

reasons set forth below, the Commission concludes that BellSouth has not yet demonstrated by a preponderance of the evidence that it has fully implemented the competitive checklist. As a preliminary matter, the Commission concludes that a BOC "generally offers" a checklist item if it makes the checklist item available as both a legal and a practical matter.

5. With respect to the first checklist item addressed, the Commission concludes, consistent with the Department of Justice's finding, that BellSouth has failed to demonstrate by a preponderance of the evidence that it provides nondiscriminatory access to all of the operations support systems (OSS) functions provided to competing carriers, as required by the competitive checklist. First, the Commission describes BellSouth's OSS. Second, the Commission outlines its general approach to analyzing the adequacy of a BOC's OSS. Third, the Commission analyzes the evidence concerning competing carriers' access to OSS functions for resale services and unbundled network elements. Based on the evidence in the record, the Commission concludes that BellSouth has not demonstrated that the access to certain OSS functions that it provides to competing carriers for pre-ordering, ordering, and provisioning of resale services and pre-ordering of unbundled network elements is equivalent to the access it provides to itself. Finally, in order to provide additional guidance, the Commission highlights a number of other OSS-related issues that are of concern to the Commission.

6. The next checklist item the Commission addresses is access to unbundled network elements. The Commission concludes that BellSouth does not meet this checklist item because it has not demonstrated by a preponderance of the evidence that it can make available, as a legal and practical matter, access to unbundled network elements in a manner that allows competing carriers to recombine them. The Commission concludes that the statement of generally available terms (SGAT) is deficient because it fails to include sufficiently detailed terms and conditions for access to network elements for the purposes of recombining them. The Commission finds that the SGAT lacks crucial details such as which elements will be separated and which will be provided in combination, and how and at what cost. The Commission concludes that, in particular, BellSouth has failed to demonstrate that it can provide access to such elements through the one method that it has identified for such

access—collocation. The Commission finds that BellSouth fails to demonstrate that it offers or can timely provide collocation for the purposes of recombining unbundled network elements. The Commission finds it significant that BellSouth's SGAT does not commit to any provisioning intervals for implementing collocation requests. The Commission further finds that the record indicates that, in practice, it is taking BellSouth a long time to implement collocation requests. The Commission further finds that BellSouth has made no showing that there has been actual commercial usage or testing of collocation anywhere in its region for the purpose of recombining UNEs. Thus, the Commission concludes, BellSouth has not demonstrated that it can timely deliver unbundled network elements to collocation spaces for combining, or that the resulting provision of these combined elements will be at an acceptable level of quality.

7. The Commission also addresses the checklist item that requires incumbent LECs to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail, and not to prohibit, or to impose unreasonable or discriminatory conditions or limitations on, the resale of such telecommunications service. The Commission concludes that BellSouth does not meet this checklist item because it refuses to offer contract service arrangements, which are contractual agreements made between a carrier and a specific, typically high-volume, customer, at a wholesale discount. The Commission concludes that BellSouth's argument that CSAs should not be further discounted because they have already been discounted from the tariff rate has been previously considered and rejected by the Commission. The Commission further finds that failure to offer CSAs to resellers at a discount impedes competition for large-volume customers and thus impairs use of resale as a vehicle for competitors to enter BellSouth's market.

8. The Commission also addresses the part of the checklist item that requires BellSouth to provide nondiscriminatory access to 911 and E911 services. The Commission concludes that BellSouth has made a *prima facie* case that it offers nondiscriminatory access to 911 and E911 services. Because no commenter has produced evidence to demonstrate that BellSouth is not currently offering nondiscriminatory access to 911 and E911 services, the Commission concludes that BellSouth satisfies this part of the checklist item.

9. *Compliance with Section 272.* The Commission concludes that BellSouth's inbound telemarketing script is consistent with the Act. The Commission concludes that a BOC, during an inbound telephone call, may recommend its own long distance affiliate, as long as it contemporaneously states that other carriers also provide long distance service and offers to read a list of all available interexchange carriers in random order.

10. *Public Interest.* Based on the Commission's conclusions that BellSouth has not fully implemented the competitive checklist, the Commission need not and does not address the issue of whether BellSouth has demonstrated that the authorization it seeks is consistent with the public interest, convenience, and necessity, as required by section 271(d)(3)(C).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-34144 Filed 12-31-97; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

AGENCY: Federal Election Commission.

DATE & TIME: Tuesday, January 6, 1998 at 10:00 a.m.

PLACE: 999 E Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

DATE & TIME: Thursday, January 8, 1998 at 10:00 a.m.

PLACE: 999 E Street, N.W., Washington, D.C. (ninth Floor).

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.

Audit: San Diego Host Committee/Sail to Victory '96 (continued from meeting of December 4, 1997).

Audit: Committee on Arrangements for the 1996 Republican National

Convention (continued from meeting of December 4, 1997).

Administrative Matters.

PERSON TO CONTACT FOR INFORMATION:

Mr. Ron Harris, Press Officer;

Telephone: (202) 219-4155.

[FR Doc. 97-34232 Filed 12-30-97; 2:41pm]

BILLING CODE 6715-01-M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1781 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, D.C. 20573.

Marianas Steamship Agencies, Inc.,
1026 Cabras Highway,
Administration Building Annex,
Piti, Guam 96925.

Junichi Kinoshita, President
Clarence Tenorio, Vice President
Impex Cargo, Inc., 7661 NW 68 Street,
Miami, FL 33166.

Officers:

Zamir Nader, President

Martha Claudia Garcia, Vice President

Dated: December 29, 1997.

Ronald D. Murphy,

Assistant Secretary.

[FR Doc. 97-34188 Filed 12-31-97; 8:45 am]

BILLING CODE 6730-01-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), Subcommittee on Privacy and Confidentiality.

Times and Dates: 9 a.m.-5 p.m., January 28, 1998; 9 a.m.-5 p.m., January 29, 1998.

Place: Room 303A, Hubert H. Humphrey Building, 200 Independence Avenue, S.W., Washington, D.C. 20201.

Status: Open.

Purpose: The Subcommittee will conduct two workshops designed to gather information, stimulate dialogue, and identify issues on the topics of identifiability of data (January 28) and the use of registries (January 29). The context for the discussions will be the data needs of the health care system, the privacy of individuals, the Secretary's legislative recommendations on the confidentiality of individually-identifiable health information, and the current legislative efforts on health privacy.

On the first day the Subcommittee is interested in looking at how personal health information might be collected, stored, maintained, and disclosed for research, health care, quality assurance, cost containment, law enforcement, and other purposes so that individual identities might be protected. The goal is to look for ways to support important functions that rely on personal health information without unduly impinging on the privacy interests of individuals.

On the second day the Subcommittee is interested in exploring the purposes and function of health and medical registries in the U.S. and the extent to which they may pose or lessen threats to the privacy and confidentiality of individuals whose data is included in the registry. The goal is to identify the range or current activities that might qualify as registries and to put more information on the public record about the manner in which registries collect, maintain, and disclose personal health information. Workshop participants are expected to include a variety of invited public and private sector representatives whose expertise can contribute to addressing the workshop topics.

Contact Person for More Information:

Substantive program information as well as a roster of committee members may be obtained from Judith Galloway, Division of Data Policy, Office of the Assistant Secretary for Planning and Evaluation, DHHS, Room

440-D, Humphrey Building, 200 Independence Avenue S.W., Washington, D.C. 20201, telephone (202) 690-7100, or Marjorie S. Greenberg, Executive Secretary, NCVHS, NCHS, CDC, Room 1100, Presidential Building, 6525 Belcrest Road, Hyattsville, Maryland 20782, telephone 301/436-7050. Additional information about the full Committee is available on the NCVHS website, where the tentative agenda for the Subcommittee meeting will also be posted when available: <http://aspe.os.dhhs.gov/ncvhs>.

Dated: December 24, 1997.

James Scanlon,

Director, Division of Data Policy.

[FR Doc. 97-34191 Filed 12-31-97; 8:45 am]

BILLING CODE 4151-04-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Agency Recordkeeping/Reporting Requirements Under Emergency Review by the Office of Management and Budget (OMB)

Title: Native Employment Works (NEW) Program Plan Guidance and Report Requirements.

OMB No.: New.

Description: The purpose of this document is to determine whether a Tribal plan is complete and will fulfill its intended purpose, goals and objectives to provide work activities. The plan will provide an outline of how the Tribe's program will be administered and operated and instructions for reporting program characteristics. It is also used to provide the public with information about the NEW program.

Respondents: States, Puerto Rico, Guam and the District of Columbia.

Annual Burden Estimates:

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Program Plan	78	1	40	3,120
Operations Report	78	1	16	1,248

Estimated Total Annual Burden Hours: 4,368.

Additional Information: ACF is requesting that OMB grant a 180 day approval for this information collection under procedures for emergency

processing by February 17, 1998. A copy of this information collection, with applicable supporting documentation, may be obtained by calling the Administration for Children and

Families, Acting Reports Clearance Officer, Bob Sargis at (202) 690-7275.

Comments and questions about the information collection described above should be directed, prior to the request date, to the Office of Information and