

Governors not later than January 10, 2000.

A. Federal Reserve Bank of New York (Betsy Buttrill White, Senior Vice President) 33 Liberty Street, New York, New York 10045-0001:

1. *Dime Bancorp, Inc.*, New York, New York; to become a bank holding company by acquiring 100 percent of the voting shares of Hudson United Bancorp, Mahwah, New Jersey, and thereby indirectly acquire Hudson United Bank, Mahwah, New Jersey.

B. Federal Reserve Bank of Richmond (A. Linwood Gill III, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *Virginia Commonwealth Financial Corporation*, Culpeper, Virginia; to acquire 100 percent of the voting shares of Caroline Savings Bank, Bowling Green, Virginia.

C. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Bruning Bancshares, Inc.*, Bruning, Nebraska; to acquire 100 percent of the voting shares of The Commercial State Bank, Clay Center, Nebraska.

Board of Governors of the Federal Reserve System, December 10, 1999.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 99-32548 Filed 12-15-99; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225), to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the

question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 10, 2000.

A. Federal Reserve Bank of New York (Betsy Buttrill White, Senior Vice President) 33 Liberty Street, New York, New York 10045-0001:

1. *The Toronto-Dominion Bank*, Toronto, Ontario, Canada; to acquire all of the shares of CTUSA, FSB, Naples, Florida, and thereby engage in operating a savings and loan association pursuant to § 225.28(b)(4)(ii) of Regulation Y.

Board of Governors of the Federal Reserve System, December 10, 1999.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 99-32550 Filed 12-15-99; 8:45 am]

BILLING CODE 6210-01-F

OFFICE OF GOVERNMENT ETHICS

Submission for OMB Review; Comment Request: Proposed Paperwork Renewal of a Moderately Revised Version of the SF 278 Executive Branch Personnel Public Financial Disclosure Report

AGENCY: Office of Government Ethics (OGE).

ACTION: Notice.

SUMMARY: The Office of Government Ethics has submitted to the Office of Management and Budget (OMB) a moderately revised version of the OGE-sponsored Standard Form (SF) 278 Executive Branch Personnel Public Financial Disclosure Report for a three-year extension of approval under the Paperwork Reduction Act.

DATES: Comments on this proposal should be received by January 18, 2000.

ADDRESSES: Comments should be sent to Joseph F. Lackey, Jr., Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; telephone: 202-395-7316.

FOR FURTHER INFORMATION CONTACT: William E. Gressman or Michael J. Lewandowski at the Office of Government Ethics; telephone: 202-208-8000, extension 1110 or 1185; TDD: 202-208-8025; FAX: 202-208-8037. A mark-up copy of the SF 278 form as proposed for revision may be obtained, without charge, by contacting either Mr. Gressman or Mr. Lewandowski.

SUPPLEMENTARY INFORMATION: The Office of Government Ethics has submitted to OMB a moderately revised version of the SF 278 Executive Branch Personnel Public Financial Disclosure Report (OMB control number 3209-0001) for a three-year extension of approval under the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). The paperwork approval for the current version of the SF 278 will continue until OMB grants approval for the new revised edition of the form. Since modifications to the standard form are being proposed, OGE will also seek General Services Administration (GSA) clearance for the modified form once OMB paperwork approval for it is received. The original printed forms of the new edition will be stocked through GSA (see below) and will probably have a yellow or green background shading to help distinguish them from the existing forms that they will supersede.

The Office of Government Ethics, as the supervising ethics office for the executive branch of the Federal Government under the Ethics in Government Act (the Ethics Act), 5 U.S.C. appendix, is the sponsoring agency for the Standard Form 278, the most recent edition of which is that of June 1994. The prior January 1991 edition has also remained usable until supplies are exhausted. No earlier editions can be used. The forthcoming now early 2000 edition of the SF 278 report form will supersede those prior editions and must be used instead of them once available, probably late next winter or next spring. If the new edition is not ready in time for an orderly transition before the May 2000 calendar year 1999 annual SF 278 report filing season, OGE will provide for a grace period during which the 1994 (or 1991) forms may still be used and will so inform executive branch departments and agencies. In accordance with section 102 of the Ethics Act, 5 U.S.C. appendix, section 102, and OGE's implementing financial disclosure regulations at 5 CFR part 2634, the SF 278 collects pertinent financial information from certain officers and high-level employees in the executive branch for conflicts of interest review and public disclosure. The financial information collected under the statute and regulations relates to: assets and income; transactions; gifts, reimbursements and travel expenses; liabilities; agreements or arrangements; outside positions; and compensation over \$5,000 paid by a source—all subject to various reporting thresholds and exclusions.

The SF 278 is completed by candidates, nominees, new entrants,

incumbents and terminees of certain high-level positions in the executive branch of the Federal Government. The Office of Government Ethics, along with the agencies concerned, conducts the review of the SF 278 reports of Presidential nominees subject to Senate confirmation. These reports are filed by both incumbent Government officials and private citizens who have been so nominated. The Office of Government Ethics' paperwork estimates in this notice are based on the anticipated number of such nominee SF 278 reports filed by private citizens (and their private representatives—lawyers, accountants, brokers and bankers), those who file termination reports from such positions after their Government service ends, as well as Presidential and Vice Presidential candidates (whose reports OGE also reviews) who are private citizens. In light of OGE's experience over the past three years (1996–1998), the estimate of the total number, on average, of SF 278 report forms expected to be filed annually at OGE by private citizen members of the public (as opposed to current Federal employees), is being somewhat reduced to 260. The prior paperwork burden estimate was 280 OGE-processed SF 278 reports per year. The OGE estimate covers the next three years, 1999–2001, including a significant increase in SF 278 reports anticipated with the transition following the fall 2000 Presidential election.

The estimated average amount of time to complete the SF 278 report form, including review of the instructions and gathering of needed information, remains the same at three hours. Thus, the overall estimated annual public burden for the SF 278 for the private citizen/representative nominee, candidate and terminee report forms processed at OGE is being reduced from 840 to 780 hours (260 forms times 3 hours per form). Moreover, OGE estimates, based on the agency ethics program questionnaire responses for 1996–1998, that an average of some 21,500 SF 278 report forms are filed annually at departments and agencies throughout the executive branch. Most of those executive branch filers are current Federal employees at the time they file, but certain candidates for President and Vice President, nominees, new entrants and terminees complete the form either before or after their Government service. The percentage of private citizen filers branchwide is estimated at no more than 5% to 10%, or some 1,050 to 2,100 per year at most.

On July 12, 1999, OGE published a first round paperwork notice of its forthcoming request for three-year extension of paperwork approval for the

SF 278. See 64 FR 37536–37539. Four comments were received from executive branch agencies, together with several in-house OGE comments. One of the agency comments recommended that the present columnar format for reporting the various categories of value for assets, income, transactions, and liabilities be changed to a letter code valuation system. The agency expressed the view that uniform use of letter codes would provide a single, consistent method for reporting values throughout the form. The agency also urged the SF 278 be changed from its present “landscape” (sideways) orientation to a “portrait” orientation. After due consideration, OGE has decided not to adopt these suggestions for the SF 278 as currently proposed for revision. Any such changes would dramatically change both the report template and the overall reporting format. At this point in the paperwork renewal process, such major changes could further delay clearance of the needed new edition of the SF 278. However, OGE will seriously consider making such changes, which appear particularly suited to the developing field of electronic forms, to the next edition of the report form in the future, possibly even in advance of the regular full three-year paperwork cycle.

In addition, OGE received two comments recommending changes to reporting categories to simplify them and to more closely track the dollar limits of certain exemptions from the personal financial interests regulation at 5 CFR part 2640. In response, OGE notes that changing reportable categories would require that Congress amend the Ethics Act which directly specifies the categories of value to be reported for income, assets, transactions and liabilities. See section 102(a)(1)(B) and (d)(1) of the Ethics Act, 5 U.S.C. appendix, section 102(a)(1)(B) and (d)(1). The Office of Government Ethics would need to carefully consider any possible recommendation for a legislative revision so that any change proposed would simplify rather than complicate the already intricate categories required. This is beyond the scope of the present paperwork process. Moreover, OGE notes that it is considering changing some of the exemptive categories under its part 2640 regulation. Thus, at the present time, OGE does not intend to seek any changes to the reporting categories.

Another commenting agency recommended that OGE make completion of the new proposed filing extension check-off box (in the reviewing officials comments box on the bottom of the front page of the SF 278

report form) optional. Upon review, OGE has determined that the benefits of incorporating the new check-off box warrant its inclusion as a required part of the form. The new box will save agency ethics officials and OGE staff follow-up time and effort in instances when a report otherwise appears to be filed late, with the necessity to ascertain if a late filing fee is due unless an OGE waiver thereof is sought and granted.

Most of the proposed moderate revisions OGE is recommending, as indicated in the first round **Federal Register** notice, result from our own experience and review for updating, though some come from agency suggestions received from time to time as well as in response to the notice. Among the new modifications proposed to the SF 278 is the incorporation into the form of certain changes in the reporting law as regards higher-category (over \$1,000,000) assets, income and liabilities. To date, OGE has asked executive branch departments and agencies in a series of DAEOgrams over the years to so notify filers administratively. Moreover, as noted in the first round paperwork notice, OGE has recently determined that transactions are included in the higher-category reporting requirement. The inclusion of higher-value categories for transactions will only affect future SF 278 reports once the proposed modified form receives its final paperwork approval and is made available by OGE and GSA. As noted in the mark-up copy of the SF 278 as proposed for revision available from OGE (see the **FOR FURTHER INFORMATION CONTACT** section above), these higher categories for items of filers (including items jointly held with a spouse or dependent children) will be specified in new notes proposed on page 11 of the SF 278 instructions as well as on Schedules A, B and C of the report form.

In response to one of the agency comments noted above seeking consistency for the format of reporting of categories of value throughout, the new higher categories would now be included in additional columns (instead of write-in letter codes as previously proposed) on those schedules. For assets, transactions and liabilities, the new higher categories are: \$1,000,001 to \$5,000,000; \$5,000,001 to \$25,000,000; \$25,000,001 to \$50,000,000; and over \$50,000,000. For income, the higher categories are: \$1,000,001 to \$5,000,000; and over \$5,000,000. As to any such items held *solely* by a filer's spouse or dependent children, only the traditional “over \$1,000,000” column, which is being retained, would need to be checked. In addition, OGE proposes to

include on page 5 of the form instructions a notice of the requirement to report the category of reportable trust interests, including the new higher values, for those filers who have Ethics Act qualified blind or diversified trusts (as well as a separate brief mention of the reportability of trust interests as to which the filer is a trustee). In such instances, OGE advises concerned filers and their agencies of the application of this provision, which does not apply to trusts executed prior to July 24, 1995, that preclude the beneficiary from receiving information on the total cash value of any such trust interest. See sections 20 and 22 of the Lobbying Disclosure Act of 1995, Public Law 104-65, which amended section 102(a)(1)(B), (d)(1) and (e)(1) and added new section 102(a)(8) of the Ethics Act, 5 U.S.C. appendix, section 102(a)(1)(B), (a)(8), (d)(1) and (e)(1). The Office of Government Ethics will revise its executive branchwide regulations at 5 CFR 2634.301 and 2634.302 to reflect the higher-value categories.

In addition, OGE is adding an adjustment of the gifts/travel reimbursements reporting thresholds for the SF 278 that needs to be made since GSA earlier this year raised "minimal value" to \$260 or less for the three-year period 1999-2001 (from the prior level of \$245 or less) under the Foreign Gifts and Decorations Act, 5 U.S.C. 7342. See 64 FR 13700-13701 (March 22, 1999), revising the GSA foreign gifts regulation at 41 CFR 101-49.001-5. Because the foreign gifts "minimal value" is now over \$250, the Ethics Act financial disclosure gifts/reimbursements reporting thresholds, at 5 U.S.C. appendix, section 102(a)(2)(A) and (B), which are pegged to any such increase, are being adjusted to "more than \$260" for the aggregation level of reporting and "\$104 or less" for gifts and reimbursements which do not have to be counted in the aggregate threshold. In a forthcoming rulemaking, OGE will revise those reporting thresholds as found at 5 CFR 2634.304 (a), (b) and (d) of its executive branch regulations. Since OGE expects that GSA will adjust "minimal value" every three years, the ethics reporting thresholds for gifts and reimbursements will now likely have to be adjusted every three years as well (as coordinated with paperwork renewals, as nearly as possible).

Moreover, as noted on the mark-up copy of the form as proposed to be revised, OGE has now dropped the old reference on page 11 of the instructions to the specific dollar amount of the civil monetary penalty for prohibited uses of an SF 278 report to which access has been gained. Instead, the reference will

simply be to the civil monetary penalty which can be assessed. The penalty under section 104(a) of the Ethics Act, 5 U.S.C. appendix, section 104(a), was raised effective September 29, 1999, from \$10,000 to \$11,000 in coordinated OGE and Department of Justice inflation adjustment rulemakings under the 1996 Debt Collection Improvement Act revisions to the 1990 Federal Civil Penalties Inflation Adjustment Act, at 28 U.S.C. 2461 note. The OGE rulemaking, in pertinent part, revised 5 CFR 2634.703 of the executive branchwide financial disclosure regulation. See OGE's amendatory rulemaking as published at 64 FR 47095-47097 (August 30, 1999) and Justice's amendatory rulemaking as published at 64 FR 47099-47104 (August 30, 1999). The removal of the specific dollar amount reference in the SF 278 instructions will avoid the need to revise or annotate the form periodically in the future when OGE and the Justice Department further adjust that civil monetary penalty pursuant to additional rulemakings, which are to be issued at least once every four years under the inflation adjustment law.

Also, now on page 3 of the instructions, OGE would parenthetically reference the extra time grantable pursuant to a filing extension—up to 45 days by the filer's agency and up to an additional 45 days by OGE. See 5 U.S.C. appendix, section 101(g)(1) of the Ethics Act and 5 CFR 2634.201(f) of OGE's regulations thereunder. In addition, as mentioned earlier, OGE is proposing to add a new check-off box in the reviewing officials comments box on the bottom of the front page of the SF 278 report form itself to show whether any filing extension has been granted and, if so, the number of days. Also, OGE is proposing to move the explanatory text on the late filing fee from page 11 to page 3 of the instructions. Further, OGE would move the definition of "relatives" from page 2 to page 8 to accompany the instructions on the exclusion of any gifts and reimbursements received from relatives.

Another important change OGE is proposing is the addition of a new continuation page for part I of Schedule B on transactions. In OGE's experience, many filers need more than the five spaces currently provided in that part to indicate their reportable purchases, sales and transactions. The new continuation page would add 16 more spaces for such entries, and duplicates of that page would allow for any further entries needed.

Various other, minor changes are being proposed. These include moving

the Schedule A (assets and income) check-off columns for excepted investment funds and excepted and qualified trusts from under Block B "Income" to a separate area immediately to the left thereof. In part to make room for the addition of the new higher-value category columns, OGE would also combine the "Other" income and "Actual Amount" columns into one (at the place of the latter on the right-hand side of Schedule A). In Block A of Schedule A, OGE would clarify the summary explanatory text regarding the reporting of assets and income. On the Schedule A continuation page, OGE would drop the explanatory text in Block A as unnecessary. Likewise, OGE is proposing to drop the new Schedule B, Part I continuation page explanatory text. Moreover, upon reflection, OGE has decided (except for the noted proposed revisions to the Block A, Schedule A text) not to make any changes to the existing explanatory texts for Schedules B, C and D of the SF 278 form. The earlier proposed clarifying cross-references in the various other schedules are not necessary in light of the fuller treatment of these matters in the instructions and, for reporting periods, on the front page of the SF 278 report form itself. Further, the space available on the report schedules is very limited and should be left as uncluttered as possible. The clarifications proposed in the first round notice stage generated a number of suggestions for additional clarifications for which there is simply not enough room.

A revision that OGE does still propose to make would add express mention, in the public burden information notice on page 11 of the instructions, of a statement required pursuant to the 1995 amendments to the paperwork law to the effect that "an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number," together with a parenthetical mention that such number (# 3209-0001) is displayed there and in the upper right-hand corner of the front page of the form. In that notice, OGE also proposes to drop the reference to OMB as a further point of contact for information collection comments on the SF 278. Pursuant to current procedures, OGE will be indicated from now on as the sole contact point for such comments on the form, on which OGE will coordinate with OMB if necessary. Furthermore, OGE proposes to slightly modify the wording regarding the sixth numbered routine use under the Privacy Act

statement (also on page 11 of the instructions). The modified wording will reflect the application to pending judicial or administrative proceedings of the underlying routine use h. in the OGE/GOVT-1 executive branchwide system of records. See 55 FR 6327-6331 (February 22, 1990).

Finally, various minor proposed style, format and updating changes to certain parts of the instructions and the report form are proposed, including removal of column shading from Schedules A and B (to improve readability) and indication of the new 2000 edition date.

Once finally cleared by OMB and GSA and printed by the Government Printing Office, the paper original of the 2000 edition of the SF 278 report form will be stocked and made available for purchase by departments and agencies nationwide from the GSA Federal Supply Service Customer Supply Centers.

In addition, for the past several years, OGE has placed in the Ethics Resource Library section of its Internet Web site (Uniform Resource Locator (URL) address: <http://www.usoge.gov>) a viewable and downloadable Portable Document Format (PDF) version of the current 6/94 edition of the SF 278 and is also working on a fillable version of the 6/94 edition. A fillable version of the SF 278 is available from GSA's Web site electronic library of standard and optional forms (URL address: <http://www.gsa.gov/forms/>). Moreover, OGE will develop first a PDF version and then a fillable version of the new 2000 edition of the SF 278 for placement on the OGE Web site once it is finally cleared and issued next year. Those electronic versions of the SF 278 form have been and will continue to be made available free-of-charge to executive branch departments and agencies and their employees. In addition, the forthcoming 2000 edition of the form will be included in future editions of The Ethics CD-ROM. Departments and agencies can also electronically duplicate the SF 278 without standard form exception clearance, provided that the duplication precisely parallels the original paper form to the extent technically feasible, producing a "mirror image" print-out thereof.

Furthermore, OGE is considering the paperwork and technical issues relating to development of so-called "smart" electronic forms, including the SF 278, which employ a question and answer format to elicit information on reportable interests and funnel the data onto the schedules of the report forms. Various agencies in addition to OGE are interested in this area. The Office of Government Ethics is reviewing the

executive branchwide aspects of these initiatives, including a possible umbrella OGE "generic" paperwork clearance package.

For now, OGE notes that even with all of these electronic initiatives, the SF 278 reports, once completed by individual filers, will still need to be printed out and signed manually. Electronic filing is not authorized at the present time for SF 278 reports. However, OGE is monitoring developments under the Government Paperwork Elimination Act and the proposed OMB guidelines (together with any possible future related legislation), under which appropriate electronic availability and filing of various Government forms will generally be phased in by October 2003.

Public comment is invited on each aspect of the SF 278 Public Financial Disclosure Report as proposed for revision as set forth in this notice, including specifically views on the need for and practical utility of this collection of information, the accuracy of OGE's burden estimate, the potential for enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology). The Office of Government Ethics, in consultation with OMB, will consider all comments received in response to this notice. The comments will also become a matter of public record.

Approved: December 9, 1999.

Stephen D. Potts,

Director, Office of Government Ethics.

[FR Doc. 99-32543 Filed 12-15-99; 8:45 am]

BILLING CODE 6345-01-U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Agency Information Collection Activities: Submission for OMB Review; Comment Request

The Department of Health and Human Services, Office of the Secretary publishes a list of information collections it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) and CFR 1320.5. The following are those information collections recently submitted to OMB.

1. Research on Employment Supports for People with Disabilities—NEW—The Office of the Assistant Secretary for Planning and Evaluation has embarked on a project to collect extensive information on the experiences of

people with disabilities in competitive employment. As part of this effort they intend to conduct a series of discussions with working people with disabilities across three locations in the United States and Canada for the purpose of gaining detailed information on their employment experiences. Respondents: Individuals or households—Reporting Burden Information for Screener—Number of Respondents: 750; Burden per Response: 7 minutes; total Burden for Screener: 88 hours—Burden Information for Focus Group Registration—Number of Respondents: 375; Burden per Response: 10 minutes; Total Burden of Registration: 63 hours—Burden Information for Focus Group—Number of Respondents: 375; Burden per Response: 150 minutes; Total Burden for Focus Group: 938—Burden Information for Post-Focus Group Evaluation—Number of Respondents: 375; Burden per Response: 7 minutes; Total Burden for Evaluation: 44 hours—Total Burden: 1,133 hours.

OMB Desk Officer: Allison Eydt.

Copies of the information collection packages listed above can be obtained by calling the OS Reports Clearance Officer on (202) 690-6207. Written comments and recommendations for the proposed information collection should be sent directly to the OMB desk officer designate above at the following address: Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street, NW, Washington, DC 20503.

Comments may also be sent to Cynthia Agens Bauer, OS Reports Clearance Officer, Room 503H, Hubert H. Humphrey Building, 200 Independence Ave, SW, Washington, DC 20201.

Written comments should be received within 30 days of this notice.

Dated: December 9, 1999.

Dennis P. Williams,

Deputy Assistant Secretary, Budget.

[FR Doc. 99-32553 Filed 12-15-99; 8:45 am]

BILLING CODE 4150-04-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics; Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services announces the following advisory committee meeting.

NAME: National Committee on Vital and Health Statistics (NCVHS).