

P.O. Box 291, Minneapolis, Minnesota 55480-0291:

1. *Glacier Bancorp, Inc.*, Kalispell, Montana; to acquire 100 percent of the voting shares of Glacier Bank, Kalispell, Montana, a *de novo* bank. In addition, an existing subsidiary of Glacier Bancorp, Inc., Glacier Bank, FSB, Kalispell, Montana, will be merged into Glacier Bank and Glacier Bank will become a state member bank.

Board of Governors of the Federal Reserve System, November 25, 1997.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

[FR Doc. 97-31468 Filed 12-1-97; 8:45 am]

BILLING CODE 6210-01-F

Regulation Y; financial and investment advisory activities, pursuant to § 225.28(b)(6) of the Board's Regulation Y; agency transactional services for customer investments, pursuant to § 225.28(b)(7) of the Board's Regulation Y; and investment transactions as principal, pursuant to § 225.28(b)(8) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, November 25, 1997.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

[FR Doc. 97-31467 Filed 12-1-97; 8:45 am]

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#### SUPPLEMENTARY INFORMATION:

**Title: Mail or Telephone Order Merchandise Trade Regulation Rule, 16 CFR Part 435—(OMB Control Number 3084-0106)—Extension**

The Mail Order Merchandise Rule was promulgated in 1975 in response to consumer complaints that many merchants were failing to ship mail order merchandise on time, failing to ship at all, or failing to provide prompt refunds for unshipped merchandise. The Rule took effect on February 2, 1976. A second rulemaking proceeding in 1993 demonstrated that the delayed shipment and refund problems of the mail order industry were also being experienced by consumers who ordered merchandise over the telephone. The Commission therefore amended the Rule, effective on March 1, 1994, to include merchandise ordered by telephone, including by fax or by computer through the use of a modem.

Generally, the Rule requires a merchant to: (1) have a reasonable basis for any express or implied shipment representation made in soliciting the sale; (2) ship within the time period promised, and if no time period is promised, within 30 days; (3) notify the consumer and obtain the consumer's consent to any delay in shipment; and (4) make prompt and full refunds when the consumer exercises a cancellation option or the merchant is unable to meet the Rule's other requirements.

Under the notice provisions in the Rule, a merchant who is unable to ship within the promised shipment time or 30 days must notify the consumer of a revised date and of his or her right to cancel the order and obtain a prompt refund. Delays beyond the revised shipment date also trigger a notification requirement to consumers. When the Rule requires the merchant to make a refund and the consumer paid by credit card, it also requires the merchant to notify the consumer either that any charge to the consumer's charge account will be reversed or that the merchant will take no action resulting in a charge.

*Burden statement:* In its 1995 PRA submission to OMB, the FTC estimated that 1,897 large businesses and 68,663 small businesses were covered by the Rule, for a total of 70,560 businesses. As stated in the agency's 1995 submission, the conditional nature of some of the Rule's requirements makes it difficult to quantify the exact PRA burden involved. Nonetheless, the agency estimated that, at that time, 70,560 businesses spent an average of 229.78 hours per year on compliance with the Rule, for a total estimate of 16,213,300 burden hours. In the September 3, 1997,

## 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 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 December 15, 1997.

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

1. *Credit Commercial de France, S.A.*, Paris, France; to acquire International Finance Corporation, Paris, France, and thereby engage in extending credit and servicing loans, pursuant to § 225.28(b)(1) of the Board's Regulation Y; activities related to extending credit, pursuant to § 225.28(b)(2) of the Board's

## FEDERAL TRADE COMMISSION

### Submission for OMB Review; Comment Request

AGENCY: Federal Trade Commission.

ACTION: Notice.

**SUMMARY:** The Federal Trade Commission (FTC or Commission) has submitted information collection requirements associated with the Mail or Telephone Order Merchandise Trade Regulation Rule, 16 CFR Part 435, to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520). The FTC previously solicited comments from the public concerning these information collection requirements, and provided the information specified in 5 CFR 1320.5(a)(1)(iv). 62 FR 46498 (September 3, 1997). No comments were received. The current OMB clearance for these requirements expires on December 31, 1997. The FTC has requested that OMB extend the PRA clearance through December 31, 2000.

**DATES:** Comments must be filed by January 2, 1998.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3228, Washington, D.C. 20530, ATTN: Edward Clarke, Desk Officer for the Federal Trade Commission. Comments may also be sent to Elaine W. Crockett, Attorney, Office of the General Counsel, Room 598, 6th St. and Pennsylvania Ave., N.W. 20580, telephone: (202) 326-2453; fax: (202) 326-2477; e-mail [ecrockett@ftc.gov](mailto:ecrockett@ftc.gov)

**Federal Register** notice, we calculated that established businesses would need 150 hours annually toward maintenance of associated computer programs. We have now reduced that figure further after determining that most maintenance and upkeep of computer systems would be part of ordinary business practice in the industry. The OMB regulation that implements the PRA defines "burden" to exclude any effort that would be expended regardless of any regulatory requirement. 5 CFR 1320.3(b)(2).

No provisions in the Mail or Telephone Order Merchandise Rule have been amended or changed in any manner. All of the Rule's requirements relating to disclosure and notification remain the same. We have, however, reduced the 1995 total burden estimate for the following reasons.

Most of the 1995 estimated burden hours were associated with one-time start up tasks associated with establishing implementing standard systems and processes. This is because the Rule had recently been amended (in 1994) to include the telephone order industry. The mail order industry, in contrast, had been subject to the basic provisions of the Rule since 1976. Thus, most of the 230 burden hours that we estimated per firm related to the development and installation of computer systems to handle telephone ordering, and not to the maintenance of such systems.

As noted above, the OMB regulation that implements the PRA defines "burden" to exclude any effort that would be expended regardless of any regulatory requirement. 5 CFR 1320.3(b)(2). In past rulemaking proceedings, industry trade associations and individual witnesses have testified that compliance with the Rule is now widely regarded by direct marketers as being good business practice. The Rule's notification requirements would be followed in any event by most merchants to meet consumer expectations with respect to timely shipment, notification of delay, and prompt and full refunds. Providing consumers with notice about the status of their orders encourages repeat purchase behavior that is essential to the survival of direct mail or telephone order businesses.

Also, the industry is highly automated; notices are produced mechanically and little labor is involved. Nonetheless, even for established businesses, there may be some burden attributable strictly to the existence of the rule. For example, some merchants rely on contractors to handle orders and must therefore monitor how the contractor complies with the Rule.

This entails reviewing consumer complaints to determine whether appropriate delay notification is being provided. The Rule allows merchants to use as much or as little time as necessary to assure that notification and disclosure requirements are being met. Companies employ a broad range of energy, time, and resources for performing these tasks. Also, while established companies spend some time maintaining existing compliance systems, their expenditures are only a fraction of those by new businesses required to establish entirely new systems. An exact figure is difficult to quantify; however, based on staff's familiarity with the industry, we have determined that the average among the industry is unlikely to be more than 50 hours per year.

Staff responsible for the Rule have also estimated that approximately 1,000 additional companies have entered the market since 1995 (for a total of 71,560 incumbent firms) and that, due to escalating sales, approximately 1,000 new companies will enter the market during the coming year. We estimate that these 1,000 new companies will each expend 230 hours per year (the 1995 figure of 229.78 rounded to 230) to establish compliance measures associated with system start-up, although it could be argued once again that most of these efforts would be undertaken even absent the Rule. Nonetheless, we have estimated the total burden imposed by the disclosure and notification requirements at approximately 3,808,000 hours (1,000×230=230,000)+(71,560×50+3,578,000).

**Debra A. Valentine,**

*General Counsel.*

[FR Doc. 97-31728 Filed 12-1-97; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090-0221]

### Proposed Collection; GSA Board of Contract Appeals Rules Procedure

**AGENCY:** GSA Board of Contract Appeals (GSCBA), GSA.

**ACTION:** Notice of request for public comments regarding reinstatement of a previously approved OMB clearance (3090-0221).

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Office of Acquisition Policy has submitted to the Office of Management and Budget

(OMB) a request to review and approve a reinstatement of a previously approved information collection requirement concerning GSA Board of Contract Appeals Rules Procedure. A request for public comments was published at 62 FR 49518, September 22, 1997. No comments were received.

**DATES:** Comment Due Date: January 2, 1998.

**ADDRESSES:** Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, should be submitted to: Edward Springer, GSA Desk Officer, Room 3235, NEOB, Washington, DC 20503, and to Marjorie Ashby, General Services Administration (MVP), 1800 F Street NW, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** Margaret Pfunder, Deputy Chief Counsel, GSA Board of Contract Appeals, (202) 501-0272.

#### SUPPLEMENTARY INFORMATION:

##### A. Purpose

The GSA is requesting the Office of Management and Budget (OMB) to reinstate information collection, 3090-0221, concerning the GSA Board of Contract Appeals Rules Procedure. The GSCBA requires the information collected in order to conduct proceedings in contract appeals and petitions, and cost applications. Parties include those persons or entities filing appeals, petitions, and cost applications, and government agencies.

##### B. Annual Reporting Burden

*Respondents:* 86; *annual responses:* 86; *average hours per response:* .20; *burden hours:* 10.2.

*Copy of Proposal:* A copy of this proposal may be obtained from the GSA Acquisition Policy Division (MVP), Room 4011, GSA Building, 1800 F Street NW, Washington, DC 20405, or by telephoning (202) 501-3822, or by faxing your request to (202) 501-3341.

Dated: November 24, 1997.

**Ida M. Ustad,**

*Deputy Associate Administrator, Office of Acquisition Policy.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Notice of a Meeting of the Genetics Subcommittee, National Bioethics Advisory Commission (NBAC)

**SUMMARY:** Pursuant to Section 10(d) of the Federal Advisory Committee Act, as