, NADA 38-439 for Terramycin® (oxytetracycline) for fish, and NADA 95-143 for OXTC® (oxytetracycline) Type A medicated articles to Phibro Animal Health, Inc., One Parker Plaza, Fort Lee, NJ 07024. Accordingly, the agency is amending the regulations in 21 CFR 558.450 to reflect the transfer of ownership.

In addition, Phibro Animal Health, Inc., has not been previously listed in the animal drug regulations as a sponsor of an approved application. At this time,

21 CFR 510.600(c)(1) and (c)(2) is being amended to add entries for the firm.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 510 and 558 are amended as follows:

PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

2. Section 510.600 is amended in the table in paragraph (c)(1) by alphabetically adding an entry for "Phibro Animal Health, Inc." and in the table in paragraph (c)(2) by numerically adding an entry for "066104" to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

*	*	*	*	*
(c)	*	*	*	
(1)	*	*	*	

Firm name and address

Drug labeler code

Phibro Animal Health, Inc., One Parker Plaza, Fort Lee, NJ 07024

066104

Firm name and address				Drug labeler code		
*	*	*	*	*	*	*
(2) * * *						
Drug labeler code				Firm name and address		
*	*	*	*	*	*	*
066104				Phibro Animal Health, Inc., One Parker Plaza, Fort Lee, NJ 07024		
*	*	*	*	*	*	*

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

3. The authority citation for 21 CFR part 558 continues to read as follows:
Authority: 21 U.S.C. 360b, 371.

§ 558.450 [Amended]

4. Section 558.450 *Oxytetracycline* is amended in paragraph (a)(1) by removing “000069” and by adding in its place “066104”; and in table 1 in paragraphs (d)(1)(i), (d)(1)(v), (d)(1)(vii), and (d)(1)(viii), under the “Sponsor” column, and in table 2 in paragraphs (d)(2)(i) through (d)(2)(iii), under the “Sponsor” column, by removing “000069” and by adding in its place “066104”.

Dated: June 8, 2001.
Claire M. Lathers,
Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.
[FR Doc. 01-15273 Filed 6-15-01; 8:45 am]
BILLING CODE 4160-01-S

DEPARTMENT OF STATE

Bureau of Consular Affairs

22 CFR Parts 41 and 42

[Public Notice 3654]

Visas: Documentation of Immigrants and Nonimmigrants—Visa Classification Symbols

AGENCY: Bureau of Consular Affairs, Department of State.
ACTION: Final rule.

SUMMARY: The Department is amending its regulations to add new immigrant and nonimmigrant symbols to the classification tables. The amendments are necessary to implement recently enacted legislation. The legislation created a new immigrant category for certain international broadcasters (BC1, BC2, and BC3) and new nonimmigrant

categories for victims of trafficking for illicit sexual purposes and slavery (T1 and T2), aliens who have suffered abuse such as battering and other forms of violence (U1 and U2), spouses and children of lawful permanent residents for whom petitions were filed before December 21, 2000 and who have been waiting for an immigrant visa for three years or more (V1, V2, and V3), and spouses of U.S. citizens (K3) and children of the K3 (K4) who are awaiting the issuance of an immigrant visa (K3, K4). This rule removes the immigrant classification for diversity transition natives (AA1, AA2 and AA3). This program ended September 30, 1995. The Department is also taking this opportunity to amend the classification symbols for retired NATO-6 employees, their spouses and their unmarried sons and daughters. In the Department’s publication on April 19, 2000 [65 FR 20903], the Department erroneously classified these aliens as SK special immigrants. These aliens should be classified as SN1, SN2, SN3 and SN4. DATES: This rule takes effect on June 18, 2001.

FOR FURTHER INFORMATION CONTACT: Pam Chavez, Legislation and Regulations Division, Visa Services, Department of State, Washington, DC 20520-0106, (202) 663-1204.

SUPPLEMENTARY INFORMATION:

What Legislation Created These New Visa Categories?

Pub. L. 106-386, *The Victims of Trafficking and Violence Protection Act of 2000 (VTVPA)*

The VTVPA is actually two separate laws, the “Trafficking Victims Protection Act of 2000” (TVPA) and the “Violence Against Women Act of 2000” (VAWA2).

How Does an Alien Qualify for T Visa Status Under the TVPA?

Section 107 of Division A of the TVPA created a new nonimmigrant

category under INA 101(a)(15)(T) for aliens who the Attorney General has determined are victims of a “severe form of trafficking in persons.” Section 103 of the TVPA defines a “severe form of trafficking in persons” as either:

- (1) sex trafficking in which a commercial sex act is induced by force, fraud or coercion or in which the person induced to perform such act has not attained 18 years of age, or
- (2) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

To qualify for the “T” category, the person must

- (1) Be physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or a U.S. port of entry because of such trafficking;
- (2) Have complied with any reasonable request for assistance to law enforcement in the investigation or prosecution of acts of trafficking, or be under the age of 15; and
- (3) Be likely to suffer extreme hardship involving unusual and severe harm upon removal.

The Attorney General may, in order to avoid extreme hardship, permit the spouse, children and parents of an alien under age 21 and the spouse and children of an alien over age 21 to accompany or follow to join the principal alien.

How Does an Alien Qualify for U Visa Status Under the VAWA2?

Section 1513 of Division B of the VAWA2 created a new category under INA 101(a)(15)(U) for victims of physical or mental abuse. To qualify under the U category the alien must file a petition with the Attorney General and establish therein:

- (1) The alien has suffered substantial physical or mental abuse as a result of having been a victim of any one of an extensive list of 26 criminal activities,