statements will impair an auditor's independence from that client. Rule 2–01(c)(4)(i)(B)(1), however, permits such bookkeeping services ''in emergency or other unusual situations, provided the accountant does not undertake any managerial actions or make any managerial decisions.''

The Commission believes that the events of September 11, 2001, clearly meet the definition of an unusual situation and an emergency situation for those companies that have been directly affected by the destruction of the World Trade Center and damage to surrounding buildings.

Accordingly, this event qualifies as an ''emergency or other unusual situation'' under Rule 2–01(c)(4)(i)(B)(1) of the bookkeeping rule and, provided that the accounting firm does not undertake managerial actions or decisions, an accounting firm's independence will not be deemed to be impaired where a firm is providing bookkeeping services to those entities directly affected by the destruction of the World Trade Center and damage to surrounding buildings. The Commission understands that in this unique situation an auditor may be best suited, because of its knowledge of its client's financial systems, to participate in the recovery process and facilitate a timely, effective and efficient revitalization of its clients' records and systems. Services under this exception may continue until the client's host or destroyed records are reconstructed and its financial systems are fully operational, and the client can effect an orderly and efficient transition to management or other service providers.

List of Subjects in 17 CFR Part 211

Securities.

Amendments to the Code of Federal Regulations

For the reasons set forth in the release, we are amending title 17, chapter II of the Code of Federal Regulations as follows:

PART 211—INTERPRETATIONS RELATING TO FINANCIAL REPORTING MATTERS

1. Part 211, subpart A, is amended by adding Release No. FR–57 and the release date of September 14, 2001 to the list of interpretive releases.

Dated: September 14, 2001.

By the Commission.

Jonathan G. Katz,

Secretary.

[FR Doc. 01–23434 Filed 9–19–01; 8:45 am]

BILLING CODE 8010–01–M

COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

28 CFR Part 810

[CSOSA–0002–I]

RIN 3225–AA00

Community Supervision: Administrative Sanctions Schedule

AGENCY: Court Services and Offender Supervision Agency for the District of Columbia.

ACTION: Interim rule.

SUMMARY: In this document, the Court Services and Offender Supervision Agency for the District of Columbia (''CSOSA'') is adopting interim regulations on administrative sanctions which may be imposed on offenders under CSOSA's supervision who violate the general or specific conditions of their release. The purpose of imposing sanctions is to enable CSOSA staff to respond as swiftly, certainly, and consistently as practicable to non-compliant behavior. Using sanctions will reduce the number of violation reports sent to the releasing authority (for example, the sentencing court or the United States Parole Commission). CSOSA staff will be able to refer offenders back to the releasing authority having demonstrated that CSOSA has exhausted the range of options at its disposal to change the offender's non-compliant behavior. The releasing authority may then concentrate on those referrals which fully merit scrutiny. The purpose of the regulations is to prevent crime, reduce recidivism, and support the fair administration of justice through the promotion of effective community supervision.

DATES: Effective September 20, 2001; comments must be submitted by November 19, 2001.

ADDRESSES: Office of the General Counsel, CSOSA, Room 1253, 633 Indiana Avenue, NW., Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Roy Nanovic, Records Manager (telephone (202) 220–5359; e-mail *roy.nanovic@csosa.gov*).

SUPPLEMENTARY INFORMATION: The Court Services and Offender Supervision Agency for the District Of Columbia (''CSOSA'') is adopting interim regulations on the imposition of administrative sanctions for offenders under CSOSA's supervision.

CSOSA is responsible for the supervision of adults on probation, parole, or supervised release in the District of Columbia. A critical factor in such supervision is the ability to introduce an accountability structure into the supervision process and to provide swift, certain, and consistent responses to non-compliant behavior. Under traditional procedures, when offenders under CSOSA supervision violate the general or specific conditions of their release, CSOSA staff must refer the matter to the releasing authority. In most cases, the releasing authority is the sentencing court (usually the Superior Court of the District of Columbia) or the United States Parole Commission (''USPC''). The releasing authority, however, may include any of the jurisdictions participating in the Interstate Compact. The referrals necessarily increase the workload for the releasing authority. The response and response time between a reported violation and a hearing is consequently uncertain.

Regulations issued by the USPC (*see* 28 CFR 2.85(a)(15)) authorize CSOSA's community supervision officers to impose graduated sanctions if a parolee has tested positive for illegal drugs or has committed any non-criminal violation of the conditions of parole. The USPC retains the authority to override an imposed sanction and issue a warrant or summons if it finds that the parolee is a risk to public safety or is not complying in good faith with the sanction. The Superior Court of the District of Columbia typically includes authorization for a program of graduated sanctions in connection with illicit drug use or other violation of conditions of probation as part of the offender's general conditions of probation. By issuing these interim regulations on the imposition of administrative sanctions, CSOSA intends to ensure the consistency, certainty, and timeliness of imposed sanctions for all offenders (parolees, probationers, and supervised releasees) under its supervision.

Under these interim regulations, CSOSA establishes a supervision level and minimum contact requirements for the individual offender (*see* § 810.1). CSOSA uses an accountability contract (*see* § 810.2) between the offender and CSOSA to define non-compliant behavior. The accountability contract outlines the expectations for behavior and the consequences (that is, the sanctions) for failing to comply. The sanctions present the community supervision officer with a range of corrective actions (*see* § 810.3) which can be applied short of court or USPC approval. The goal of these sanctions is to change offender behavior. Imposing the sanctions quickly and consistently

may prevent escalation of the offender's non-compliant behavior.

The accountability contract identifies a schedule for imposing sanctions which is keyed to the recurrence of violations. The accountability contract also provides for positive reinforcements for compliant behavior (*see* § 810.3(d)).

Administrative sanctions accordingly are a component of effective supervision. When CSOSA does make a referral to the court or to the USPC, it will be able to demonstrate that it has exhausted the range of options at its disposal with respect to the offender's non-compliant behavior or that the violation is so severe immediate action by the releasing authority may be necessary to revoke the offender's liberty in the community. The reduction in the number of referrals should benefit the court and the USPC. CSOSA believes that a supervisory program which emphasizes strict enforcement of the rules and which fosters a supportive relationship with the releasing authority will tend to have fewer problems with offender compliance. Fewer problems with offender compliance benefit both the community and the offender.

Matters of Regulatory Procedure

Administrative Procedure Act

CSOSA is issuing the rule as final without general notice of proposed rulemaking and without any delay in its effectiveness because of the anticipated benefits to the public safety of the community, relief to the courts and the USPC, and to offenders under supervision who may be at risk for continued non-compliant behavior. Any interested person, however, who wishes to submit comments on the rule may do so by writing or e-mailing the agency at the addresses given above in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** captions.

Executive Order 12866

This interim rule has been determined to be significant under Executive Order 12866 and has been reviewed the Office of Management and Budget (OMB).

Executive Order 13132

This rule will not 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. Therefore, in accordance with Executive Order 13132, the Director of CSOSA has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Director of CSOSA, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule and by approving it certifies that this rule will not have a significant economic impact upon a substantial number of small entities. This rule pertains to agency management, and its economic impact is limited to the agency's appropriated funds.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, the Director of CSOSA has determined that no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Plain Language Instructions

We want to make CSOSA's documents easy to read and understand. If you have suggestions on how to improve the clarity of these regulations, write, e-mail, or call CSOSA's Records Manager (Roy Nanovic) at the address or telephone number given above in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** captions.

List of Subjects in 28 CFR Part 810

Probation and Parole.

Jasper Ormond,

Interim Director.

Accordingly, we amend chapter VIII, Title 28 of the Code of Federal Regulations by adding a new part 810 as set forth below.

PART 810—COMMUNITY SUPERVISION: ADMINISTRATIVE SANCTIONS

Sec.
810.1 Supervision contact requirements.
810.2 Accountability contract.
810.3 Consequences of violating the conditions of supervision.

Authority: Pub. L. 105–33, 111 Stat. 712 (D.C. Code 24–1233(b)(2)(B)).

§ 810.1 Supervision contact requirements.

If you are an offender under supervision by the Court Services and Offender Supervision Agency for the District of Columbia (''CSOSA''), CSOSA will establish a supervision level for you and your minimum contact requirement (that is, the minimum frequency of face-to-face interactions between you and a Community Supervision Officer (''CSO'')).

§ 810.2 Accountability contract.

(a) Your CSO will instruct you to acknowledge your responsibilities and obligations of being under supervision (whether through probation, parole, or supervised release as granted by the releasing authority) by agreeing to an accountability contract with CSOSA.

(b) The CSO is responsible for monitoring your compliance with the conditions of supervision. The accountability contract identifies the following specific activities constituting substance abuse or non-criminal violations of your conditions of supervision.

(1) *Substance abuse violations.*

(i) Positive drug test.

(ii) Failure to report for drug testing.

(iii) Failure to appear for treatment sessions.

(iv) Failure to complete inpatient/outpatient treatment programming.

(2) *Non-criminal violations.*

(i) Failure to report to the CSO.

(ii) Leaving the judicial district without the permission of the court or the CSO.

(iii) Failure to work regularly or attend training and/or school.

(iv) Failure to notify the CSO of change of address and/or employment.

(v) Frequenting places where controlled substances are illegally sold, used, distributed, or administered.

(vi) Associating with persons engaged in criminal activity.

(vii) Associating with a person convicted of a felony without the permission of the CSO.

(viii) Failure to notify the CSO within 48 hours of being arrested or questioned by a law enforcement officer.

(ix) Entering into an agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court or the United States Parole Commission (''USPC'').

(x) Failure to adhere to any general or special condition of release.

(c) The accountability contract will identify a schedule of administrative

sanctions (*see* § 810.3(b)) which may be imposed for your first violation and for subsequent violations.

(d) The accountability contract will provide for a reduction in your supervision level and/or the removal of previously imposed sanctions if:

(1) You maintain compliance for at least ninety days,

(2) The Supervisory Community Supervision Officer concurs with this assessment, and

(3) There are no additional reasons unrelated to the imposed sanction requiring the higher supervision level.

§ 810.3 Consequences of violating the conditions of supervision.

(a) If your CSO has reason to believe that you are failing to abide by the general or specific conditions of release or you are engaging in criminal activity, you will be in violation of the conditions of your supervision. Your CSO may then impose administrative sanctions (see paragraph (b) of this section) and/or request a hearing by the releasing authority. This hearing may result in the revocation of your release or changes to the conditions of your release.

(b) Administrative sanctions available to the CSO include:

(1) Daily check-in with supervision for a specified period of time;

(2) Increased group activities for a specified period of time;

(3) Increased drug testing;

(4) Increased supervision contact requirements;

(5) Referral for substance abuse addiction or other specialized assessments;

(6) Electronic monitoring for a specified period of time;

(7) Community service for a specified number of hours;

(8) Placement in a residential sanctions facility or residential treatment facility for a specified period of time.

(9) Travel restrictions.

(c) You remain subject to further action by the releasing authority. For example, the USPC may override the imposition of any of the sanctions in paragraph (b) of this section and issue a warrant or summons if you are a parolee and it finds that you are a risk to the public safety or that you are not complying in good faith with the sanctions (*see* 28 CFR 2.85(a)(15)).

[FR Doc. 01–23410 Filed 9–19–01; 8:45 am]

BILLING CODE 3129–01–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

37 CFR Part 6

[Docket No. 010827218–1218–01]

RIN 0651–AB42

International Trademark Classification Changes

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule.

SUMMARY: The United States Patent and Trademark Office (Office) issues a final rule to incorporate classification changes adopted by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. These changes will become effective January 1, 2002, and will be listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (8th ed., 2001), which is published by the World Intellectual Property Organization (WIPO).

DATES: This final rule is effective January 1, 2002.

FOR FURTHER INFORMATION CONTACT: Jessie Marshall, Office of the Commissioner for Trademarks, by telephone at (703) 308–8910, ext. 148; by facsimile transmission addressed to her at (703) 308–9395; by e-mail addressed to her at *Jessie.Marshall@USPTO.gov;* or by mail marked to her attention and addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202–3513.

SUPPLEMENTARY INFORMATION:

Discussion of Specific Rules Changed or Added

The Office is revising § 6.1 to incorporate classification changes that will become effective January 1, 2002, as will be listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (8th ed., 2001), published by the World Intellectual Property Organization (WIPO).

These revisions have been incorporated into the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. As a signatory to the Nice Agreement, the United States adopts these revisions pursuant to Article 1.

The purpose of the Nice Classification is to group, to the fullest extent possible, like goods or services into a single class. Generally, the system is successful in achieving that purpose. However, over the years, it became apparent that Class 42 included many disparate services due to the inclusion of the language ''services that cannot be classified in other classes'' in the class title. This language allowed services as different as chemical research and horoscope casting to be included in the class. Therefore, after much study and discussion, the Committee of Experts for the Nice Agreement approved the restructuring of Class 42. The subsequent restructuring limited the scope of the services in Class 42, created three additional classes that accounted for services formerly grouped in Class 42, and excluded the language ''services that cannot be classified in other classes'' in any of the new or old service classes. The Committee of Experts found that the revision of Class 42 created an adequate number of well-defined classes so that this language was no longer necessary in the class headings or explanatory notes of the Nice Agreement.

Along with the creation of the new classes and their class headings, the Committee of Experts approved the following Explanatory Notes for each class to clarify the nature of the services encompassed by the class heading.

Class 42

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.

Explanatory Note

Class 42 includes mainly services provided by persons, individually or collectively, in relation to the theoretical and practical aspects of complex fields of activities; such services are provided by members of professions such as chemists, physicists, engineers, computer specialists, lawyers, etc.

This Class includes, in particular:

- The services of engineers who undertake evaluations, estimates, research and reports in the scientific and technological fields;
- Scientific research services for medical purposes.

This Class does not include, in particular:

- Business research and evaluations (Cl. 35);
- Word processing and computer file management services (Cl. 35);
- Financial and fiscal evaluations (Cl. 36);