

- The reason for each comment.

You may mail, deliver, fax, or electronically submit your comments and related material to the Docket Management Facility, using an address or fax number listed in **ADDRESSES**. Please do not submit the same comment or material more than once. If you mail or deliver your comments and material, they must be on 8½-by-11-inch paper, and the quality of the copy should be clear enough for copying and scanning. If you mail your comments and material and would like to know whether the Docket Management Facility received them, please enclose a stamped, self-addressed postcard or envelope. The Coast Guard will consider all comments and material received during the 60-day comment period.

Once we have considered all comments and related material, we will publish a final version of the national performance measures for use as guidelines by the general public. Individuals and institutions assessing the competence of mariners may refine the final version of these measures and develop innovative alternatives. If you vary from the final version of these measures, however, you must submit your alternative to the National Maritime Center for approval by the Coast Guard under 46 CFR 10.303(e) before you use it as part of an approved course or training program.

Dated: April 26, 2000.

**J.P. High,**

*Acting Assistant Commandant for Marine Safety and Environmental Protection.*

[FR Doc. 00-10946 Filed 5-2-00; 8:45 am]

**BILLING CODE 4910-15-U**

## Department of Transportation

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-7163; Notice 1]

#### Evenflo Company, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

Evenflo Company, Inc. of Vandalia, Ohio, has determined that 678,404 child restraint systems fail to comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Evenflo has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgement concerning the merits of the application.

FMVSS No. 213, S5.5.2(j), requires each child restraint system equipped with an anchorage strap to include the following statement on a permanent label:

Secure the top anchorage strap provided with this child restraint as specified in the manufacturer's instructions.

Evenflo has determined that certain child restraints it manufactured have been shipped without the label required by S5.5.2(j). The child restraints containing the noncompliance are Ultara (model numbers 234, 235, 236, 237, 238, and 239), Champion (model numbers 247 and 249), Medallion (model numbers 254 and 259), Horizon (model numbers 420, 425, and 426), and Conquest (model numbers 428 and 429) child restraints equipped with tether straps that were manufactured between 1998 and 2000, and shipped before February 14, 2000. A total of 648,739 units are in noncompliance.

Evenflo supports its application for inconsequential noncompliance with the following:

On February 11, 2000, Evenflo personnel were reviewing the **Federal Register** and came upon Kolcraft Enterprises, Inc.'s Receipt of Application for Decision of Inconsequential Noncompliance, Docket No. NHTSA-2000-6729; Notice 1. Upon reading the request, we initiated a review of our tethered child restraint systems for the NHTSA requirement and discovered the noncompliance.

Similar to Kolcraft, Evenflo inadvertently overlooked this provision when redesigning our restraints to include tether anchorage straps. Evenflo relied on the changes in the March 5, 1999 final rule to identify the changed performance requirements. Because S5.5.2(j) was already in the standard, and not changed by the March 5, 1999 final rule, the labeling requirement was overlooked by Evenflo.

Evenflo initiated the necessary changes, and all units produced on and after February 15, 2000 are conforming to the standard. Existing stock is being reworked to include the label. As previously stated the restraints do comply with all performance requirements of FMVSS 213.

In the instruction book attached to each restraint system are clear instructions on how to properly install the top anchorage strap, tether, with

warning about improper installation. There already is one warning label stating "Warning! Failure to follow each of the instructions can result in your child striking the vehicle's interior during a sudden stop or crash..." on the units that refer the consumer to the instruction booklet and instructions for proper use along with the tether instructions.

Under Section 30118(d) of the Safety Act, the Secretary may exempt manufacturers from the Act's notification and remedy requirements when the Secretary determines that the noncompliance is inconsequential as it relates to motor vehicle safety. Evenflo believes that the noncompliance here should be found to be inconsequential because the product meets and exceeds FMVSS 213 performance regulations, there is a label on the unit referring consumers to the instructions for proper use, and the instructions provide a clear process for proper installation of the tether and warnings about improper installation.

Evenflo does not question the value of notifying consumers to check the instruction manual. Given the circumstances: a label exists referring the consumer to the instruction where the substance of the notification has been achieved, the label is located on the product where a consumer is likely to see it, a complete set of installation instructions with appropriate warnings accompanies each child restraint, and the product meets or exceeds all performance requirements, the noncompliance does not present a consequential risk to motor vehicle safety. Evenflo respectfully requests that NHTSA grant its petition for exemption.

Evenflo subsequently filed a supplement to its original petition for inconsequential noncompliance, identifying an additional 29,665 convertible child restraints with tethers it manufactured this year which do not comply with the labeling requirement of FMVSS No. 213, S5.5.3. FMVSS No. 213, S5.5.3, requires that "the information specified in S5.5.2(g) through (k) shall be located on the add-on child restraint system so that it is visible when the system is installed as specified in S5.6.1." Evenflo notes that the affected child restraint systems do contain the necessary labeling specified in S5.5.2(j), however, the labeling may not be in a location which is visible after installation of the child restraint systems into the vehicle. The child restraints containing the noncompliance are Ultara (model numbers 235, 236, and 238), Champion (model numbers 247 and 249), Horizon (model numbers

425 and 426) and Conquest (model numbers 428 and 429) manufactured between February 14 and March 2, 2000.

Interested persons are invited to submit written data, views, and arguments on the application of Evenflo described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested, but not required, that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

*Comment closing date:* June 2, 2000. (49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: April 27, 2000.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-11047 Filed 5-2-00; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Open Meeting of the Community Development Advisory Board

**AGENCY:** Community Development Financial Institutions Fund, Department of the Treasury.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces the next meeting of the Community Development Advisory Board which provides advice to the Director of the Community Development Financial Institutions Fund.

**DATES:** The next meeting of the Community Development Advisory Board will be held on Thursday, May 18, 2000 at 10:00 a.m.

**ADDRESSES:** The Community Development Advisory Board meeting will be held at the Treasury Executive Institute, 1255 22nd Street, NW., Suite 500, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** The Community Development Financial Institutions Fund (the Fund), U.S. Department of Treasury, 601 13th Street,

NW., Suite 200 South, Washington, DC, 20005, (202) 622-8662 (this is not a toll free number). Other information regarding the Fund and its programs may be obtained through the Fund's website at <http://www.treas.gov/cdfi>.

**SUPPLEMENTARY INFORMATION:** Section 104(d) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(d)) established the Community Development Advisory Board (the "Advisory Board"). The charter for the Advisory Board has been filed in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and with the approval of the Secretary of the Treasury.

The function of the Advisory Board is to advise the Director of the Fund (who has been delegated the authority to administer the Fund) on the policies regarding the activities of the Fund. The Fund is a wholly owned corporation within the Department of the Treasury. The Advisory Board shall not advise the Fund on the granting or denial of any particular application for monetary or non-monetary awards. The Advisory Board shall meet at least annually.

It has been determined that this document is not a major rule as defined in Executive Order 12291 and therefore regulatory impact analysis is not required. In addition, this document does not constitute a rule subject to the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

The next meeting of the Advisory Board, all of which will be open to the public, will be held at the Treasury Executive Institute, located at 1255 22nd Street, NW., Suite 500, Washington, DC, on Thursday, May 18, 2000 at 10:00 a.m. The room will accommodate 30 members of the public. Seats are available on a first-come, first-served basis. Participation in the discussions at the meeting will be limited to Advisory Board members and Department of the Treasury staff. Anyone who would like to have the Advisory Board consider a written statement must submit it to the Fund, at the address of the Fund specified above in the For Further Information Contact section, by 4:00 p.m., Monday, May 15, 2000.

The meeting will include a report from Director Lazar on the activities of the CDFI Fund since the last Advisory Board meeting, including programmatic, fiscal and legislative initiatives for the years 2000 and 2001.

**Authority:** 12 U.S.C. 4703; Chapter X, Pub. L. 104-19, 109 Stat. 237.

Dated: April 28, 2000.

**Ellen Lazar,**

*Director, Community Development Financial Institutions Fund.*

[FR Doc. 00-11065 Filed 5-2-00; 8:45 am]

**BILLING CODE 4810-70-P**

## DEPARTMENT OF THE TREASURY

### Customs Service

#### Proposed Collection; Comment Request; Declaration for Free Entry of Unaccompanied Articles

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

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, Customs invites the general public and other Federal agencies to comment on an information collection requirement concerning the Declaration for Free Entry of Unaccompanied Articles. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before July 3, 2000, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs Service, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs Service, Attn.: J. Edgar Nichols, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1426.

**SUPPLEMENTARY INFORMATION:** Customs invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide