

Burden: 1,600 hours.
Number of Respondents: 400.
Avg Hours Per Response: 4 hours.
Needs and Uses: The Government requires data from the BE-48, Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons, to obtain accurate and up-to-date information on insurance transactions between U.S. insurance companies or groups and foreign persons. It will use the data collected in monitoring U.S. exports and imports of insurance services, analyzing their impact on the U.S. and foreign economies, compiling the balance of payments, national income and product, and input-output accounts of the United States, supporting U.S. international trade policy on insurance services, assessing U.S. competitiveness in international trade in services, and improving the ability of U.S. businesses to identify and evaluate market opportunities. For example, the Uruguay round of multilateral trade negotiations produced an agreement, the General Agreement on Trade in Services (GATS), that will liberalize market access rules and promote more equal treatment of U.S. insurance firms. More recently, additional negotiations were completed pertaining specifically to financial services (including insurance services), resulting in the World Trade Organization Financial Services Agreement. The BE-48 data will help measure gains, by individual foreign country, obtained in insurance services under the GATS. Similar needs arise with respect to the North American Free Trade Agreement among the United States, Canada, and Mexico. Finally, the Government needs the data to help gauge the effects of foreign economic developments, such as the recent Asian financial crisis, on U.S. business interests abroad.

Affected Public: U.S. insurance companies or groups engaging in reinsurance or other insurance transactions with foreign persons.

Frequency: Annual.

Respondent's Obligation: Mandatory.

Legal Authority: Title 22 U.S.C., Sections 3101-3108, as amended.

OMB Desk Officer: Paul Bugg, (202) 395-3093.

You may obtain copies of the above information collection proposal by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce, Room 5327, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Send comments on the proposed information collection within 30 days of

publication of this notice to Paul Bugg, OMB Desk Officer, Room 10201, New Executive Office Building, Washington, DC 20503.

Dated: October 1, 1998.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 98-26847 Filed 10-6-98; 8:45 am]

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DEPARTMENT OF COMMERCE

Office of the Secretary

[Docket Number: 980929249-8249-01]

RIN 0690-XX05

Fastener Quality Act; Statutorily Required Study

AGENCY: United States Department of Commerce.

ACTION: Notice of inquiry; request for comments.

SUMMARY: On August 14, 1998, President Clinton signed Public Law 105-234. This law amended the Fastener Quality Act (FQA) by creating an exemption for certain aircraft fasteners. The new law also requires the Secretary of Commerce to submit to Congress a report on: (1) Changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act; (2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and (3) any changes in that Act that may be warranted because of the changes reported under paragraphs (1) and (2). This notice solicits public comments on the issues raised by the Secretary's reporting requirement.

DATES: Comments must be received no later than November 6, 1998.

ADDRESSES: Comments must be submitted to: Dr. James E. Hill; Chief, Building Environment Division; Building and Fire Research Laboratory; National Institute of Standards and Technology; Building 226, Room B-306; Gaithersburg, MD 20899. Comments may also be submitted by e-mail to: fqastudy@nist.gov.

FOR FURTHER INFORMATION CONTACT: Dr. James Hill; Telephone: 301-975-5851; E-mail: james.hill@nist.gov. The Fastener Quality Act and the existing implementing regulations can be viewed at NIST's FQA website: <http://www.nist.gov/fqa/fqa.htm>.

SUPPLEMENTARY INFORMATION:

Background

The Fastener Quality Act, 15 U.S.C. 5401 *et seq.*, (the Act) strives to protect public safety by: (1) Requiring that certain fasteners which are sold in commerce conform to the specifications to which they are represented to be manufactured; (2) providing for accreditation of laboratories engaged in fastener testing; and (3) requiring inspection, testing and certification, in accordance with standardized methods, of fasteners covered by the Act.

The Secretary of Commerce, acting through the Director of NIST, published final regulations implementing the Act on September 26, 1996, See 15 CFR 280. Those regulations established procedures under which: (1) Laboratories in compliance with the Act may be listed; (2) laboratories may apply to NIST for accreditation; (3) private laboratory accreditation entities (bodies) may apply to NIST for approval to accredit laboratories; and (4) foreign laboratories accredited by their governments or by organizations recognized by the NIST Director can be deemed to satisfy the laboratory accreditation requirements of the Act. The regulation also established, within the Patent and Trademark Office (PTO), a recordation system to identify the manufacturers or distributors of covered fasteners to ensure that the fasteners may be traced to their manufacturers or private label distributors. In addition, the regulations contained provisions on testing and certification of fasteners, sale of fasteners subsequent to manufacture, recordkeeping, applicability of the Act, enforcement, civil penalties, and hearing and appeal procedures. Those regulations became effective on November 25, 1996, and were to apply to fasteners manufactured on or after May 27, 1997, the "implementation date".

On April 18, 1997, NIST announced a one year extension of the implementation date of the regulations because there were an insufficient number of accredited laboratories to conduct the volume of inspection and testing required by the Act. During the one year extension, NIST proposed amendments, received public comments, and published amendments to the September 1996 rule that became effective as a final rule on May 14, 1998. This final rule established the procedures for registration of in-process inspection activities of qualifying manufacturing facilities that use Quality Assurance Systems (QAS), revised definitions and related sections for clarity, and corrected editorial errors. In addition, it extended the

implementation date by sixty days, to July 26, 1998.

On June 30, 1998, NIST announced that an insufficient number of laboratories would be accredited by July 26, 1998 to perform the volume of inspection and testing required by the Act and extended the implementation date to October 25, 1998.

On August 14, 1998, President Clinton signed Public Law 105-234. This law amends the Fastener Quality Act by creating an exemption for certain aircraft fasteners. The law also delays the effect of the regulations until the later of June 1, 1999 or 120 days after the Secretary of Commerce submits to Congress a report on: (1) changes in fastener manufacturing processes that have occurred since the enactment of the fastener Quality Act; (2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and (3) any changes in that Act that may be warranted because of the changes reported under paragraphs (1) and (2). The law requires the Secretary to submit this report by February 1, 1999.

To provide Congress a comprehensive report on these issues, the Secretary seeks comments from impacted industries including, but not limited to, the auto industry fastener manufacturers, and federal agencies involved in the investigations that led to the passage of the Act in 1990, and from any other interested parties.

Request for Public Comment

The Secretary requests information on how fastener manufacturing processes have changed since the enactment of the Fastener Quality Act and on other regulatory programs that regulate the various categories of fasteners. The Secretary has identified the following topics on which he particularly requests public comments:

1. Basis of the Act.

When the Act was passed in 1990, the Congress based it on the following findings:

- The American economy uses billions of fasteners each year,
- Millions of mismarked, substandard, counterfeit, and other nonconforming fasteners have been sold in commerce to end-users in the United States, and their use has dramatically increased the risk of equipment and infrastructure failures,
- Both the military and civilian sectors of the economy have encountered unnecessary, unwarranted, and dangerous equipment and

construction failures, as well as extraordinary expenses, as a result of the use of nonconforming fasteners,

- The purchase and use of nonconforming fasteners stem from material misrepresentations about such fasteners made by certain manufacturers, importers, and distributors engaged in commerce,
- Current fastener standards of measurement evaluate bolts and other fasteners according to multiple criteria, including strength, hardness and composition, and provide grade identification markings on fasteners to make the characteristics of individual fasteners clear to purchasers and users,
- Current tests required by consensus standards, designed to ensure that fasteners are of standard measure, are adequate and appropriate for use as standards in a program of high strength fastener testing.
- The lack of traceability of fasteners sold in commerce is a serious impediment to effective quality control efforts, and
- The Health and safety of Americans is threatened by the widespread sale in commerce of mismarked, substandard, and counterfeit fasteners, a practice which also harms American manufacturers, importers and distributors of safe and conforming fasteners, and workers in the American fastener industry.

Are these findings still valid? If not, how have they changed and why?

Are these findings still valid? If not, how have they changed and why?

2. Coverage of the Act

The Act defines the fasteners to be covered in Section 3.(5); a screw, nut, bolt, or stud having internal or external threads or a load-indicating washer; with a nominal diameter of 5 millimeters (1/4 inch) or greater; and which contains any quantity of metal; and which is held out to meet a standard or specification which requires through-hardening; or which bears as ASTM A 307 Grade A or produced in accordance with ASTM F 432 are exempt.

Based on changes in fastener manufacturing processes that have occurred since 1990 and other existing regulatory programs covering various categories of fasteners, is this definition appropriate? If not, what changes in coverage are appropriate for the Act and why?

3. Testing and Certification

The Act requires samples of specific size, selection, and integrity to be inspected and tested by an accredited laboratory. The laboratory must issue a report to the manufacturer at the conclusion of the tests. The report must bear the original signature of a

laboratory employee responsible for the accuracy of the report.

Are there aspects of current manufacturing technology where sampling, testing, and issuing a laboratory report with an original signature is not feasible? If so, why? What alternate methods are more appropriate for testing, sampling, and reporting compliance to standards and specifications?

4. Sale of Fasteners

The Act requires fasteners of foreign origin to be accompanied by a manufacturer's certificate and an original laboratory report when purchased and imported.

Is this process appropriate? If not, please provide a description and explanation of an appropriate process for handling fasteners of foreign origin?

5. Record Keeping

The Act requires laboratories to retain all records concerning inspection, testing, and certification for 5 years.

Are the Act's recordkeeping and reporting requirements appropriate? If not, what information should be required to be maintained in order to assess compliance? For what period of time should any reporting or recordkeeping requirement be maintained?

Persons interested in commenting on the issues outlined above, or any other topics related to the FQA, should submit their comments in writing to the above address. All comments received in response to this notice will become part of the public record and will be available for inspection and copying at the Department of Commerce Central Reference and Records Inspection facility, room 6228, Hoover Building, Washington, DC 20230.

Authority: Pub. L. No. 105-234.

Dated: October 1, 1998.

Andrew J. Pincus,

General Counsel.

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

Sensors and Instrumentation Technical Advisory Committee; Notice of Partially Closed Meeting

The Department of Commerce will hold a meeting of the Sensors and Instrumentation Technical Advisory Committee on October 20, 1998, 9:00 a.m., in the Herbert C. Hoover Building, Room 1617M-2, 14th Street between