§ 39.13 [Amended]

2. FAA amends § 39.13 by removing Amendment 39–12095 (66 FR 8507, February 1, 2001), and by adding the following new airworthiness directive (AD):

FEDERAL AVIATION ADMINISTRATION (FAA), DOCKET NO. 2001–SW–05-AD, SIKORSKY AIRCRAFT CORPORATION

[Subject: Model S–76A, S–76B, and S–76C Main Rotor Shaft Assembly]

(a) Comment Due Date	FAA must receive comments by April 16, 2001.
(b) Affected Documents	This AD supersedes AD 2000–23–52, Amendment 39–12095, Docket No. 2000–SW–61–AD.
(c) Applicability	Sikorsky Aircraft Corporation (Sikorsky) Model S–76A, S–76B, and S–76C helicopters with main rotor shaft assembly (shaft), part number (P/N) 76351–09030-all dash numbers, installed, certificated in any category.
(d) Unsafe Condition	To prevent failure of the shaft and subsequent loss of control of the helicopter.
(e) Compliance	Required before further flight, unless accomplished previously.
(f) Required Actions	Replace each affected shaft, serial number B015–00700 through B015–00706, with an airworthy shaft.
(g) Other Provisions	(1) Alternative Methods of Compliance (AMOC): (i) You may use an AMOC or adjust the time you need to meet the requirements of this AD if your alternative provides an acceptable level of safety and if the Manager, Boston Aircraft Certification Office (ACO), approves your alternative. (ii) Submit your request for approval through an FAA Principal Maintenance Inspector, who may add comments and then forward it to the Manager, Boston ACO. (iii) You can get information about the existence of already approved AMOC's by contacting the FAA, Boston Aircraft Certification Office, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238–7156, fax (781) 238–7199. (2) Modifications, Alterations, or Repairs: This AD applies to each helicopter identified in the applicability paragraph, even if it has been modified, altered, or repaired in the area subject to this AD. If that change in any way affects accomplishing the required actions, you must request FAA approval for an AMOC. Your request should assess the effect of the change on the unsafe condition addressed by this AD. (3) Special Flight Permits: The FAA may issue you a special flight permit under 14 CFR 21.197 and 21.199 to operate your helicopter to a location where you can comply with this AD.
(h) Material Incorporated by Reference.	None.
(i) Related Information	Sikorsky Alert Service Bulletin No. 76–66–32A (319A), Revision A, dated January 17, 2001, pertains to the subject of this AD.

Issued in Fort Worth, Texas, on March 5, 2001.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 01–6389 Filed 3–14–01; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 36

Establishment of the Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance

AGENCY: Indian Health Service, HHS.

ACTION: Establishment of the Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance.

SUMMARY: Notice is hereby given that the Secretary of Health and Human Services has established a Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance (Committee) to negotiate and develop a proposed rule implementing the Tribal Self-Governance Amendments of 2000 (the Act). It is our intent to publish the proposed rule for notice and comment no later than one year after the date of enactment of the Act (August 18, 2000 + one year), as required by section 517(a)(2) of the Act.

FOR FURTHER INFORMATION CONTACT: Paula Williams, Director, Office of Tribal Self-Governance, Indian Health Service, 5600 Fishers Lane, Room 5A–55, Rockville, MD 20857, Telephone 301–443–7821. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Notice of Intent to establish the Negotiated Rulemaking Committee on Joint Tribal and Federal Self-Governance (Committee) was published in the **Federal Register** on December 5, 2000 (65 FR 75906). In the Notice of Intent, we proposed a rulemaking committee of representatives from 12 self-governance tribes, 11 non self-governance tribes, and 7 federal officials totaling 30 members. The Notice of Intent established a deadline of January 4, 2001, for submission of written comments. We received 20 written comments that fell into three categories. The first included comments recommending that a greater majority of self-governance tribes be represented on the Committee with some specifying a 2/3 majority and others a 2/1 majority over non self-governance tribal representatives. The second category included comments recommending that the federal representation include a person at the Area Office or field level. The third category included four nominations for individuals to serve on the Committee as well as comments endorsing and/or agreeing to serve on the Committee.

The comments provided valuable input from tribes, organizations, and individuals that have an interest in the proposed rule. However, in order to change the composition as suggested by the comments, the Committee would need to be increased to more than 30 members. Carrying out the negotiated rulemaking process with a committee larger than 30 members could be cumbersome and reaching consensus could present a challenge, particularly within the limited timeframe in which the Committee is authorized to promulgate the rules.

Section 517(b) of the Act (Pub. L. 106–260) specifies the following:

(1) *In General*—A negotiated rulemaking committee established pursuant to Section 565 of Title 5, United States Code, to carry out this section shall have as its members only Federal and tribal government representatives, a majority of whom shall be nominated by and be representative of Indian tribes with funding agreements under this Act.

(2) *Requirements*—The committee shall confer with, and accommodate participation by, representatives of Indian tribes, inter-tribal consortia, tribal organizations, and individual tribal members.

The proposed committee of 12 self-governance tribes, 11 non self-governance tribes and 7 federal officials meets the requirements of the Act. Legislative history in both the House and the Senate makes it clear that ''a majority of who'' in sec. 517(b)(1) refers to a majority of the tribal representatives and not a majority of the entire committee. Additionally, the negotiated rulemaking process and documents must be open to the public. Individuals that are not voting members of the Committee will have opportunity to attend meetings and to give input to the members of the Committee.

Therefore, the number of Committee members will remain at 30, and the members will remain the same as those published in the **Federal Register**.

Dated: March 12, 2001.

Michael H. Trujillo,

Assistant Surgeon General and Director, Indian Health Service.

[FR Doc. 01–6549 Filed 3–13–01; 11:45 am]

BILLING CODE 4160–16–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 51, 53, and 64

[CC Docket Nos. 95–20; 98–10; DA 01–620]

Update and Refresh Record on Computer III Requirements

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document invites parties to update and refresh the record on issues raised in the Computer III Further Notice of Proposed Rulemaking that the Commission issued on January 30, 1998.

DATES: Comments are due April 16, 2001, and reply comments are due April 30, 2001.

FOR FURTHER INFORMATION CONTACT: Jodie Donovan-May or Jessica Rosenworcel, Attorney Advisors, Policy and Program Planning Division, Common Carrier Bureau, (202) 418–1580.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Public Notice regarding CC Docket Nos. 95–20 and 98–10, released on March 7, 2001. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS, Inc.), CY–B400, 445 12th Street, SW., Washington, DC. It is also available on the Commission's website at *http://www.fcc.gov.*

Synopsis of Public Notice

1. On January 30, 1998, the Commission released a Further Notice of Proposed Rulemaking (FNPRM) in CC Docket Nos. 95–20 and 98–10 (63 FR 9749, Feb. 26, 1998) in which it sought comment on the interplay between the safeguards and terminology established in the Telecommunications Act of 1996 (1996 Act) and the *Computer III* regime. In its *Computer III* proceedings, the Commission established nonstructural safeguards for the provision of enhanced services by the Bell Operating Companies (BOCs). The FNPRM sought information necessary to respond to a remand from the United States Court of Appeals for the Ninth Circuit regarding the effectiveness of nonstructural safeguards. It also asked for comment on a number of other issues, including, the continued application of the *Computer III* safeguards to BOC provision of enhanced services, whether implementation of the 1996 Act should alleviate the Ninth Circuit's concern about the level of unbundling mandated by the Commission Open Network Architecture (ONA), whether ONA has been effective in providing competitive information service providers (ISPs) with access to basic telecommunications services and whether the ONA requirements should be modified, whether the Commission, under its general rulemaking authority should extend to ISPs some or all unbundling rights available under section 251 of the 1996 Act, and whether the Commission should interpret its definition of the term ''basic service'' and the 1996 Act's definition of ''telecommunication service'' to extend to the same function. The Public Notice invites parties to update and refresh the record on these issues.

2. In addition to commenting generally on the outstanding issues, parties should discuss specifically any developments in the ISP market since 1998 that the Commission should consider in re-examining the effectiveness of the *Computer III* and ONA requirements. For example, in response to the Commission's inquiry regarding how the deployment of new information services, such as Internet services, should affect our analysis of the ONA rules, we seek comment on whether ISPs can obtain, under the ONA framework, the telecommunications service inputs that they require from the BOCs, including Digital Subscriber Line (DSL) service. If ISPs use means other than ONA to acquire DSL service, commenters should identify such alternatives and discuss whether they offer a more effective and efficient approach for obtaining the required service. In addition, we ask parties to comment on whether there are adequate Comparably Efficient Interconnection (CEI) plans in place for DSL service, and on whether they use those plans. With regard to the various annual and nondiscrimination reporting requirements mandated under *Computer III,* we also ask parties to comment on whether the requirements should be modified in any way to account for the current services that ISPs require from the BOCs. We also ask ISPs to describe the extent to which they may have used ONA to provide any information service over the course of the past three years, and correspondingly, ask the BOCs to comment generally on the numbers and types of requests for ONA services that they have received during this time.

3. With regard to the various annual and nondiscrimination reporting requirements mandated under *Computer III,* we also ask parties to comment on whether the requirements should be modified in any way to account for the current services that ISPs require from the BOCs. We also ask ISPs to describe the extent to which they may have used ONA to provide any information service over the course of the past three years, and correspondingly, ask the BOCs to comment generally on the numbers and types of requests for ONA services that they have received during this time. The Commission also asks parties to comment on whether there is a way to make any safeguards that we adopt in this proceeding more self-enforcing, or otherwise structure them so that they can be implemented and used by all parties in a timely, efficient manner.

4. The FNPRM sought comment on the extent to which the Commission's unbundling requirements promulgated pursuant to section 251 of the 1996 Act should alleviate the Ninth Circuit's concerns about the level of unbundling required under ONA. We note that the Commission's unbundling requirements changed in light of the U.S. Supreme Court's 1999 ruling regarding the standard under which incumbent local exchange carriers should be required to unbundle their networks (see 65 FR 2542, Jan. 18, 2000), and we ask parties to comment on how the new rules and