

administrative practice to require, at a minimum, the information requested as a condition for payment of financial assistance.

3. *Subsidiaries and Affiliates*

Comment. The commentor stated MARAD lacked authority to obtain information concerning all contractors' parent companies, affiliates, and subsidiaries together with an indication of the business transacted by each.

Response. In the meeting held between MARAD and the commentor, the issue was clarified and it was agreed that the request for information should be applicable only to parent companies, affiliates, and subsidiaries that are involved in the maritime industry for non-section 2 citizen applicants. Section 2 citizen applicants will be required to provide information on affiliated relationships necessary to document status as a section 2 citizen.

4. *Citizenship*

Comment. The commentor stated that, with respect to the extensive disclosure required with respect to stock ownership, shareholders, voting trusts and agreements whereby control of an applicant is in any way held or exercised by any person not the holder of legal title to such shares, it found the request to be too intrusive. The commentor suggested that MARAD on an *ad hoc* basis continue its practice of requiring citizenship affidavits from some applicants.

Response. MARAD conceptually agrees with the commentor's suggestion and will require the submission of such extensive information only from those applicants requesting to apply as citizens of the United States. Other applicants need only prove lesser levels of citizenship.

5. *Current or Anticipated Agreements*

Comment. The commentor stated that the requested information regarding current agreements with other carriers was already available and, with respect to anticipated agreements, that request was intrusive and unnecessary for the administration of the MSP.

Response. During the meeting between MARAD and the commentor, the issue was clarified and it was agreed that current information on operations and agreements was needed to assist the agency in identifying potential sealift capacity available for use in accordance with an Emergency Preparedness Program. As a result, the section on agreements would read: "Describe any current agreements and or relationships with other carriers." All reference to anticipated agreements will be deleted.

6. *Certification of Citizenship*

Comment. The commentor stated that the application required the applicant to be a citizen of the United States within the meaning of Section 2, Shipping Act, 1916, as amended, and that requirement was wrong.

Response. The requirement to certify Section 2 citizenship as part of the application was an error and has been corrected by adding a provision for applicants who are not applying as Section 2 citizens which reads: "* * * or is eligible to document a vessel under 46 U.S.C. 121 * * *".

Dated: May 30, 1996.

By order of the Maritime Administrator.
Joel C. Richard,
Secretary, Maritime Administration.
[FR Doc. 96-14092 Filed 6-4-96; 8:45 am]
BILLING CODE 4910-81-M

National Highway Traffic Safety Administration

[Docket No. 94-86; Notice 2]

Establishment of Working Groups to Assist NAFTA Automotive Standards Council

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

ACTION: Notice of intent to establish working groups to assist NAFTA Automotive Standards Council.

SUMMARY: The Automotive Standards Council, a subcommittee under the Committee on Standards Related Measures established by the North American Free Trade Agreement, has decided to establish working groups to assist it in facilitating the attainment of compatibility among, and review the implementation of, national standards-related measures of Canada, Mexico, and the United States that apply to automotive goods. This notice identifies the United States government co-chairs for each of the four working groups the United States will establish. This notice also solicits interested persons from outside the government to serve on the four working groups.

DATES: Requests for membership must be received not later than July 5, 1996.

ADDRESSES: Requests for membership should be submitted to the government co-chair for the appropriate working group indicated below.

FOR FURTHER INFORMATION CONTACT: For the Working Group on Emissions/Engines/Fuels: Mr. Thomas M. Baines, Senior Technical Advisor, U.S. Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, MI 48105.

Mr. Baines can be reached by fax at (313) 741-7816.

For the Working Group on Light Vehicle Safety Standards: Mr. Stephen R. Kratzke, Chief, Planning and Review Division, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Mr. Kratzke can be reached by telephone at (202) 366-5203 or by fax at (202) 366-4329.

For the Working Group on Heavy Vehicle Safety Standards and the Working Group on Parts and Equipment: Mr. Clive Van Orden, Chief, Equipment and Imports Division, Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Mr. Van Orden can be reached by telephone at (202) 366-5311 or by fax at (202) 366-1024.

SUPPLEMENTARY INFORMATION: The North American Free Trade Agreement (NAFTA) is a trilateral trade agreement among the Governments of Canada, Mexico, and the United States. Article 913 of NAFTA establishes a Committee on Standards-Related Measures, comprising representatives of each of the three parties. Paragraph 5 of Article 913 requires the Committee on Standards-Related Measures to establish four subcommittees, one of which is the Automotive Standards Council. The purpose of the Automotive Standards Council is "to the extent practicable, to facilitate the attainment of compatibility among, and review the implementation of, national standards-related measures of the [three Nations] that apply to automotive goods, and to address other related matters." See NAFTA Annex 913.5.a-3. The NAFTA includes non-road engines as well. Thus, the term "automotive," as used in this notice, includes non-road engines.

Annex 913.5.a-3.3 gives the Automotive Standards Council authority to establish consultation procedures and appropriate operational mechanisms. At the initial meeting of the Automotive Standards Council in Ottawa, the representatives of the three governments agreed to solicit input from interested parties in their respective countries to identify incompatibilities that have created, or could create, needless barriers to trade. Pursuant to this agreement, NHTSA published a notice asking the public for comments about regulatory incompatibilities and barriers to trade on December 23, 1994 (59 FR 66402).

At the second meeting in Mexico City, each of the three Nations reported on the inputs from their respective

countries. The Automotive Standards Council concluded that it should seek help from outside the governments to complete the task of eliminating needless barriers to trade caused by incompatibilities in automotive-related standards and regulations among the three countries. These outside parties may be in the best position to judge the extent to which an incompatibility constitutes a barrier to trade. In addition, many parties outside the governments had asked that the Council try to involve the public to a greater extent in the Council's activities.

At the third meeting in Washington, D.C. on April 30–May 1, 1996, the Council agreed to establish working groups to assist it. Based on the public comments identifying what are believed to be incompatibilities and experience in regulating motor vehicles, the Council will form working groups to address four different areas. These would be:

- Emissions/Engines/Fuels
- Light Vehicle Safety Standards
- Heavy Vehicle Safety Standards, and
- Parts and Equipment (both original equipment and replacement)

The Council also agreed on Terms of Reference to provide an outline for how the working groups will function. The complete text of the Terms of Reference follows this notice as an appendix.

The United States has decided to establish four working groups, one in each of these areas. The United States has also identified the following government co-chairs for each of the four working groups:

- Mr. Thomas M. Baines (Emissions/Engines/Fuels)
- Mr. Stephen R. Kratzke (Light Vehicle Safety Standards)
- Mr. Clive Van Orden (Heavy Vehicles Safety Standards and Parts and Equipment).

The United States is now soliciting interested parties from outside the government to participate in the four working groups. Interested parties should write or fax the government co-chair for the working group(s) they would like to participate in by July 5, 1996. The government co-chair will then contact all respondents to announce the time and place for an organizational meeting for each working group. At the initial meeting, each working group will decide upon the internal procedures it wants to follow and select a co-chair from outside the government.

Issued on May 30, 1996.

Francis J. Turpin,
*Director, Office of International
Harmonization.*

Appendix—Terms of Reference for Working Groups Under The NAFTA Automotive Standards Council

Objectives

The Automotive Standards Council ("the Council") has agreed under Annex 913.5.a-3.3 of the North American Free Trade Agreement to establish working groups of interested persons to pursue the following objectives:

- Facilitate the attainment of compatibility among, and review the implementation of, national standards-related measures of the Parties that apply to automotive goods; and
- Suggest recommendations the Council could make that would facilitate the attainment of such compatibility.

Structure of Working Groups

a. Subject Areas To Be Addressed by Working Groups

1. The Council will initially address four areas by means of working groups in the Parties. These four areas are:

- i. Emissions/Engines/Fuels
- ii. Light Vehicle Safety Standards
- iii. Heavy Vehicle Safety Standards and
- iv. Parts and Equipment (both Original Equipment and Replacement)

2. The Council may specify additional areas to be addressed by working groups, as needed.

b. General Structure of Working Groups

1. Each Party will establish one or more working groups to address these four areas.

2. Each working group will be co-chaired by a representative of the government and a person not employed by the government. The government co-chair will serve as a liaison between the Council and the working group.

3. Members of the working groups not employed by the government will not be compensated by the government for their work on the working groups.

4. Each Party may use whatever procedures it deems appropriate to decide the membership of its working groups.

c. General Responsibilities of Working Groups

1. The working groups will have the primary responsibility for identifying incompatibilities among the national standards-related measures of the Parties that apply to automotive goods, providing an assessment of the extent to which such incompatibilities represent a barrier to trade, and for offering suggestions to the Council about ways to remove those incompatibilities.

2. Each working group will be responsible for informing other working groups, including the counterpart working groups in the other Parties and other working groups established by the same Party, of its planned and current activities. The Council will be responsible for ensuring that information it receives from any working group is passed on to all other working groups through the government co-chairs.

3. Each working group shall report annually on its activities to the Council. Such reports shall briefly indicate the activities in which the working group has been engaged for the preceding year and the activities the working group plans for the upcoming year, any priorities on which the working group has agreed, and provide a status report on the current projects of the working group.

4. Each working group may develop its own internal rules and priorities consistent with the objectives set forth in these Terms of Reference.

5. Working groups may hold trilateral meetings with the working groups in the other Parties if deemed necessary.

d. Working Group Presentations to the Council

1. The Council will give the working groups as much notice as possible of upcoming Council meetings to allow the working groups to request some time on the agenda to make presentations to the full Council.

2. Before any working group asks to make a presentation to the full Council, it must coordinate the presentation with the appropriate working groups in the other Parties. For the purposes of this document, "coordinate" means the working group must inform the appropriate working groups in other Parties of the planned presentation and discuss the presentation with those other working groups. For instance, if the Canadian working group addressing Light Vehicle Safety Standards wants to make a presentation to the Council, it must first inform the working groups addressing Light Vehicle Safety Standards in Mexico and the United States of the presentation and discuss it with those working groups. Working groups will, to the maximum extent possible, make a single presentation that represents the views of the appropriate working groups in all Parties, including a statement of any differing views. This requirement does not mean that the working groups in the other Parties must agree to the presentation before the Council will hear it. Instead, it means that the working groups in the other Parties must be fully informed of the details of the presentation and the intention to present it to the full Council.

3. The Council encourages working groups to make joint presentations when possible. Nongovernment representatives of the presenting working group or groups would be permitted to present the suggestions to a meeting of the full Council.

4. As soon as possible after the Council completes its internal consideration of the presentation, the Council will inform the presenters of the Council's decision on the working group recommendations to the Council.

Amendments

These terms of reference may be amended at any time with the unanimous consent of all Parties.

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