which specifies to the grantee the amount of money awarded, the purposes of the grant, and terms and conditions of the grant award.

Dated: May 17, 1995.

Felicia H. Stewart,

Deputy Assistant Secretary for Population Affairs.

[FR Doc. 95–12556 Filed 5–22–95; 8:45 am]

BILLING CODE 4160–17–M

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Proposed Criteria for Reviewing and Making Recommendations on Federal Mandates

ACTION: Notice of proposed criteria.

SUMMARY: The Advisory Commission on Intergovernmental Relations (ACIR) is soliciting public comments on its proposed criteria for investigating and reviewing existing federal mandates and formulating recommendations to modify, suspend, or terminate specific mandates on State, local, or Tribal governments.

DATES: Comments must be received by June 22, 1995.

ADDRESSES: Comments should be sent to Philip M. Dearborn, Director, Government Finance Research, ACIR, 800 K Street NW., Suite 450 South, Washington, DC 20575.

FOR FURTHER INFORMATION CONTACT: Philip Dearborn at 202/653–5538.

SUPPLEMENTARY INFORMATION: The Advisory Commission on Intergovernmental Relations (ACIR, 42 U.S.C. 4271) is charged in Sec. 302 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, 109 Stat. 67) with investigating and reviewing the role of Federal mandates in intergovernmental relations and formulating recommendations to modify, suspend, or terminate specific mandates on State, local, or Tribal governments.

Section 302 defines ''Federal mandate'' very broadly for the purposes of the ACIR review as ''any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty on State, local, or Tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.''

ACIR will select for in-depth review those Federal mandates generally recognized as creating significant concerns within the intergovernmental system. In accordance with Public Law 104–4, ACIR will give review priority to mandates that are subject to judicial proceedings in Federal courts. To formulate its recommendations, ACIR will evaluate each mandate to determine the specific conditions causing concern.

The Commission will make the final decisions about which mandates it will review based on two types of criteria:

(1) Those that provide a basis for identifying mandates of significant concern; and

(2) Those that provide a basis for formulating recommendations to modify, suspend, or terminate specific mandates that are of concern.

Criteria for Identifying Mandates of Significant Concern

In general, Federal mandates will be selected for intensive review if they have one or more of the following characteristics:

1. The mandate requires State, local, or Tribal governments to expend substantial amounts to their own resources in a manner that significantly distorts their spending priorities. This addresses mandates that require more than incidental amounts of spending. It will not include all Federal mandates that require governments to spend money.

2. The mandate establishes terms or conditions for Federal assistance in a program or activity in which State, local, or Tribal governments have little discretion over whether or not to participate. This will include mandates in entitlements and discretionary programs. It will exclude conditions of grants in small categorical programs that are distributed on the basis of annual or periodic applications and that are received only by a limited number of governments.

3. The mandates abridges historic powers of State, local, or Tribal governments, the exercise of which would not adversely affect other jurisdictions. This will include mandates that have an impact on internal State, local, and Tribal government affairs related to issues not widely acknowledged as being of national concern and for which the absence of the mandate would not create adverse spillover effects.

4. The mandate imposes compliance requirements that make it difficult or impossible for State, local, and Tribal governments to implement. Implementation delays, issuance of court orders, or assessment of fines may be indicative of mandate requirements that go beyond State, local, or Tribal fiscal resources, or administrative or technological capacity, after reasonable efforts at compliance have been made.

5. The mandate has been the subject of widespread objections and complaints by State and local governments and their representatives. This will include mandates that are based on problems of national scope, but are not federally funded.

Criteria for Formulating Recommendations

ACIR will investigate the specific characteristics of each mandate causing significant concern in order to formulate a recommendation to modify, suspend, or terminate the mandate. For purposes of formulating such recommendations, ACIR will focus on specific provisions in laws, regulations, or court orders.

When a mandate affects a State or local program that directly competes with a comparable private sector activity, ACIR will consider the effects on both the government and private sector in making its recommendation. ACIR also will consider (1) impacts of mandates on working men and women and (2) mandates for utilization of metric systems.

ACIR will investigate each mandate selected for intensive review to determine whether or not they have one or more of the following characteristics:

1. Federal Intrusion

- Requirements are not based on demonstrated national needs.
- Requirements are related to issues not widely recognized as national concerns or as being within the appropriate scope of Federal activities.
- Requirements are based on problems of national scope, but which State, local, or Tribal governments have been able or willing to solve effectively, either independently or through voluntary cooperation.
- Requirements are based on problems of national scope, but are not federally funded.

These mandates should be terminated or modified to express non-binding national guidelines. In some instances, the basis provision could be retained in Federal law, but compliance could be made voluntary.

2. Unnecessarily Rigid

- Provisions do not permit adjustments to the circumstances or needs of individual jurisdictions.
- Provisions restrict flexibility to use less costly or less onerous alternative procedures to achieve the goal of the mandate.
- Provisions do not allow governments to set implementation or compliance priorities and schedules, taking into account risk analysis, greatest benefit, or other factors.

These mandates should be modified to provide options, waivers, or exemptions, or be terminated.

3. Unnecessarily Complex

• Requirements are unnecessarily detailed and difficult to understand.

• Provisions are too process specific rather than results oriented.

These mandates should be simplified, clarified, or otherwise revised to facilitate understanding and implementation, or be terminated.

4. Unclear Goals or Standards

• Goals or standards are too vague, confusing, or poorly written to permit clear or consistent implementation of requirements or measurement of results.

These goals or standards should be rewritten or the mandate should be terminated.

5. Contradictory or Inconsistent

• Provisions in one mandate may make it difficult or impossible to comply with other provisions in the same or other Federal, State, local, or Tribal laws.

• Requirements use conflicting and confusing definitions and standards.

These mandates should be modified to bring conflicting requirements into conformance. In some instances, it may be appropriate to terminate one or all of the requirements. Where possible, common definitions and standards should be used, especially in planning and reporting requirements.

6. Duplicative

• Provisions in two or more Federal mandates may have the same general goals but require different actions for compliance.

These mandates could be terminated, consolidated, to modified or facilitate compliance.

7. Obsolete

• Provisions were enacted when conditions or needs were different or before existing technologies were available.

• Provisions have been superseded by later requirements.

These mandates should be modified to reflect current conditions or existing technology. If a mandate is no longer necessary or has been superseded, it should be terminated.

8. Inadequate Scientific Basis

• Provisions were enacted based on inadequate or inconclusive scientific research or knowledge.

• Provisions are not based on current, peer-reviewed scientific research.

• Provisions are not justified by risk assessment or cost-benefit.

These mandates should be terminated or modified to reflect current science. In some cases, suspension of the mandate may be appropriate to provide time for additional research.

9. Lacking in Practical Value

• Requirements do not achieve the intended results.

• Requirements are perceived by citizens as unnecessary, insignificant, or ineffective, thereby producing credibility problems for governments.

• Requirements have high costs relative to the importance of the issue.

These mandates should be evaluated to determine whether or not they are effective. If they cannot be shown to be effective and worthy of public support, they should be terminated. If they are effective, it still may be appropriate to suspend the mandates to allow time for public education and consensus building on their value.

10. Resource Demands Exceed Capacity

• Requirements for compliance exceed State, local, and Tribal governments' fiscal, administrative, and/or technological capacity.

These mandates should be terminated or modified to reduce compliance problems, or assistance could be provided to upgrade capacity. In some instances, compliance schedule extensions or exemptions may be appropriate.

11. Compounds Fiscal Difficulties

• Compliance with the requirements of any one mandate or with multiple mandates compounds fiscal difficulties of governmental jurisdictions that are experiencing fiscal stress.

In these situations, certain of the mandates affecting the jurisdictions—exclusive of those that are vital to public health or safety—should be considered for partial or total suspension until the government experiencing fiscal stress is able to comply. The conditions triggering consideration of such suspensions should include:

a. Governments faced with costs dramatically out of line with their revenue bases, as determined by comparisons with other similar governments that are complying; or

b. Governments that are experiencing severe fiscal distress for reasons not immediately within their control. There should be some definitive evidence of severe problems, such as State receivership, State declaration of distress, Chapter 9 bankruptcy, or a debt rating below investment grade. This should not include annual budget balancing problems.

Dated: May 18, 1995.

William E. Davis III,

Executive Director.

[FR Doc. 95–12591 Filed 5–22–95; 8:45 am]

BILLING CODE 5500–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK–962–1410–00–P; AA–10968]

Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Section 14(h)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(h), will be issued to Chugach Alaska Corporation for 0.10 acre. The land involved is in the vicinity of Long Bay, Alaska.

U.S. Survey No. 6935, Alaska.

A notice of the decision will be published once a week, for four (4) consecutive weeks, in the Anchorage Daily News. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513–7599 ((907) 271–5960).

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until June 22, 1995 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

Margaret J. McDaniel,

Acting Chief, Branch of Gulf Rim Adjudication.

[FR Doc. 95–12558 Filed 5–22–95; 8:45 am]

BILLING CODE 4310–JA–P

National Park Service

Environmental Assessment for Proposed M.J. Murdock Aviation Center and Proposed Master Plan Amendment for Fort Vancouver National Historic Site, Washington

ACTION: Notice of availability of environmental assessment.