development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4).

**VIII. Submission to Congress and the Comptroller General**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 10, 2000.

**James Jones,**

*Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

## PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), (346a) and 371.

2. In § 180.482, by alphabetically adding the following entries to the table in paragraph (a)(1) to read as follows.

**§ 180.482 Tebufenozide; tolerances for residues.**

* * * * *

(a) *General.* (1) ***

| Commodity | Parts per million |
|---|---|
| * * * * | * |
| Almond hulls | 25 |
| * * * * | * |
| Tree nut crop group including pistachios | 0.1 |
| * * * * | * |

[FR Doc. 00–13071 Filed 5–23–00; 8:45 am]

BILLING CODE 6560–50–F

## FEDERAL MARITIME COMMISSION

## 46 CFR Part 515, 545

**[Docket No. 00–06]**

## Interpretations and Statements of Policy Regarding Ocean Transportation Intermediaries

**AGENCY:** Federal Maritime Commission.

**ACTION:** Interpretive rule.

**SUMMARY:** The Federal Maritime Commission amends its regulations for interpretive statements of policy to interpret a section of its regulations regarding ocean transportation intermediaries to clarify the claim settlement procedures.

**DATES:** This rule is effective June 23, 2000.

**FOR FURTHER INFORMATION CONTACT:** Thomas Panebianco, General Counsel, Federal Maritime Commission, 800 North Capitol St. NW, Room 1018, Washington, DC 20573–0001; (202) 523–5740.

**SUPPLEMENTARY INFORMATION:** On March 8, 1999, the Federal Maritime Commission published a final rule and interim final rule to add new regulations at 46 CFR part 515 to implement changes made by the Ocean Shipping Reform Act of 1998 (''OSRA''), Public Law 105–258, 112 Stat. 1902, to the Shipping Act of 1984 (''Shipping Act''), 46 U.S.C. app. 1701 *et seq.*, relating to ocean transportation intermediaries (''OTIs''). 64 FR 11156–11183. Section 515.23(b) sets forth the claim settlement procedure for claimants seeking to pursue a claim against an OTI. The Interpretive Rule seeks to clarify the Commission's intention with respect to this procedure, as there have been reported misunderstandings in the industry as to the responsibilities inherent in this requirement.

Section 515.23(b)(1) sets forth the claim settlement procedures and provides, in part, that:

If a party does not file a complaint with the Commission pursuant to section 11 of the Act, but otherwise seeks to pursue a claim against an ocean transportation intermediary bond, insurance or other surety for damages arising from its transportation-related activities, it shall attempt to resolve its claim with the financial responsibility provider prior to seeking payment on any judgment for damages obtained.

It is the Commission's intention that a claimant seeking to settle a claim in accordance with this section should promptly provide to the financial responsibility provider all documents and information relating to and supporting its claim for the purpose of evaluating the validity and subject matter of the claim. The information relevant to the claim settlement procedure includes documents such as bills of lading, as well as the existence of pending court claims or judgments obtained.

In addition, the financial responsibility provider is allowed to evaluate the validity of the claim during the settlement process in § 515.23(b)(1). However, if the parties do not reach a settlement of the claim, the financial responsibility provider, in accordance with section 19 of the Shipping Act, 46 U.S.C. app. 1718 (1999), and 46 CFR 515.23(b)(2), must pay on a final judgment and may only inquire into the extent that the damages claimed arise from the transportation-related activities of the OTI, under section 3(17) of the Shipping Act, 46 U.S.C. app. 1702(17).

Furthermore, if settlement of the claim is not reached, the financial responsibility provider may not unilaterally reduce the amount awarded in a final court judgment; Congress has determined that, at that point, a financial responsibility provider must pay on a final judgment for damages arising from the transportation-related activities of the OTI, and the Commission cannot nullify that statutory requirement. However, the financial responsibility provider and the claimant are not precluded from mutually agreeing to compromise the amount awarded in a final judgment. In the event that the financial responsibility provider believes that a judgment against its OTI bond principal was obtained fraudulently, or that the claim underlying the judgment is itself fraudulent, the financial responsibility provider is not precluded from challenging a judgment if permitted in the jurisdiction where it was obtained.

**Relevant Federal Rules That May Duplicate, Overlap, or Conflict With the New Rule.**

The Commission is not aware of any other federal rules that duplicate, overlap, or conflict with the final rulemaking.

**List of Subjects**

*46 CFR Part 515*

Exports, Freight, Freight forwarders, Maritime carriers, Non-vessel-operating common carriers, Ocean transportation intermediaries, Licensing requirements, Financial responsibility requirements, Reporting and recordkeeping requirements.

*46 CFR Part 545*

Antitrust, Exports, Freight forwarders, Maritime carriers, Non-vessel-operating common carriers, Ocean transportation intermediaries, Licensing requirements, Financial responsibility requirements, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Federal Maritime Commission amends 46 CFR chapter IV, subchapter B, as set forth below:

## PART 515—LICENSING, FINANCIAL RESPONSIBILITY REQUIREMENTS, AND GENERAL DUTIES FOR OCEAN TRANSPORTATION INTERMEDIARIES

1. The authority citation for part 515 continues to read as follows:

**Authority:** 5 U.S.C. 553, 31 U.S.C. 9701; 46 U.S.C. app. 1702, 1707, 1709, 1710, 1712, 1714, 1716, and 1718; Pub. L. 105–383, 112 Stat. 3411; 21 U.S.C. 862.

2. In § 515.23, revise the introductory text to read as follows:

**§ 515.23 Claims against an ocean transportation intermediary.**

The Commission or another party may seek payment from the bond, insurance, or other surety that is obtained by an ocean transportation intermediary pursuant to this section. (*See also* § 545.3 of this chapter.)

* * * * *

## PART 545—INTERPRETATIONS AND STATEMENTS OF POLICY

1. The authority citation for part 545 is revised to read as follows:

**Authority:** 5 U.S.C. 553; 46 U.S.C. app. 1706, 1707, 1709, 1716, and 1718; Pub. L. 105–383, 112 Stat. 3411; 46 CFR 515.23.

2. Add § 545.3 to read as follows:

**§ 545.3 Interpretation of § 515.23(b) of this chapter—Payment pursuant to a claim against an ocean transportation intermediary.**

A claimant seeking to settle a claim in accordance with § 515.23(b)(1) of this chapter should promptly provide to the financial responsibility provider all documents and information relating to and supporting its claim for the purpose of evaluating the validity and subject matter of the claim.

By the Commission.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 00–13088 Filed 5–23–00; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

## 47 CFR Parts 51 and 54

**[CC Docket No. 95–20, FCC 99–387]**

## Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; Clarification

**AGENCY:** Federal Communications Commission.

**ACTION:** Clarification of final rule.

**SUMMARY:** This document grants in part and denies in part a petition to reconsider the Commission's Computer III Remand Order, stating that the Bell Operating Companies (BOCs) should no longer be required to file service-specific Comparably Efficient Interconnection (CEI) plans for information services that are offered on an integrated basis through the regulated entity and obtain approval of those plans prior to initiating or altering their intraLATA information services. This document clarifies that BOCs are obligated to post on their websites a complete copy of all their CEI plans.

**EFFECTIVE DATE:** May 24, 2000.

**FOR FURTHER INFORMATION CONTACT:** Ann Stevens, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–1580. Further information may also be obtained by calling the Common Carrier Bureau's TTY number: 202–418–0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order adopted December 9, 1999, and released December 17, 1999. The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Room CY–A257, Washington, DC. The complete text also may be obtained through the World Wide Web, at *http://www.fcc.gov/Bureaus/CommonCarrier/ Orders/fcc99–387.wp,* or may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

**Regulatory Flexibility Certification**

Bell Atlantic and SBC submitted comments on July 12, 1999 and CIX and BellSouth Corporation filed replies to the comments to the Commission's request for comment on its certification. In this present Order , the Commission promulgates no additional final rules, and our action does not affect the previous analysis.

**Synopsis of Order on Reconsideration**

1. In this Order, we address a petition for reconsideration or clarification of the Computer III Remand Order, CC Docket No. 95–20, FCC 99–387, filed by Commercial Internet eXchange Association (CIX).

2. The Commission concluded in that order that although the BOCs must continue to comply with their CEI obligations, they should no longer be required to file or obtain pre-approval of CEI plans and plan amendments before initiating or altering their intraLATA information services. Instead, we required the BOCs to ''post on their publicly accessible Internet page, linked to and searchable from the BOCs main Internet page, their CEI plan for any new or altered intraLATA information service offering, and to notify the Common Carrier Bureau upon such posting.

3. CIX filed a petition for reconsideration or clarification of two aspects of two aspects of the Computer III Report and Order, 64 FR 14141 (3/24/99). CIX first asks that the Commission establish that incumbent LECs must disclose in advance and via their web sites the planned deployment of digital subscriber line access multiplexers (DSLAMs) on a wire-center basis, and provide adequate prior notice on the status of line conditioning for a given customer or group of customers. Information on the deployment of broadband telecommunications, CIX continues, should be available to all competing information services providers (ISPs), and should not be used as a means to favor the incumbent's affiliated ISP. CIX also asks that the Commission clarify that the BOCs are obligated to post a complete copy of all their CEI plans on their websites, so that all ISPs have ready information available concerning interconnection with the BOC's ''last mile'' network.